

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-FOURTH DAY — FRIDAY, MAY 5, 2017

The house met at 10:33 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 837).

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; Dukes; 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; Oliveira; 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; Workman; Wray; Wu; Zedler; Zerwas.

The speaker recognized Representative Y. Davis who introduced Mariah L. Willis, minister, The Potter's House of Dallas, Dallas, who offered the invocation as follows:

Gracious Father, we join together as your children thanking you for another day in which your grace and love have been extended to us. We ask that your counsel, wisdom, and protection be given to our representatives of this great State of Texas. As you have granted each person here the gift of representing your people, we ask that you help them to serve one another as good stewards of your grace.

Grant them the ability to act justly, love mercy, and to walk humbly with you. Grant them the ability to demonstrate humility of mind, regarding the State of Texas and their constituents as being more important than themselves. Help them to lead with great integrity of heart and skillful hands so that success and victory for the people of Texas may be actualized.

As you are faithful, strengthen and protect our representatives and their families. Where sickness may reside, bring healing. Where confusion may arise, bring peace. Where weariness may be overwhelming, overwhelm them with strength. Give them the strength to uphold and remain true to their convictions. Lastly, Father, we ask that though our methods may differ, let our cause be united for the betterment of all people throughout this great State of Texas. In your son Christ's name, we do pray. Amen.

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

(Roberts in the chair)

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

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

HR 1932 - ADOPTED (by Springer)

Representative Springer moved to suspend all necessary rules to take up and consider at this time **HR 1932**.

The motion prevailed.

The following resolution was laid before the house:

HR 1932, In memory of Harrison Brown of Graham.

HR 1932 was unanimously adopted by a rising vote.

On motion of Representative Hinojosa, the names of all the members of the house were added to **HR 1932** as signers thereof.

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:

HCR 137 (by Klick), Commemorating the 25th anniversary of the unconventional ratification of the 27th Amendment to the United States Constitution.

HR 1911 (by Lucio), Congratulating Ramiro Ramirez Gonzalez on his 50th year in business in the Rio Grande Valley.

HR 1920 (by Minjarez), Commending Venissia Villarreal of Earl Warren High School in San Antonio on her role in inspiring **SB 1152**.

HR 1928 (by Minjarez), Commending Clarissa Milner of Earl Warren High School in San Antonio for enlisting in the U.S. Marine Corps and for her role in inspiring **SB 1152**.

HR 1929 (by Minjarez), Commending Albert Duran of Earl Warren High School in San Antonio for enlisting in the U.S. Navy and for his role in inspiring **SB 1152**.

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.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Raymond requested permission for the Committee on Human Services to meet while the house is in session, at 11 a.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Human Services, 11 a.m. today, 1W.14, for a formal meeting, to consider pending business.

CAPITOL PHYSICIAN

The speaker recognized Representative Workman who presented Colonel Dr. Jonathan MacClements of Austin as the "Doctor for the Day."

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

REGULAR ORDER OF BUSINESS SUSPENDED

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

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Ashby on motion of Geren.

HR 60 - PREVIOUSLY ADOPTED

(by Alonzo)

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

HR 60, Commemorating Cinco de Mayo, 2017.

HB 6 - COMMITTEE ON CALENDARS RULE ADOPTED

Pursuant to Rule 3, Section 4(2) and Rule 6, Section 16(f) of the House Rules, Representative Hunter moved to adopt the following rule governing floor consideration for **HB 6**:

Section 1. All original amendments that will be offered during second reading consideration of the bill must be filed with the chief clerk by 1 p.m. on Sunday, May 7.

The Committee on Calendars rule was adopted by (Record 838): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; 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; Dukes; 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; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; 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; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Ashby.

(Speaker in the chair)

REMARKS ORDERED PRINTED

Representative Isaac moved to print all remarks on **HB 22** on third reading on May 4.

The motion prevailed.

HB 550 - CALLED FROM JOURNAL VOTE RECONSIDERED

Representative Darby called from the journal the motion to reconsider the vote by which **HB 550** failed to pass by Record No. 754 on May 4.

The motion to reconsider prevailed.

HB 550 ON THIRD READING (by Guillen)

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

HB 550, A bill to be entitled An Act relating to sound-producing devices on vessels.

HB 550 was read third time on May 4 and failed to pass by Record No. 754.

HB 550 was passed by (Record 839): 126 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; 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; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Bohac; Cain; Canales; Elkins; Fallon; Hefner; Klick; Krause; Lang; Leach; Murphy; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Ashby.

Absent — Laubenberg.

STATEMENTS OF VOTE

When Record No. 839 was taken, I was shown voting yes. I intended to vote no.

Burrows

When Record No. 839 was taken, I was shown voting yes. I intended to vote no.

Capriglione

When Record No. 839 was taken, my vote failed to register. I would have voted no.

Laubenberg

When Record No. 839 was taken, I was shown voting yes. I intended to vote no.

Wilson

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 2770 ON THIRD READING
(by Smithee)**

HB 2770, A bill to be entitled An Act relating to the declaration of a common nuisance involving a computer network or web address.

HB 2770 was passed by (Record 840): 146 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; 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.; Deshotel; Dukes; 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; Oliveira; 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.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Ashby.

Absent — Dean.

STATEMENT OF VOTE

When Record No. 840 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

MESSAGE FROM THE SENATE

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

HB 1774 ON THIRD READING**(by G. Bonnen, Lucio, Parker, Frullo, Phillips, et al.)**

HB 1774, A bill to be entitled An Act relating to actions on and liability associated with certain insurance claims.

Amendment No. 1

Representatives Smithee, Phillips, Herrero, and Lucio offered the following amendment to **HB 1774**:

Amend **HB 1774** on third reading, in added Section 542A.006(g), Insurance Code, by striking "if sufficient evidence supports the submission, a jury may be asked to determine the agent's responsibility for claim-related damage caused to the claimant" and substituting "if supported by sufficient evidence, the trier of fact may be asked to resolve fact issues as if the agent were a defendant, and a judgment against the insurer must include any liability that would have been assessed against the agent".

Amendment No. 1 was adopted.

HB 1774, as amended, was passed by (Record 841): 92 Yeas, 55 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Cook; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

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

Absent, Excused, Committee Meeting — Ashby.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Pickett requested permission for the Committee on Environmental Regulation to meet while the house is in session, at 12:30 p.m. today, in 3W.9, to consider **SB 1229** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Environmental Regulation, 12:30 p.m. today, 3W.9, for a formal meeting, to consider **SB 1229** and pending business.

HB 2262 ON THIRD READING (by Gooden and Muñoz)

HB 2262, A bill to be entitled An Act relating to health benefit plan coverage for accelerated refills of certain prescription eye drops.

HB 2262 was passed by (Record 842): 132 Yeas, 14 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Faircloth; Fallon; Farrar; Flynn; 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.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Cain; Frank; Krause; Lang; Leach; Rinaldi; Schaefer; Shaheen; Stickland; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Ashby.

Absent — Elkins; King, T.

STATEMENT OF VOTE

When Record No. 842 was taken, I was shown voting no. I intended to vote yes.

Frank

REASON FOR VOTE

I voted yes on 2nd reading and no on 3rd. The reason for my change is that further research found this to be a mandate on insurance companies which I fundamentally disagree with.

Tinderholt

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 1 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 1 p.m. today, 3W.15, for a formal meeting, to set a calendar.

HB 2463 ON THIRD READING (by Price)

HB 2463, A bill to be entitled An Act relating to requiring state agencies to develop written succession plans.

HB 2463 was passed by (Record 843): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; 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.; 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; Oliveira; 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; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Ashby.

Absent — Burkett; Cortez; Elkins; King, T.

STATEMENTS OF VOTE

When Record No. 843 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 843 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

S. Davis on motion of Geren.

HB 1944 ON THIRD READING (by Murphy and Capriglione)

HB 1944, A bill to be entitled An Act relating to captive insurance companies.

HB 1944 was passed by (Record 844): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dukes; 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; Oliveira; 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; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Ashby; Davis, S.

HB 715 ON THIRD READING (by Wu, S. Davis, Thierry, and S. Thompson)

HB 715, A bill to be entitled An Act relating to the occurrence on certain premises of certain activities that may constitute a common nuisance.

HB 715 was passed by (Record 845): 141 Yeas, 0 Nays, 1 Present, not voting.

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

Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; 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; Oliveira; 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; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Ashby; Davis, S.

Absent — Burrows; Guerra; Israel; Johnson, J.; Swanson; Thompson, E.

STATEMENTS OF VOTE

When Record No. 845 was taken, my vote failed to register. I would have voted yes.

Burrows

When Record No. 845 was taken, I was in the house but away from my desk. I would have voted yes.

Swanson

HB 557 ON THIRD READING

(by Collier and Minjarez)

HB 557, A bill to be entitled An Act relating to the procedure for expunction of arrest records and files for certain persons who are tried for an offense and subsequently acquitted.

HB 557 was passed by (Record 846): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; 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, Y.; Dean; Deshotel; Dukes; 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; Oliveira; 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; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Ashby; Davis, S.

(Kuempel in the chair)

HB 590 ON THIRD READING

(by Bohac)

HB 590, A bill to be entitled An Act relating to the liability of first responders who provide roadside assistance.

HB 590 was passed by (Record 847): 143 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; 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, 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; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; 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; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Ashby; Davis, S.

Absent — Dukes; Geren.

STATEMENT OF VOTE

When Record No. 847 was taken, I was in the house but away from my desk. I would have voted yes.

Geren

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 1459 ON THIRD READING
(Martinez - House Sponsor)**

SB 1459, A bill to be entitled An Act relating to incentives to encourage landowners to destroy, remove, or treat citrus trees located in a pest management zone.

SB 1459 was passed by (Record 848): 143 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dukes; 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; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; 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.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; Tinderholt.

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

Absent, Excused, Committee Meeting — Ashby; Davis, S.

Absent — Wilson.

LEAVE OF ABSENCE GRANTED

Pursuant to a previous motion, the following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Longoria on motion of Geren.

POSTPONED BUSINESS

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

CSHB 2662 ON SECOND READING
(by Landgraf)

CSHB 2662, A bill to be entitled An Act relating to the Texas Low-Level Radioactive Waste Disposal Compact waste disposal facility.

CSHB 2662 was read second time on May 3 and was postponed until 2 a.m. today.

Amendment No. 1

Representative Landgraf offered the following amendment to **CSHB 2662**:

Amend **CSHB 2662** (house committee report) by striking SECTION 1 (page 1, line 5, through page 2, line 8) and SECTIONS 3 through 6 (page 2, lines 22 through page 5, line 9) of the bill and renumbering the remaining SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

CSHB 2662, as amended, was passed to engrossment.

HB 3379 ON SECOND READING
(by Paddie, Giddings, Perez, and Meyer)

HB 3379, A bill to be entitled An Act relating to the eligibility process for customer service benefits.

HB 3379 was read second time on May 3 and was postponed until 7:45 a.m. today.

Representative Paddie moved to postpone consideration of **HB 3379** until 12:40 p.m. today.

The motion prevailed.

CSHB 2780 ON SECOND READING
(by Paddie, Darby, Ashby, Geren, Phelan, et al.)

CSHB 2780, A bill to be entitled An Act relating to the purchase of iron and steel products made in the United States for certain governmental entity projects.

CSHB 2780 was read second time on May 3 and was postponed until 7:45 a.m. today.

Representative Paddie moved to postpone consideration of **CSHB 2780** until 6 a.m. Monday, May 8.

The motion prevailed.

SB 1533 ON SECOND READING
(Moody, Coleman, Price, Lozano, Turner, et al. - House Sponsors)

SB 1533, A bill to be entitled An Act relating to mental health first aid training for university employees.

SB 1533 was considered in lieu of **HB 4237**.

SB 1533 was read second time and was passed to third reading. (Rinaldi recorded voting no.)

HB 4237 - LAID ON THE TABLE SUBJECT TO CALL

Representative Moody moved to lay **HB 4237** on the table subject to call.

The motion prevailed.

HCR 106

(by **Deshotel, Perez, Faircloth, Roberts, Cain, et al.**)

HCR 106, Urging Congress to provide sufficient federal funding for the construction of a storm surge barrier along the Texas coast.

HCR 106 was laid before the house on May 2 and was postponed until 10 a.m. today.

(Paddie in the chair)

Amendment No. 1

Representative D. Bonnen offered the following amendment to **HCR 106**:

Amend **HCR 106** (house committee printing) on page 2, between lines 11 and 12, by inserting the following:

WHEREAS, The General Land Office of the State of Texas is committed to partnering with the United States Army Corps of Engineers to implement the construction of the Coastal Spine; and

WHEREAS, The Texas Legislature is committed to the creation of a special purpose district within the Gulf Coast Region in order to fund the ongoing operations and maintenance of any structures and facilities related to the Coastal Spine; and

Amendment No. 1 was adopted.

HCR 106, as amended, was adopted by (Record 849): 144 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dukes; 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; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; 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.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

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

Absent, Excused, Committee Meeting — Ashby; Davis, S.; Longoria.

CSHB 2381 ON SECOND READING
(by Frullo)

CSHB 2381, A bill to be entitled An Act relating to the applicability of the sales and use tax to certain insurance services.

CSHB 2381 was read second time on May 3 and was postponed until 10 a.m. today.

Representative Frullo moved to postpone consideration of **CSHB 2381** until 1 a.m. Monday, May 8.

The motion prevailed.

CSHB 3772 ON SECOND READING
(by Button, Parker, Capriglione, Springer, Martinez, et al.)

CSHB 3772, A bill to be entitled An Act relating to operation of the Texas leverage fund program administered by the Texas Economic Development Bank.

CSHB 3772 was read second time on May 4 and was postponed until 10:30 a.m. today.

CSHB 3772 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **CSHB 3772** under Rule 8, Section 21(a) of the House Rules on the grounds that the general appropriations bill has not yet been certified by the comptroller.

The chair sustained the point of order and submitted the following statement:

Representative Cain raised a point of order against further consideration of **CSHB 3772** pursuant to Rule 8, Section 21(a) of the House Rules on the grounds that the bill diverts funds from the state treasury from the general revenue fund to another fund.

Rule 8, Section 21(a) provides:

In order to assure the continuation of financial support of existing state services through the passage of the general appropriations bill, it shall not be in order during the first 118 days of the regular session for the speaker to lay before the house, prior to the consideration, passage, and certification by the comptroller of the general appropriations bill, any bill that directly or indirectly prevents from being available for purposes of funding state government generally any money that under existing law would otherwise be available for that purpose, including a bill that transfers or diverts money in the state treasury from the general revenue fund to another fund.

CSHB 3772 would create the Texas Leverage Fund and move the current Leverage Fund outside the treasury. Representative Cain correctly observes that the bill is on the floor prior to the 119th day of the legislative session and that the

general appropriations bill has not yet been passed and certified by the comptroller. As a result, the transfer of money from the current fund, which currently operates out of a General Revenue-Dedicated account, into the new fund outside the treasury held in trust by the Comptroller, runs afoul of Rule 8, Section 21(a). See 83 H.J. Reg. 2019 (2013) (S. Turner point of order on **CSHB 11**). The point of order is sustained.

CSHB 3772 was returned to the Committee on Economic and Small Business Development.

**CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING**

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

**HJR 100 ON SECOND READING
(by Kuempel and Gutierrez)**

HJR 100, A joint resolution proposing a constitutional amendment on professional sports team charitable foundations conducting charitable raffles.

HJR 100 was adopted by (Record 850): 143 Yeas, 0 Nays, 2 Present, not voting. (The vote was reconsidered later today, and **HJR 100** was amended and was adopted by Record No. 852.)

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; 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, Y.; Dean; Deshotel; Dukes; 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; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Ashby; Davis, S.; Longoria.

Absent — Sanford; Stickland.

STATEMENTS OF VOTE

When Record No. 850 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

When Record No. 850 was taken, I was in the house but away from my desk. I would have voted yes.

Stickland

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

CSHB 639 ON SECOND READING **(by C. Anderson, Huberty, Kacal, and Stephenson)**

CSHB 639, A bill to be entitled An Act relating to authorizing the purchase of certain insurance coverage by public schools for the benefit of businesses and students participating in career and technology programs and providing for immunity from liability of certain public school students participating in career and technology programs.

Amendment No. 1

Representative Dutton offered the following amendment to **CSHB 639**:

Amend **CSHB 639** (house committee report), strike added Section 29.191(e), Education Code (page 2, lines 12 through 15), and substitute the following:

(e) A district or school may not directly or indirectly charge a student or the student's parent or guardian for the cost of providing to the student insurance under this section.

Amendment No. 1 was adopted.

CSHB 639, as amended, was passed to engrossment.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Calendars:

Alonzo on motion of Muñoz.

Cook on motion of Muñoz.

Geren on motion of Muñoz.

Giddings on motion of Muñoz.

Howard on motion of Muñoz.

Hunter on motion of Muñoz.

Kacal on motion of Muñoz.

K. King on motion of Muñoz.

Koop on motion of Muñoz.

Nevárez on motion of Muñoz.

Paddie on motion of Muñoz.

Phelan on motion of Muñoz.

Rose on motion of Muñoz.

(Roberts in the chair)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Phillips requested permission for the Committee on Insurance to meet while the house is in session, at 1:05 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Insurance, 1:05 p.m. today, 1W.14, for a formal meeting, to consider pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Button requested permission for the Committee on Economic and Small Business Development to meet while the house is in session, at 1:05 p.m. today, in 1W.14, to consider **HB 3772**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Economic and Small Business Development, 1:05 p.m. today, 1W.14, for a formal meeting, to consider **HB 3772**.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Insurance:

R. Anderson on motion of Raney.

Gooden on motion of Raney.

Muñoz on motion of Raney.

Oliverson on motion of Muñoz.

Paul on motion of Raney.

Phillips on motion of Raney.

Sanford on motion of Raney.

Turner on motion of Raney.

Vo on motion of Raney.

HJR 100 - VOTE RECONSIDERED

Representative Kuempel moved to reconsider the vote by which **HJR 100** was adopted by Record No. 850 earlier today.

The motion to reconsider prevailed.

HJR 100 ON SECOND READING (by Kuempel and Gutierrez)

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

HJR 100, A joint resolution proposing a constitutional amendment on professional sports team charitable foundations conducting charitable raffles.

HJR 100 was read second time earlier today and was adopted by Record No. 850.

Amendment No. 1

Representative Goldman offered the following amendment to **HJR 100**:

Amend **HJR 100** (house committee report) on page 1, line 17, following the period, by inserting the following:

In this subsection, "professional sports team" means:

(1) a team organized in this state that is a member of Major League Baseball, the National Basketball Association, the National Hockey League, the National Football League, Major League Soccer, the American Hockey League, the East Coast Hockey League, the American Association of Independent Professional Baseball, the Atlantic League of Professional Baseball, Minor League Baseball, the National Basketball Association Development League, the National Women's Soccer League, the Major Arena Soccer League, the United Soccer League, or the Women's National Basketball Association;

(2) a person hosting a motorsports racing team event sanctioned by the National Association for Stock Car Auto Racing (NASCAR), INDYCar, or another nationally recognized motorsports racing association at a venue in this state with a permanent seating capacity of not less than 75,000;

(3) an organization hosting a Professional Golf Association event; or

(4) any other professional sports team defined by law.

Amendment No. 1 was adopted by (Record 851): 110 Yeas, 13 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Arévalo; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Israel; Johnson, E.; Johnson, J.; Keough; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg;

Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Murphy; Murr; Neave; Oliveira; Ortega; Parker; Perez; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Fallon; Isaac; Lang; Leach; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused, Committee Meeting — Alonzo; Anderson, R.; Ashby; Cook; Davis, S.; Geren; Giddings; Gooden; Howard; Hunter; Kacal; King, K.; Koop; Longoria; Muñoz; Nevárez; Oliverson; Paddie; Paul; Phelan; Phillips; Rose; Sanford; Turner; Vo.

STATEMENTS OF VOTE

When Record No. 851 was taken, I was shown voting no. I intended to vote yes.

Fallon

When Record No. 851 was taken, I was shown voting no. I intended to vote yes.

Leach

HJR 100, as amended, was adopted by (Record 852): 110 Yeas, 12 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Arévalo; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Israel; Johnson, E.; Johnson, J.; Keough; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Murphy; Murr; Neave; Oliveira; Ortega; Parker; Perez; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Isaac; Lang; Leach; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused, Committee Meeting — Alonzo; Anderson, R.; Ashby; Cook; Davis, S.; Geren; Giddings; Gooden; Howard; Hunter; Kacal; King, K.; Koop; Longoria; Muñoz; Nevárez; Oliverson; Paddie; Paul; Phelan; Phillips; Rose; Sanford; Turner; Vo.

Absent — Dutton.

STATEMENT OF VOTE

When Record No. 852 was taken, I was shown voting no. I intended to vote yes.

Leach

(Kuempel in the chair)

HB 785 ON SECOND READING (by Raney, Zerwas, Sheffield, Burkett, Klick, et al.)

HB 785, A bill to be entitled An Act relating to the provision of embryo donation information.

HB 785 was passed to engrossment.

CSHB 1036 ON SECOND READING (by S. Thompson, Hernandez, Laubenberg, Collier, Sheffield, et al.)

CSHB 1036, A bill to be entitled An Act relating to coverage for certain breast cancer screening procedures under certain health benefit plans.

CSHB 1036 was passed to engrossment.

HB 1142 ON SECOND READING (by S. Davis and Button)

HB 1142, A bill to be entitled An Act relating to prohibiting governmental contracts with a company doing business with Iran, Sudan, or a foreign terrorist organization.

Representative Alvarado moved to postpone consideration of **HB 1142** until 2 p.m. Monday, May 8.

The motion prevailed.

HB 1183 ON SECOND READING (by Roberts, Gutierrez, et al.)

HB 1183, A bill to be entitled An Act relating to the prohibition by counties of the use of fireworks during certain hours; creating a criminal offense.

Amendment No. 1

Representative Springer offered the following amendment to **HB 1183**:

Amend **HB 1183** (house committee printing) as follows:

(1) On page 1, line 8, between "HOURS" and the underlined period, insert "IN CERTAIN COUNTIES".

(2) On page 1, line 11, between "county" and "by", insert "with a population of 3.3 million or more".

Amendment No. 1 was adopted.

(Cook now present)

Amendment No. 2

Representative Stickland offered the following amendment to **HB 1183**:

Amend **HB 1183** (house committee printing) on page 1, lines 15 and 16 by striking "New Year's Eve and July 4" and substitute the following:
any state or federal holiday listed in Section 662.003, Government Code, and the following holidays:

- (A) Diwali;
- (B) Cinco de Mayo;
- (C) Chinese New Year;
- (D) Alamo Day;
- (E) Halloween;
- (F) All Saints' Day; and
- (G) All Souls' Day

(Alonzo and Paddie now present)

Representative Roberts moved to table Amendment No. 2.

The motion to table prevailed by (Record 853): 83 Yeas, 35 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Button; Canales; Clardy; Coleman; Collier; Cook; Cosper; Dale; Darby; Dean; Dutton; Faircloth; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; Gonzales; González; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Huberty; Israel; Johnson, E.; Johnson, J.; King, P.; Lambert; Landgraf; Larson; Laubenberg; Lozano; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Murphy; Murr; Oliveira; Ortega; Paddie; Perez; Raney; Raymond; Roberts; Rodriguez, J.; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Uresti; VanDeaver; Villalba; Walle; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Bonnen, G.; Burrows; Cain; Capriglione; Cortez; Craddick; Cyrier; Davis, Y.; Elkins; Fallon; Goldman; Guillen; Hefner; Isaac; Keough; King, T.; Krause; Lang; Leach; Lucio; Pickett; Price; Reynolds; Rinaldi; Rodriguez, E.; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused, Committee Meeting — Anderson, R.; Ashby; Davis, S.; Geren; Giddings; Gooden; Howard; Hunter; Kacal; King, K.; Koop; Longoria; Muñoz; Nevárez; Oliverson; Paul; Phelan; Phillips; Rose; Sanford; Turner; Vo.

Absent — Bailes; Deshotel; Dukes; Klick; Neave; Parker; Romero; Schofield.

STATEMENTS OF VOTE

When Record No. 853 was taken, I was in the house but away from my desk. I would have voted no.

Bailes

When Record No. 853 was taken, my vote failed to register. I would have voted no.

Parker

(R. Anderson, Howard, K. King, Nevárez, and Oliverson now present)

HB 1183 - POINT OF ORDER

Representative Isaac raised a point of order against further consideration of **HB 1183**.

The point of order was withdrawn.

Representative Roberts moved to postpone consideration of **HB 1183** until 1:42 p.m. today.

The motion prevailed.

HB 1290 ON SECOND READING

(by Roberts, Button, Parker, Kacal, et al.)

HB 1290, A bill to be entitled An Act relating to the required repeal of a state agency rule before adoption of a new state agency rule.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Huberty requested permission for the Committee on Public Education to meet while the house is in session, at 2 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Education, 2 p.m. today, 1W.14, for a formal meeting, to consider pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Lozano requested permission for the Committee on Higher Education to meet while the house is in session, at 2 p.m. today, in 1W.14, to consider **HB 378** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Higher Education, 2 p.m. today, 1W.14, for a formal meeting, to consider **HB 378** and pending business.

(Geren, Giddings, Phelan, Turner, and Vo now present)

HB 1290 - (consideration continued)

Amendment No. 1

Representative G. Bonnen offered the following amendment to **HB 1290**:

Amend **HB 1290** (house committee report) as follows:

(1) On page 1, line 10, strike "(c)" and substitute "(h)".

(2) On page 1, between lines 13 and 14, insert the following:

(c) Before a proposed rule subject to this section is first published or adopted, a state agency must prepare for the proposed rule a proposed rule reduction statement.

(d) The proposed rule reduction statement must:

(1) describe the rule proposed to be added and the rule proposed to be repealed;

(2) reasonably describe, with respect to the first five years the proposed rule would be in effect, whether:

(A) the proposed rule creates or eliminates a governmental program;

(B) implementation of the proposed rule requires the creation of additional employee positions or the elimination of existing employee positions;

(C) implementation of the proposed rule requires an increase or decrease in future legislative appropriations to the state agency;

(D) the proposed rules requires an increase or decrease in fees paid to the state agency;

(E) the proposed rule expands, limits, or repeals another existing rule;

(F) the proposed rule increases or decreases the number of individuals subject to the rule's applicability; and

(G) the proposed rule positively or adversely affects this state's economy; and

(3) to the extent applicable, reasonably describe, with respect to the repealed rule, the information required under Subdivision (2).

(e) The comptroller shall adopt rules necessary to implement this section. The rules must require that the statement required under Subsection (d) be in plain language. The comptroller may prescribe a chart for use by a state agency in disclosing the information required under that subsection.

(f) A state agency's failure to comply with the requirements of Subsection (d) does not affect the legal status of a rule adopted under this chapter.

(g) This section applies to the adoption of an emergency rule.

(3) On page 1, line 14, strike "(c)" and substitute "(h)".

(4) On page 1, strike lines 19-24, substitute the following appropriately numbered SECTIONS, and renumber the SECTIONS of the bill accordingly.

SECTION _____. Not later than October 1, 2017, the comptroller shall adopt the rules required under Section 2001.0045, Government Code, as added by this Act.

SECTION _____. Section 2001.0045, Government Code, as added by this Act, applies only to a rule proposed by a state agency on or after November 1, 2017. A rule proposed by a state agency before that date is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

Amendment No. 2

Representative VanDeaver offered the following amendment to **HB 1290**:

Amend **HB 1290** (house committee report) as follows:

(1) On page 1, line 15, strike "or".

(2) On page 1, line 18, between "Code" and the underlined period, insert the following:

; or

(3) related to the essential knowledge and skills developed under Subchapter A, Chapter 28, Education Code, or high school graduation requirements adopted under Section 28.025, Education Code

Amendment No. 2 was adopted.

HB 1290, as amended, was passed to engrossment by (Record 854): 89 Yeas, 39 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Coleman; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Frank; Frullo; Geren; Goldman; Gonzales; Guillen; Hefner; Herrero; Holland; Huberty; Isaac; Keough; King, K.; King, P.; King, T.; Klick; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Perez; Phelan; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Collier; Cortez; Dukes; Dutton; Gervin-Hawkins; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Lucio; Martinez; Minjarez; Moody; Neave; Nevárez; Oliveira; Ortega; Pickett; Raymond; Rodriguez, E.; Rodriguez, J.; Romero; Turner; Uresti; Vo; Walle; Wu.

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

Absent, Excused, Committee Meeting — Ashby; Davis, S.; Gooden; Hunter; Kacal; Koop; Longoria; Muñoz; Paul; Phillips; Rose; Sanford.

Absent — Allen; Davis, Y.; Deshotel; Farrar; Flynn; Giddings; Reynolds; Thierry.

STATEMENTS OF VOTE

When Record No. 854 was taken, I was in the house but away from my desk. I would have voted yes.

Flynn

When Record No. 854 was taken, I was excused to attend a meeting of the Committee on Calendars. I would have voted no.

Rose

When Record No. 854 was taken, I was in the house but away from my desk. I would have voted no.

Thierry

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Public Education:

Allen on motion of Paddie.

Bernal on motion of Paddie.

Bohac on motion of Paddie.

Deshotel on motion of Paddie.

Dutton on motion of Paddie.

Gooden on motion of Paddie.

Huberty on motion of Paddie.

K. King on motion of Paddie.

Meyer on motion of Paddie.

VanDeaver on motion of Paddie.

(Rose now present)

CSHB 1693 ON SECOND READING

(by Dean, Larson, Paddie, Wray, S. Thompson, et al.)

CSHB 1693, A bill to be entitled An Act relating to documentation for the transfer of a motor vehicle title.

Amendment No. 1

Representative Pickett offered the following amendment to **CSHB 1693**:

Amend **CSHB 1693** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 152.062, Tax Code, is amended by adding Subsection (d) to read as follows:

(d) A seller of a motor vehicle is not required to complete a joint statement described by this section if:

(1) the seller does not hold a general distinguishing number issued under Chapter 503, Transportation Code; and

(2) the seller has complied with Section 501.028 or 501.072, Transportation Code, as applicable.

SECTION _____. Section 501.028, Transportation Code, is amended to read as follows:

Sec. 501.028. SIGNATURES [~~OWNER'S SIGNATURE~~]. (a) On receipt of a certificate of title, the owner of a motor vehicle shall write the owner's name in ink in the space provided on the certificate.

(b) Upon transfer of ownership, the seller shall complete assignment of title by signing and printing the seller's name, printing the date of transfer, and printing the purchaser's name and address on the title.

Amendment No. 1 was adopted.

CSHB 1693, as amended, was passed to engrossment.

HB 1730 ON SECOND READING

(by Cyrier)

HB 1730, A bill to be entitled An Act relating to certification of the state's primary standards of weights and measures.

HB 1730 was passed to engrossment.

CSHB 1766 ON SECOND READING

(by Alvarado and Dale)

CSHB 1766, A bill to be entitled An Act relating to involuntary termination of parental rights based on sexual assault of the child's other parent and the child support obligations of the parent whose rights were terminated.

Representative Alvarado moved to postpone consideration of **CSHB 1766** until 10 a.m. tomorrow.

The motion prevailed.

CSHB 1784 ON SECOND READING

(by Faircloth)

CSHB 1784, A bill to be entitled An Act relating to the period during which an action alleging a violation of the open meetings law may be brought.

CSHB 1784 was passed to engrossment.

CSHB 1819 ON SECOND READING

(by Springer, Dale, Canales, Moody, Capriglione, et al.)

CSHB 1819, A bill to be entitled An Act relating to the criminal consequences of engaging in certain conduct with respect to a firearm silencer.

Representative Springer moved to postpone consideration of **CSHB 1819** until 2:15 p.m. today.

The motion prevailed.

HB 1891 ON SECOND READING
(by Nevárez)

HB 1891, A bill to be entitled An Act relating to a documented member of the Kickapoo Traditional Tribe of Texas hunting certain deer.

Amendment No. 1

Representative Nevárez offered the following amendment to **HB 1891**:

Amend **HB 1891** (house committee printing) as follows:

- (1) On page 2, line 13, strike "shall".
- (2) On page 2, line 14, between the "(1)" and "comply", insert "shall".
- (3) On page 2, line 16, between the "(2)" and "notify", insert "shall".
- (4) On page 2, line 15, strike "and".
- (5) On page 2, line 21, between "deer" and the underlined period, insert the following:

following:

; and

(3) may not receive a pecuniary gain from an action taken under this subsection

Amendment No. 1 was adopted.

Amendment No. 2

Representative Nevárez offered the following amendment to **HB 1891**:

Amend **HB 1891** (house committee printing) on page 2 as follows:

- (1) On line 13, strike "shall".
- (2) On line 14, between "(1)" and "comply", insert "shall".
- (3) On line 15, strike "and".
- (4) Strike lines 16 through 21 and substitute the following:

(2) shall notify:

(A) a local game warden, deputy game warden, or special game warden at least 24 hours before hunting antlerless white-tailed deer at a time of the year when a person who holds a license under Section 42.002 but who is not a documented member of the Kickapoo Traditional Tribe of Texas may not hunt antlerless white-tailed deer; and

(B) the department not later than September 1 of each year of the member's intent to hunt antlerless white-tailed deer for the following calendar year; and

(3) may not hunt antlerless white-tailed deer outside an open hunting season in a chronic wasting disease containment or surveillance zone, as determined by the department.

(c) Subsection (b) applies only to hunting on land that is:

(1) owned or leased by the Kickapoo Traditional Tribe of Texas; and

(2) located in a county that:

(A) borders the United Mexican States and has a population of more than 50,000 but less than 70,000; or

(B) is adjacent to a county described by Paragraph (A) and has a population of less than 9,000.

Amendment No. 2 was adopted.

HB 1891, as amended, was passed to engrossment.

CSHB 1946 ON SECOND READING
(by Parker)

CSHB 1946, A bill to be entitled An Act relating to the incontestability of certain contracts or leases submitted to the attorney general by certain water districts.

(Bohac now present)

Amendment No. 1

Representative Parker offered the following amendment to **CSHB 1946**:

Amend **CSHB 1946** (house committee report) on page 1, line 12, after the period, by adding the following:

A contract or lease, other than a contract or lease in which the proceeds of the contract or lease are pledged to the payment of a bond, may be submitted to the attorney general along with the bond records, and, if reviewed and approved by the attorney general, the approval of the bonds shall constitute an approval of the contract or lease and the contract or lease shall be incontestable.

Amendment No. 1 was adopted.

CSHB 1946, as amended, was passed to engrossment.

(Paul now present)

HB 1957 ON SECOND READING
(by Laubenberg)

HB 1957, A bill to be entitled An Act relating to the treatment of political contributions by a person's spouse under the Judicial Campaign Fairness Act.

HB 1957 was passed to engrossment.

CSHB 1986 ON SECOND READING
(by Martinez and Guerra)

CSHB 1986, A bill to be entitled An Act relating to the creation of regional transit authorities; granting the power of eminent domain; providing authority to issue bonds and charge fees; creating a criminal offense.

Amendment No. 1

Representative Martinez offered the following amendment to **CSHB 1986**:

Amend **CSHB 1986** (house committee report) on page 6, between lines 24 and 25, by inserting the following:

(b-1) In this subsection, "telecommunications provider" has the meaning assigned by Section 51.002, Utilities Code. Notwithstanding Subsection (b), an authority may not relocate the property of a telecommunications provider on behalf of the provider without the provider's permission. An authority shall reimburse a telecommunications provider for the cost of the relocation if otherwise provided by law.

Amendment No. 1 was adopted.

(Gooden and K. King now present)

CSHB 1986, as amended, was passed to engrossment. (Rinaldi recorded voting no.)

(Hunter and Koop now present)

CSHB 1988 ON SECOND READING
(by Larson)

CSHB 1988, A bill to be entitled An Act relating to the use of emergency engine cutoff switches on motorboats.

CSHB 1988 was passed to engrossment. (Rinaldi recorded voting no.)

(Speaker in the chair)

HB 2004 ON SECOND READING
(by C. Anderson)

HB 2004, A bill to be entitled An Act relating to the Texas economic development fund for the Department of Agriculture.

HB 2004 was passed to engrossment. (Rinaldi recorded voting no.)

CSHB 2277 ON SECOND READING
(by Darby)

CSHB 2277, A bill to be entitled An Act relating to the temporary exemption or tax reduction for certain high-cost gas.

CSHB 2277 was passed to engrossment.

CSHB 2285 ON SECOND READING
(by E. Thompson, Raney, Paul, Alvarado, and D. Bonnen)

CSHB 2285, A bill to be entitled An Act relating to the establishment of the Texas Institute for Coastal Prairie Research and Education at the University of Houston.

CSHB 2285 was passed to engrossment. (Rinaldi recorded voting no.)

CSHB 2305 ON SECOND READING
(by Guillen)

CSHB 2305, A bill to be entitled An Act relating to the operations, communications, and notice procedures of state agencies.

Amendment No. 1

Representative Guillen offered the following amendment to **CSHB 2305**:

Amend **CSHB 2305** (house committee report) as follows:

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

SECTION _____. (a) Section 552.139, Government Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (b-1), the [The] following information is confidential:

- (1) a computer network vulnerability report;
- (2) any other assessment of the extent to which data processing operations, a computer, a computer program, network, system, or system interface, or software of a governmental body or of a contractor of a governmental body is vulnerable to unauthorized access or harm, including an assessment of the extent to which the governmental body's or contractor's electronically stored information containing sensitive or critical information is vulnerable to alteration, damage, erasure, or inappropriate use; ~~and~~
- (3) a photocopy or other copy of an identification badge issued to an official or employee of a governmental body; and
- (4) information directly arising from a governmental body's routine efforts to prevent, detect, or investigate a computer security incident, including information contained in or derived from an information security log.

(b-1) Subsection (b) does not apply to information related to a breach of system security as defined by Section 521.053, Business & Commerce Code.

(b) Subchapter C, Chapter 2054, Government Code, is amended by adding Section 2054.068 to read as follows:

Sec. 2054.068. INFORMATION TECHNOLOGY INFRASTRUCTURE REPORT. (a) In this section, "information technology" includes information resources and information resources technologies.

(b) The department shall collect from each state agency information on the status and condition of the agency's information technology infrastructure, including information regarding:

- (1) the agency's information security program;
- (2) an inventory of the agency's servers, mainframes, cloud services, and other information technology equipment;
- (3) identification of vendors that operate and manage the agency's information technology infrastructure; and
- (4) any additional related information requested by the department.

(c) A state agency shall provide the information required by Subsection (b) to the department according to a schedule determined by the department.

(d) Not later than November 15 of each even-numbered year, the department shall submit to the governor, chair of the house appropriations committee, chair of the senate finance committee, speaker of the house of representatives, lieutenant governor, and staff of the Legislative Budget Board a consolidated report of the information submitted by state agencies under Subsection (b).

(e) The consolidated report required by Subsection (d) must:

- (1) include an analysis and assessment of each state agency's security and operational risks; and
- (2) for a state agency found to be at higher security and operational risks, include a detailed analysis of, and an estimate of the costs to implement, the:

(A) requirements for the agency to address the risks and related vulnerabilities; and

(B) agency's efforts to address the risks through the:

(i) modernization of information technology systems;

(ii) use of cloud services; and

(iii) use of a statewide technology center established by the

department.

(f) With the exception of information that is confidential under Chapter 552, including Section 552.139, or other state or federal law, the consolidated report submitted under Subsection (d) is public information and must be released or made available to the public on request. A governmental body as defined by Section 552.003 may withhold information confidential under Chapter 552, including Section 552.139, or other state or federal law that is contained in a consolidated report released under this subsection without the necessity of requesting a decision from the attorney general under Subchapter G, Chapter 552.

(g) This section does not apply to an institution of higher education or university system, as defined by Section 61.003, Education Code.

(c) Section 2054.0965(a), Government Code, is amended to read as follows:

(a) Not later than March 31 [~~December 1~~] of each even-numbered [~~odd-numbered~~] year, a state agency shall complete a review of the operational aspects of the agency's information resources deployment following instructions developed by the department.

(d) Section 2157.007, Government Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) A state agency shall [~~may~~] consider cloud computing service options, including any security benefits and cost savings associated with purchasing those service options from a cloud computing service provider and from a statewide technology center established by the department, when making purchases for a major information resources project under Section 2054.118.

(e) Not later than November 15 of each even-numbered year, the department, using existing resources, shall submit a report to the governor, lieutenant governor, and speaker of the house of representatives on the use of cloud computing service options by state agencies. The report must include use cases that provided cost savings and other benefits, including security enhancements. A state agency shall cooperate with the department in the creation of the report by providing timely and accurate information and any assistance required by the department.

(e) Section 552.139(b), Government Code, as amended by this section, applies only to a request for public information received on or after the effective date of this Act. A request received before the effective date of this Act is governed by the law in effect when the request was received, and the former law is continued in effect for that purpose.

SECTION _____. (a) Section 2054.1183, Government Code, is amended to read as follows:

Sec. 2054.1183. ANNUAL REPORT ON MAJOR INFORMATION RESOURCES PROJECTS. (a) Not later than December 1 of each year, the quality assurance team shall report on the status of major information resources projects to the:

- (1) governor;
- (2) lieutenant governor;
- (3) speaker of the house of representatives;
- (4) presiding officer of the committee in the house of representatives with primary responsibility for appropriations; and
- (5) presiding officer of the committee in the senate with primary responsibility for appropriations.

(b) The annual report must include:

- (1) the current status of each major information resources project; and
- (2) information regarding the performance indicators developed under Section 2054.159 for each major information resources project at each stage of the project's life cycle.

(b) Subchapter G, Chapter 2054, Government Code, is amended by adding Section 2054.159 to read as follows:

Sec. 2054.159. MAJOR INFORMATION RESOURCES PROJECT MONITORING. (a) For the entire life cycle of each major information resources project, the quality assurance team shall monitor and report on performance indicators for each project, including schedule, cost, scope, and quality.

(b) The department by rule shall develop the performance indicators the quality assurance team is required to monitor under Subsection (a). In adopting rules under this subsection, the department shall consider applicable information technology industry standards.

(c) If the quality assurance team determines that a major information resources project is not likely to achieve the performance objectives for the project, the quality assurance team shall place the project on a list for more intense monitoring by the quality assurance team.

(d) The quality assurance team shall closely monitor monthly reports for each major information resources project identified under Subsection (c) and, based on criteria developed by the department, determine whether to recommend to the executive director the need to initiate corrective action for the project.

(e) The department shall create and maintain on the department's Internet website a user-friendly data visualization tool that provides an analysis and visual representation of the performance indicators developed under Subsection (b) for each major information resources project.

(c) Not later than December 1, 2017, the Department of Information Resources shall adopt rules to implement Section 2054.159, Government Code, as added by this section.

(d) This section takes effect January 1, 2018.

SECTION _____. Subchapter C, Chapter 2171, Government Code, is amended by adding Section 2171.106 to read as follows:

Sec. 2171.106. MANAGEMENT OF VEHICLE FLEET BY STATE AGENCY. Each state agency shall:

(1) periodically evaluate the effectiveness and efficiency of the agency's vehicle fleet management, including the agency's vehicle acquisition methods and interagency agreements to operate vehicle maintenance and repair facilities that are owned or operated by this state; and

(2) establish and maintain a schedule for replacing the agency's vehicles.

SECTION _____. (a) The Department of Information Resources shall conduct an interim study on state reliance on the use of paper documents, including current requirements that certain state documents be mailed, for the purpose of reducing the state's volume of paper transactions and increasing governmental efficiency.

(b) The study must include:

(1) recommendations on opportunities to increase operational efficiency in state government through a reduction in the use of paper documents; and

(2) strategies to replace the use of paper documents with electronic documents and to automate state transactions to better meet the needs of residents of this state.

(c) The Department of Information Resources shall submit a report on the findings of the study to the governor, lieutenant governor, speaker of the house of representatives, and Legislative Budget Board.

(d) This section expires September 1, 2019.

(2) On page 9, line 2, strike "This" and substitute "Except as otherwise provided by this Act, this".

Amendment No. 1 was adopted.

(Huberty and Phillips now present)

Amendment No. 2

Representative S. Thompson offered the following amendment to **CSHB 2305**:

Amend **CSHB 2305** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 2051, Government Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. UNIFORM ELECTRONIC LEGAL MATERIAL ACT

Sec. 2051.151. SHORT TITLE. This subchapter may be cited as the Uniform Electronic Legal Material Act.

Sec. 2051.152. DEFINITIONS. In this subchapter:

(1) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(2) "Legal material" means, whether or not in effect:

(A) the constitution of this state;

(B) the general or special laws passed in a regular or special session of the Texas Legislature; and

(C) a state agency rule adopted in accordance with Chapter 2001.

(3) "Official publisher" means:

(A) for legal material described by Subdivision (2)(A), the Texas Legislative Council; and

(B) for legal material described by Subdivision (2)(B) or (C), the secretary of state.

(4) "Publish" means displaying, presenting, or releasing to the public, or causing to be displayed, presented, or released to the public, legal material by the official publisher.

(5) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(6) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

Sec. 2051.153. APPLICABILITY. (a) This subchapter applies to all legal material in an electronic record that is:

(1) designated as official by the official publisher under Section 2051.154; and

(2) first published electronically by the official publisher on or after January 1, 2019.

(b) The official publisher is not required to publish legal material on or before the date on which the legal material takes effect.

Sec. 2051.154. LEGAL MATERIAL IN OFFICIAL ELECTRONIC RECORD. (a) If the official publisher publishes legal material only in an electronic record, the official publisher shall:

(1) designate the electronic record as official; and

(2) comply with Sections 2051.155, 2051.157, and 2051.158.

(b) If the official publisher publishes legal material in an electronic record and also publishes the material in a record other than an electronic record, the official publisher may designate the electronic record as official if the official publisher complies with Sections 2051.155, 2051.157, and 2051.158.

Sec. 2051.155. AUTHENTICATION OF OFFICIAL ELECTRONIC RECORD. (a) If the official publisher designates an electronic record as official in accordance with Section 2051.154, the official publisher shall authenticate the record.

(b) The official publisher authenticates an electronic record by providing a method with which a person viewing the electronic record is able to determine that the electronic record is unaltered from the official record published by the official publisher.

Sec. 2051.156. EFFECT OF AUTHENTICATION. (a) Legal material in an electronic record that is authenticated as provided by Section 2051.155 is presumed to be an accurate copy of the legal material.

(b) If another state has adopted a law that is substantially similar to this subchapter, legal material in an electronic record that is authenticated in that state is presumed to be an accurate copy of the legal material.

(c) A party contesting the authenticity of legal material in an electronic record authenticated as provided by Section 2051.155 has the burden of proving by a preponderance of the evidence that the record is not authentic.

Sec. 2051.157. PRESERVATION AND SECURITY OF LEGAL MATERIAL IN OFFICIAL ELECTRONIC RECORD. (a) The official publisher of legal material in an electronic record designated as official in accordance with Section 2051.154 shall provide for the preservation and security of the record in an electronic form or in a form that is not electronic.

(b) If legal material is preserved under Subsection (a) in an electronic record, the official publisher shall:

- (1) ensure the integrity of the record;
- (2) provide for backup and disaster recovery of the record; and
- (3) ensure the continuing usability of the legal material in the record.

Sec. 2051.158. PUBLIC ACCESS. The official publisher of legal material in an electronic record that is required to be preserved under Section 2051.157 shall ensure that the material is reasonably available for use by the public on a permanent basis.

Sec. 2051.159. STANDARDS. In implementing this subchapter, the official publisher of legal material in an electronic record shall consider:

- (1) the standards and practices of other jurisdictions;
- (2) the most recent standards regarding authentication, preservation, and security of and public access to legal material in an electronic record and other electronic records, as adopted by national standard-setting bodies;
- (3) the needs of users of legal material in electronic records;
- (4) the views of governmental officials and entities and other interested persons; and

(5) to the extent practicable, the methods and technologies for the authentication, preservation, and security of and public access to legal material that are compatible with the methods and technologies used by official publishers in other states that have adopted a law that is substantially similar to this subchapter.

Sec. 2051.160. UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this subchapter, consideration must be given to the need to promote uniformity of the law with respect to the subject matter of this subchapter among the states that enact a law similar to this subchapter.

Sec. 2051.161. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT. This subchapter modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. Section 7001 et seq.) but does not modify, limit, or supersede Section 101(c) of that Act (15 U.S.C. Section 7001(c)) or authorize electronic delivery of any of the notices described in Section 103(b) of that Act (15 U.S.C. Section 7003(b)).

SECTION _____. (a) An official publisher in the executive branch of state government shall comply with the applicable provisions of Subchapter E, Chapter 2051, Government Code, as added by this Act, in accordance with an implementation plan developed under Subsection (b) of this section.

(b) The Records Management Interagency Coordinating Council and an official publisher in the executive branch of state government are jointly responsible for developing an implementation plan for the applicable provisions of Subchapter E, Chapter 2051, Government Code, as added by this Act. The implementation plan must:

(1) for each applicable type of legal material defined by Subchapter E, Chapter 2051, Government Code, as added by this Act, advise as to the method by which the legal material may be authenticated, preserved, and made available on a permanent basis; and

(2) establish a timeline for the official publisher to comply with Sections 2051.154, 2051.155, 2051.157, and 2051.158, Government Code, as added by this Act.

(c) The implementation plan developed under Subsection (b) of this section may provide for compliance by an official publisher in the executive branch of state government with Sections 2051.154, 2051.155, 2051.157, and 2051.158, Government Code, as added by this Act, to be phased in over a period of time.

(d) The Records Management Interagency Coordinating Council shall provide the implementation plan developed under Subsection (b) of this section to the legislature not later than September 1, 2018.

SECTION _____. (a) An official publisher in the legislative branch of state government shall comply with the applicable provisions of Subchapter E, Chapter 2051, Government Code, as added by this Act, in accordance with an implementation plan developed under Subsection (b) of this section.

(b) An official publisher in the legislative branch of state government, in consultation with the lieutenant governor, the speaker of the house of representatives, the Senate Committee on Administration, and the House Committee on Administration, shall develop an implementation plan for the applicable provisions of Subchapter E, Chapter 2051, Government Code, as added by this Act. The implementation plan must:

(1) for each applicable type of legal material defined by Subchapter E, Chapter 2051, Government Code, as added by this Act, recommend the method by which the legal material may be authenticated, preserved, and made available on a permanent basis; and

(2) establish a timeline for the official publisher to comply with Sections 2051.154, 2051.155, 2051.157, and 2051.158, Government Code, as added by this Act.

(c) The implementation plan developed under Subsection (b) of this section may provide for compliance by an official publisher in the legislative branch of state government with Sections 2051.154, 2051.155, 2051.157, and 2051.158, Government Code, as added by this Act, to be phased in over a period of time.

(d) An official publisher in the legislative branch of state government shall provide the implementation plan developed under Subsection (b) of this section to the lieutenant governor and speaker of the house of representatives not later than September 1, 2018.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Shaheen offered the following amendment to **CSHB 2305**:

Amend **CSHB 2305** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. This Act may not be construed as exempting a state agency from complying with any applicable law that requires the state agency to physically post notice to the public in a paper format, including Chapter 551, Government Code.

Amendment No. 3 was adopted.

(Muñoz now present)

Amendment No. 4

Representative Shaheen offered the following amendment to **CSHB 2305**:

Amend **CSHB 2305** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) The Department of Information Resources shall conduct an interim study on state reliance on the use of paper documents, including current requirements that certain state documents be mailed, for the purpose of reducing the state's volume of paper transactions and increasing governmental efficiency.

(b) The study must include:

(1) recommendations on opportunities to increase operational efficiency in state government through a reduction in the use of paper documents; and

(2) strategies to replace the use of paper documents with electronic documents and to automate state transactions to better meet the needs of residents of this state.

(c) The Department of Information Resources shall submit a report on the findings of the study to the governor, lieutenant governor, speaker of the house of representatives, and Legislative Budget Board.

(d) This section expires September 1, 2019.

Amendment No. 4 was adopted.

CSHB 2305, as amended, was passed to engrossment.

HB 2306 ON SECOND READING
(by Guillen and Longoria)

HB 2306, A bill to be entitled An Act relating to the use of auction proceeds from the sale of certain abandoned motor vehicles to reimburse law enforcement agencies for compensation paid to certain property owners.

HB 2306 was passed to engrossment.

CSHB 2491 ON SECOND READING
(by Frullo)

CSHB 2491, A bill to be entitled An Act relating to authorized reinsurance and financial statement credit and accounting for reinsurance.

Representative Frullo moved to postpone consideration of **CSHB 2491** until 9 a.m. tomorrow.

The motion prevailed.

HB 2665 ON SECOND READING
(by Paul)

HB 2665, A bill to be entitled An Act relating to notification by an insurer of certain disciplinary actions imposed on the insurer for a violation of the insurance laws of another state.

Representative Paul moved to postpone consideration of **HB 2665** until 7:30 a.m. tomorrow.

The motion prevailed.

CSHB 2993 ON SECOND READING
(by Phillips)

CSHB 2993, A bill to be entitled An Act relating to the public transportation advisory committee.

CSHB 2993 was passed to engrossment.

CSHB 3124 ON SECOND READING
(by Gooden)

CSHB 3124, A bill to be entitled An Act relating to certain physician-specific comparison data compiled by a health benefit plan issuer, including the release of that data to physicians participating in certain physician-led organizations.

CSHB 3124 was passed to engrossment.

POSTPONED BUSINESS

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

SB 1976 ON SECOND READING
(Paddie - House Sponsor)

SB 1976, A bill to be entitled An Act relating to benefit programs provided by retail electric providers and certificated telecommunications utilities for low-income customers.

SB 1976 was considered in lieu of **HB 3379**.

SB 1976 was read second time and was passed to third reading.

HB 3379 - LAID ON THE TABLE SUBJECT TO CALL

Representative Paddie moved to lay **HB 3379** on the table subject to call.

The motion prevailed.

HB 1183 ON SECOND READING
(by Roberts, Gutierrez, et al.)

HB 1183, A bill to be entitled An Act relating to the prohibition by counties of the use of fireworks during certain hours; creating a criminal offense.

HB 1183 was read second time earlier today, amendments were offered and disposed of, and **HB 1183** was postponed until this time.

HB 1183 - POINT OF ORDER

Representative Isaac raised a point of order against further consideration of **HB 1183** under Rule 4, Section 32(b)(1) of the House Rules on the grounds that the committee report is incorrect.

The chair overruled the point of order and submitted the following statement:

Representative Isaac raised a point of order against further consideration of **HB 1183** pursuant to Rule 4, Section 32(b)(1) of the House Rules on the grounds that an accurate committee report signed by the chair of a committee in compliance with Rule 4, Section 32(b)(1), was in fact invalid because the chair of the committee was absent from the hearing. The point of order is overruled.

The following facts are not in dispute:

- 1) Rule 4, Section 32(b)(1) requires a committee report to "be signed by the chair" or by other certain persons;
- 2) Representative Coleman is the chair of County Affairs;
- 3) The committee report for **HB 1183** was the report of a bill heard in and disposed by a vote in the County Affairs Committee; and
- 4) Representative Coleman, in compliance with Rule 4, Section 32(b)(1), attached his signature to the report.

Representative Isaac has failed to identify any other shortcoming of the report. Representative Isaac's sole allegation, that a chair must be present in a meeting in order to sign a committee report, is unsupported by the rule he cites or any house precedent. Given the circumstances, the point of order is overruled.

(Bernal now present)

HB 1183, as amended, failed to pass to engrossment by (Record 855): 25 Yeas, 107 Nays, 5 Present, not voting.

Yeas — Alvarado; Coleman; Dukes; Giddings; Hernandez; Hinojosa; Howard; Johnson, E.; Johnson, J.; King, T.; Klick; Lambert; Lucio; Murr; Neave; Oliverson; Ortega; Roberts; Romero; Schofield; Stucky; Thierry; Thompson, S.; Walle; Workman.

Nays — Alonzo; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Herrero; Holland; Huberty; Isaac; Israel; Keough; King, K.; King, P.; Koop; Krause; Kuempel; Landgraf; Lang; Larson; Laubenberg; Leach; Martinez; Metcalf; Miller; Minjarez; Moody; Morrison; Murphy; Nevárez; Oliveira; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; Turner; Uresti; Villalba; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C); Cook; Hunter; Lozano; Stephenson.

Absent, Excused, Committee Meeting — Allen; Ashby; Davis, S.; Deshotel; Dutton; Kacal; Longoria; Meyer; Sanford; VanDeaver.

Absent — Bonnen, D.; Muñoz; Sheffield.

STATEMENTS OF VOTE

When Record No. 855 was taken, I was temporarily out of the house chamber. I would have voted no.

D. Bonnen

When Record No. 855 was taken, I was shown voting yes. I intended to vote no.

Lambert

When Record No. 855 was taken, I was excused to attend a meeting of the Committee on Public Education. I would have voted no.

Meyer

When Record No. 855 was taken, I was shown voting yes. I intended to vote no.

Stucky

When Record No. 855 was taken, I was shown voting no. I intended to vote yes.

Uresti

When Record No. 855 was taken, I was shown voting yes. I intended to vote no.

Workman

(Kacal now present)

**GENERAL STATE CALENDAR
(consideration continued)**

**HB 3223 ON SECOND READING
(by Goldman, Raney, P. King, et al.)**

HB 3223, A bill to be entitled An Act relating to liability for the sale or transfer of law enforcement vehicles before removal of certain equipment and insignia; providing civil penalties.

HB 3223 was passed to engrossment.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Parker requested permission for the Committee on Investments and Financial Services to meet while the house is in session, at 3 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Investments and Financial Services, 3 p.m. today, 1W.14, for a formal meeting, to consider pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative D. Bonnen requested permission for the Committee on Ways and Means to meet while the house is in session, at 3 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Ways and Means, 3 p.m. today, 1W.14, for a formal meeting, to consider pending business.

**HB 3227 ON SECOND READING
(by T. King)**

HB 3227, A bill to be entitled An Act relating to the administration and enforcement of produce safety standards by the Department of Agriculture; authorizing an administrative penalty.

HB 3227 was passed to engrossment.

CSHB 3232 ON SECOND READING**(by Darby)**

CSHB 3232, A bill to be entitled An Act relating to the penalty imposed on certain delinquent oil and gas severance taxes.

CSHB 3232 was passed to engrossment.

HB 3304 ON SECOND READING**(by K. King)**

HB 3304, A bill to be entitled An Act relating to health benefit plan coverage for ovarian cancer testing and screening.

HB 3304 was passed to engrossment. (Rinaldi recorded voting no.)

HB 3868 ON SECOND READING**(by Smithee)**

HB 3868, A bill to be entitled An Act relating to the vote to authorize background and criminal history checks on tenant applicants by a property owners' association.

Representative Smithee moved to postpone consideration of **HB 3868** until 8 a.m. Tuesday, May 9.

The motion prevailed.

CSHB 4052 ON SECOND READING**(by Murphy)**

CSHB 4052, A bill to be entitled An Act relating to the exemption of certain services performed by certain employees from the sales and use tax.

CSHB 4052 was passed to engrossment.

CSHB 4086 ON SECOND READING**(by Wray)**

CSHB 4086, A bill to be entitled An Act relating to expunction of a notice of lis pendens.

Representative Wray moved to postpone consideration of **CSHB 4086** until 5 p.m. today.

The motion prevailed.

HB 3442 ON SECOND READING**(by Cook)**

HB 3442, A bill to be entitled An Act relating to the Fairfield Hospital District.

HB 3442 was passed to engrossment.

CSHB 168 ON SECOND READING**(by Lucio)**

CSHB 168, A bill to be entitled An Act relating to creating a voluntary program to recognize licensed before-school and after-school programs that promote healthy eating and physical activity.

(Meyer and VanDeaver now present)

Amendment No. 1

Representative Lucio offered the following amendment to **CSHB 168**:

Amend **CSHB 168** (house committee printing) as follows:

(1) On page 1, line 17, after the underlined period, insert "The recognition program must provide for the self-evaluation of a before-school or after-school program to determine the program's compliance with the requirements for recognition under Subsection (c)."

(2) On page 1, strike lines 18-20, and substitute "(c) A before-school or after-school program seeking recognition under this section shall evaluate the program's compliance with the following requirements:"

(3) On page 4, strike lines 8-19 and substitute the following:

(f) If a before-school or after-school program determines that the program meets the requirements for a recognition level provided by Subsection (e), the program:

(1) may create a corresponding recognition certificate using a certificate template created by the department; and

(2) shall notify the department of the level of recognition for which the program qualifies.

(g) A recognition certificate created by a before-school or after-school program does not expire, however the program shall remove the certificate if the program no longer meets the requirements for recognition. A before-school or after-school program shall notify the department of any change in the program's recognition level or if the program no longer qualifies for recognition.

(8) On page 5, strike lines 7 and 8, and substitute "recognition level. The department shall update the list at least quarterly to reflect any change in a program's recognition level."

AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE SIMMONS: I'm a member of the Texas Conservative Coalition Caucus, and we've had a few questions come up on this bill, if you don't mind.

REPRESENTATIVE LUCIO: I'm glad you're at the back mic, sir. Thank you for engaging in conversation.

SIMMONS: And I appreciate what you said about DFPS not being involved in this, because I wanted to make sure that it's a voluntary program and that the state is not involved other than, what I think you said, through the potential audit. Is that correct?

LUCIO: Correct. What the amendment does is, it says: "The recognition program must provide for the self-evaluation of a before-school or after-school program to determine the program's compliance with the . . . recognition." A program seeking recognition under this section shall evaluate themselves and their compliance with the requirements. So it's self-evaluation, but we are reserving the right, because we don't want people to lie. We don't want them to say, look I'm distinguished as per the bill that was passed, but then we come to find out they're providing unhealthy snacks, they're not making physical activity accessible, and so on.

SIMMONS: So let me ask you this, these programs are already licensed by the state in general, correct?

LUCIO: Yes, sir. We're not creating any additional licensing or licensing requirements.

SIMMONS: Now, these licenses are pretty stringent. In fact, it looks like to me that there must be a 200-page manual for these. So why do you think that—do you not think that those requirements are stringent enough so that they don't provide unhealthy snacks and all that? What's happened here to cause our concern?

LUCIO: Right, so I wish I were smart enough and worldly enough to say that this is my idea. But from what I've been told by parents and stakeholders that brought me this bill, was that there are a lot of after-school programs that essentially just become a babysitting program, and they're not living up to their promise.

SIMMONS: So you think the state's not even doing its job under the current scenario? You think that's possible?

LUCIO: I don't know. I don't know how much the Department of Family and Protective Services is out there auditing to determine the quality or so on and so forth.

SIMMONS: And we're not going to make them, like you said, make these programs adopt certain nutrition or exercise standards. Even though you and I both agree they probably should, and the parents should hold them accountable to that.

LUCIO: Yes, sir. No, and you have my commitment, sir, that I'm not going to come back next session and say, we did this, now we need a mandate. Absolutely not—I do not want to mandate anything. I do not want to mandate anything, but I do want to be able—look, I'm a parent. I have a seven-year-old and a three-year-old. There are some times they have to be in after-school programs because my wife and I both work. It would just be nice to know, because there are so many options out there, how I can distinguish between what's quality and what's not. And you know, this is strictly saying, hey, I'm going to subject myself to higher standards so that I can demonstrate to parents and the community that I am a good operator.

SIMMONS: So you're committing here today that you're not going to come back next session and try to mandate that? If somebody tries to, you would work with us to try to make sure that we don't put any—you know, grow government in this deal. Would you agree with that?

LUCIO: Absolutely. You know, the last few sessions, I appreciate how expensive mandates can be on programs, on local school districts, on cities, and in addition to that—I know not related to this bill—but all the civil penalties and criminal penalties that we're creating in government.

SIMMONS: You know sometimes they're required, but sometimes they're a burden on business, right?

LUCIO: I hear you. It's my commitment. We can put in the journal. We can put on my Facebook. We can put it on the board, whatever you want to put it on, that I'm not going to come back in my career and say, we need to now mandate this. This is strictly voluntary.

REMARKS ORDERED PRINTED

Representative Simmons moved to print remarks between Representative Lucio and Representative Simmons.

The motion prevailed.

(VanDeaver in the chair)

Amendment No. 1 was adopted.

(Allen and Deshotel now present)

CSHB 168, as amended, was passed to engrossment by (Record 856): 89 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bailes; Bell; Bernal; Blanco; Bohac; Burkett; Button; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Davis, Y.; Deshotel; Dukes; Elkins; Faircloth; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Lambert; Larson; Lucio; Martinez; Miller; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Simmons; Smithee; Stephenson; Thierry; Thompson, S.; Turner; Uresti; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu.

Nays — Anderson, R.; Biedermann; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Canales; Capriglione; Craddick; Cyrier; Dale; Darby; Fallon; Frank; Frullo; Goldman; Hunter; Isaac; Keough; Klick; Koop; Krause; Kuempel; Landgraf; Lang; Laubenberg; Leach; Lozano; Metcalf; Meyer; Murphy; Murr; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Springer; Stickland; Stucky; Swanson; Thompson, E.; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Ashby; Davis, S.; Dutton; Longoria; Sanford.

Absent — Dean; Hefner; Tinderholt.

STATEMENTS OF VOTE

When Record No. 856 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 856 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 856 was taken, I was in the house but away from my desk. I would have voted yes.

Hefner

When Record No. 856 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 856 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 856 was taken, I was in the house but away from my desk. I would have voted no.

Tinderholt

When Record No. 856 was taken, I was shown voting yes. I intended to vote no.

Wray

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Ways and Means:

Bohac on motion of P. King.

D. Bonnen on motion of P. King.

Darby on motion of P. King.

Y. Davis on motion of P. King.

E. Johnson on motion of P. King.

Murphy on motion of P. King.

Murr on motion of P. King.

Raymond on motion of P. King.

Shine on motion of P. King.

Springer on motion of P. King.

Stephenson on motion of P. King.

HB 1066 ON SECOND READING
(by S. Thompson)

HB 1066, A bill to be entitled An Act relating to the collection of certain judgments through court proceeding.

HB 1066 was passed to engrossment.

HB 1055 ON SECOND READING
(by Burkett)

HB 1055, A bill to be entitled An Act relating to a limitation on the amount of certain licensing fees charged by state agencies.

Amendment No. 1

On behalf of Representative Darby, Representative Burkett offered the following amendment to **HB 1055**:

Amend **HB 1055** (house committee report) on page 1 as follows:

(1) On line 7, between "LICENSING." and "Notwithstanding", insert "(a)".

(2) On line 8, between "law" and the comma, insert "and except as provided by Subsection (b)".

(3) Between lines 11 and 12, insert the following:

(b) Subsection (a) does not apply to a fee:

(1) described by Section 81.067(c), Natural Resources Code; or

(2) collected by the Railroad Commission of Texas under Chapter 113, 116, 131, or 134, Natural Resources Code.

Amendment No. 1 was adopted.

HB 1055, as amended, was passed to engrossment by (Record 857): 122 Yeas, 5 Nays, 2 Present, not voting.

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

Nays — Dukes; Hinojosa; Howard; Israel; Ortega.

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

Absent, Excused, Committee Meeting — Ashby; Bohac; Bonnen, D.; Darby; Davis, S.; Davis, Y.; Dutton; Johnson, E.; Longoria; Murphy; Murr; Raymond; Sanford; Shine; Springer; Stephenson.

Absent — Dale; Isaac; Kacal; Paddie; Rose.

STATEMENTS OF VOTE

When Record No. 857 was taken, I was in the house but away from my desk. I would have voted yes.

Dale

When Record No. 857 was taken, I was in the house but away from my desk. I would have voted yes.

Isaac

When Record No. 857 was taken, I was in the house but away from my desk. I would have voted yes.

Kacal

When Record No. 857 was taken, I was in the house but away from my desk. I would have voted yes.

Paddie

CSHB 1143 ON SECOND READING (by S. Davis)

CSHB 1143, A bill to be entitled An Act relating to investment prohibitions and divestment requirements for certain investments of public money.

Representative Alvarado moved to postpone consideration of **CSHB 1143** until 2 p.m. Monday, May 8.

The motion prevailed.

CSHB 1217 ON SECOND READING (by Parker)

CSHB 1217, A bill to be entitled An Act relating to appointment of and performance of notarial acts by an online notary public and online acknowledgment and proof of written instruments; authorizing a fee and creating a criminal offense.

Amendment No. 1

Representative Parker offered the following amendment to **CSHB 1217**:

Amend **CSHB 1217** (house committee printing) on page 11 by striking lines 20-26.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Parker offered the following amendment to **CSHB 1217**:

Amend **CSHB 1217** (house committee printing) as follows:

(1) Strike page 6, line 2, through page 7, line 5, and substitute the following:

Sec. 406.107. AUTHORITY TO PERFORM ONLINE NOTARIZATIONS. An online notary public has the authority to perform any of the functions authorized under Section 406.016 as an online notarization.

(2) On page 8, line 7, immediately after the underlined semicolon, insert "and".

(3) On page 8, line 8, strike "; and" and substitute an underlined period.

(4) On page 8, strike lines 9-10.

Amendment No. 2 was adopted.

CSHB 1217, as amended, was passed to engrossment.

CSHB 1249 ON SECOND READING
(by Goldman)

CSHB 1249, A bill to be entitled An Act relating to a prohibition of certain motor vehicles resembling emergency medical services vehicles; creating a criminal offense.

CSHB 1249 was passed to engrossment.

HB 2008 ON SECOND READING
(by Cosper and Craddick)

HB 2008, A bill to be entitled An Act relating to deferred presentment transactions made to military borrowers.

HB 2008 was passed to engrossment.

HB 1298 ON SECOND READING
(by Frullo)

HB 1298, A bill to be entitled An Act relating to the definition of commercial property insurance for purposes of certain provisions governing insurance rates and policy forms.

HB 1298 was passed to engrossment.

HB 1472 ON SECOND READING
(by Capriglione, Goldman, Darby, P. King, and Turner)

HB 1472, A bill to be entitled An Act relating to investment by a public junior college district of public funds received from the management and development of mineral rights.

HB 1472 was passed to engrossment.

HB 2021 ON SECOND READING
(by Hunter and Herrero)

HB 2021, A bill to be entitled An Act relating to the duration of certain protective orders against family violence.

Representative Hunter moved to postpone consideration of **HB 2021** until 7 a.m. Monday, May 8.

The motion prevailed.

CSHB 2119 ON SECOND READING
(by Kacal, et al.)

CSHB 2119, A bill to be entitled An Act relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.

CSHB 2119 was passed to engrossment.

CSHB 3078 ON SECOND READING
(by S. Thompson)

CSHB 3078, A bill to be entitled An Act relating to transfer of the regulation of podiatry to the Texas Department of Licensing and Regulation; authorizing a reduction in fees.

CSHB 3078 was passed to engrossment. (Rinaldi recorded voting no.)

HB 2486 ON SECOND READING
(by Stucky, Darby, Raney, Frank, and Lambert)

HB 2486, A bill to be entitled An Act relating to restoration of the position of public employees when relieved of duty from the Texas military forces or a similar unit.

Amendment No. 1

Representative Stucky offered the following amendment to **HB 2486**:

Amend **HB 2486** (house committee printing) as follows:

(1) On page 1, line 7, strike "state," and substitute "state or".

(2) On page 1, line 8, between "state" and "~~A~~", insert "with at least five full-time employees".

Amendment No. 1 was adopted.

HB 2486, as amended, was passed to engrossment.

CSHB 45 ON SECOND READING
(by Flynn, Leach, Burkett, Parker, Laubenberg, et al.)

CSHB 45, A bill to be entitled An Act relating to requiring the Texas Supreme Court to adopt rules and provide judicial instruction regarding the application of foreign laws in certain family law cases.

(Darby, Shine, and Springer now present)

CSHB 45 - REMARKS

REPRESENTATIVE E. RODRIGUEZ: Is this a Sharia law bill?

REPRESENTATIVE FLYNN: No, this is a codification of the attorney general's opinion which provides protection against the recognition of enforcement of any foreign law judgments based on foreign law that fail, in order to provide sufficient due process. And it is agreed upon by all parties.

E. RODRIGUEZ: So this is not a Sharia law?

FLYNN: No, sir, it is not.

CSHB 45 was passed to engrossment by (Record 858): 127 Yeas, 7 Nays, 2 Present, not voting.

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

Nays — Arévalo; Collier; Dukes; Hinojosa; Rodriguez, E.; Rodriguez, J.; Romero.

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

Absent, Excused, Committee Meeting — Ashby; Bohac; Bonnen, D.; Davis, S.; Davis, Y.; Dutton; Johnson, E.; Longoria; Murphy; Murr; Raymond; Sanford; Stephenson.

Absent — Parker.

STATEMENTS OF VOTE

When Record No. 858 was taken, I was shown voting yes. I intended to vote no.

Moody

When Record No. 858 was taken, I was excused to attend a meeting of the Committee on Ways and Means. I would have voted yes.

Murr

When Record No. 858 was taken, my vote failed to register. I would have voted yes.

Parker

REMARKS ORDERED PRINTED

Representative E. Rodriguez moved to print remarks between Representative Flynn and Representative E. Rodriguez.

The motion prevailed.

**HB 1515 ON SECOND READING
(by Elkins)**

HB 1515, A bill to be entitled An Act relating to the expiration of the dry cleaner environmental response program.

HB 1515 was passed to engrossment. (Rinaldi recorded voting no.)

**CSHB 1866 ON SECOND READING
(by Geren)**

CSHB 1866, A bill to be entitled An Act relating to compensation and restitution to crime victims and the disposition of unclaimed restitution payments; providing for an administrative penalty; authorizing a fee.

CSHB 1866 was passed to engrossment.

**HB 1522 ON SECOND READING
(by White, et al.)**

HB 1522, A bill to be entitled An Act relating to a task force to coordinate and make recommendations on parent engagement and education programs provided by state agencies.

HB 1522 was passed to engrossment.

**CSHB 1536 ON SECOND READING
(by Farrar)**

CSHB 1536, A bill to be entitled An Act relating to a biennial report on stormwater infrastructure in this state.

The vote of the house was taken on the passage to engrossment of **CSHB 1536** and the vote was announced yeas 63, nays 67.

A verification of the vote was requested and was granted.

(Dutton, E. Johnson, Longoria, Murphy, Murr, and Raymond now present)

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 859): 62 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Darby; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Kacal; King, T.; Larson; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Muñoz;

Neave; Nevárez; Oliveira; Ortega; Paddie; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Smithee; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Workman.

Nays — Anderson, R.; Bailes; Bell; Biedermann; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Hefner; Holland; Huberty; Hunter; Isaac; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Laubenberg; Leach; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Villalba; White; Wilson; Wray; Zedler; Zerwas.

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

Absent, Excused, Committee Meeting — Ashby; Bohac; Bonnen, D.; Davis, S.; Davis, Y.; Sanford; Stephenson.

Absent — Anchia; Wu.

The chair stated that **CSHB 1536** failed to pass to engrossment by the above vote.

STATEMENTS OF VOTE

When Record No. 859 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 859 was taken, I was excused to attend a meeting of the Committee on Ways and Means. I would have voted no.

D. Bonnen

(Bohac, D. Bonnen, and Stephenson now present)

CSHB 1884 ON SECOND READING (by C. Anderson)

CSHB 1884, A bill to be entitled An Act relating to the penalties for certain littering offenses.

CSHB 1884 was passed to engrossment.

CSHB 1605 ON SECOND READING (by Blanco, Elkins, Capriglione, Gonzales, and Lucio)

CSHB 1605, A bill to be entitled An Act relating to the powers and duties of the Department of Information Resources regarding cybersecurity.

CSHB 1605 was passed to engrossment.

HB 1630 ON SECOND READING**(by Dale)**

HB 1630, A bill to be entitled An Act relating to the approval of expenditures for the Texas Military Department.

HB 1630 was passed to engrossment.

HB 1999 ON SECOND READING**(by Israel, Murphy, White, Moody, Arévalo, et al.)**

HB 1999, A bill to be entitled An Act relating to a violation regarding the purchase, possession, or consumption of alcoholic beverages by a minor or the misrepresentation of age by a minor; authorizing a civil penalty; creating a criminal offense.

Amendment No. 1

Representative Israel offered the following amendment to **HB 1999**:

Amend **HB 1999** (house committee printing) as follows:

(1) On page 5, lines 15-16, strike "in the county" and substitute "in the municipality or county".

(2) On page 6, line 7, strike "on at least two occasions".

Amendment No. 1 was adopted.

HB 1999, as amended, was passed to engrossment.

CSHB 2068 ON SECOND READING**(by Phillips, Wilson, and White)**

CSHB 2068, A bill to be entitled An Act relating to the repeal of the driver responsibility program and the amount and allocation of state traffic fine funds; authorizing and increasing criminal fines.

(Speaker in the chair)

Amendment No. 1

Representative Phillips offered the following amendment to **CSHB 2068**:

Amend **CSHB 2068** (house committee report) as follows:

(1) On page 6, line 23, strike "\$60" and substitute "\$50".

(2) On page 7, line 17, strike "45" and substitute "50".

(3) On page 7, line 19, strike "55" and substitute "50".

(4) On page 7, line 23, strike "45" and substitute "50".

(5) On page 11, line 7, strike "45 percent" and substitute "50 percent".

(6) On page 11, line 9, strike "55 percent" and substitute "50 percent".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Moody offered the following amendment to **CSHB 2068**:

Amend **CSHB 2068** (house committee report) as follows:

(1) On page 9, line 3, strike "In addition to", and substitute "Except as otherwise provided by Subsection (c), in addition to".

(2) On page 9, between lines 15 and 16, insert the following:

(c) The judge of the convicting court shall:

(1) waive the payment of the fine required by Subsection (b) if the judge determines that the person's income is 125 percent of the federal poverty level or less; or

(2) waive the payment of 50 percent of the fine required by Subsection (b) if the judge determines that the person's income is greater than 125 percent of the federal poverty level, but less than 300 percent of the federal poverty level.

(3) On page 9, line 19, between "Subsection (b)" and the underlined comma, insert "or Subsection (c)".

(4) On page 9, line 21, strike "The amount of" and substitute "Except as provided by Subsection (c), the amount of".

(5) On page 9, line 27, following the period, insert the following:

(c) The judge or justice of the peace of the convicting court shall:

(1) waive the payment of the fine required by Subsection (a) or (b) if the judge or justice of the peace determines that the person's income is 125 percent of the federal poverty level or less; or

(2) waive the payment of 50 percent of the fine required by Subsection (a) or (b) if the judge or justice of the peace determines that the person's income is greater than 125 percent of the federal poverty level, but less than 300 percent of the federal poverty level.

Amendment No. 2 was withdrawn.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Price requested permission for the Committee on Public Health to meet while the house is in session, at 4:30 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Health, 4:30 p.m. today, 3W.15, for a formal meeting, to consider pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative P. King requested permission for the Committee on Homeland Security and Public Safety to meet while the house is in session, at 5 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Homeland Security and Public Safety, 5 p.m. today, 3W.9, for a formal meeting, to consider pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Dutton requested permission for the Committee on Juvenile Justice and Family Issues to meet while the house is in session, at 5 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Juvenile Justice and Family Issues, 5 p.m. today, 1W.14, for a formal meeting, to consider pending business.

CSHB 2068 - (consideration continued)

CSHB 2068, as amended, was passed to engrossment by (Record 860): 122 Yeas, 10 Nays, 1 Present, not voting.

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

Nays — Bell; Canales; Faircloth; Geren; Johnson, J.; Klick; Nevárez; Rose; Schaefer; Stephenson.

Present, not voting — Mr. Speaker(C).

Absent, Excused, Committee Meeting — Ashby; Davis, S.; Davis, Y.; Sanford.

Absent — Anchia; Elkins; Guillen; King, T.; Laubenberg; Longoria; Muñoz; Sheffield; Simmons; Swanson; Thierry; Thompson, S.; Wu.

STATEMENTS OF VOTE

When Record No. 860 was taken, my vote failed to register. I would have voted yes.

Guillen

When Record No. 860 was taken, I was in the house but away from my desk. I would have voted yes.

Longoria

When Record No. 860 was taken, I was in the house but away from my desk. I would have voted yes.

Simmons

When Record No. 860 was taken, I was in the house but away from my desk. I would have voted yes.

Swanson

When Record No. 860 was taken, my vote failed to register. I would have voted yes.

Thierry

LEAVES OF ABSENCE GRANTED

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

Paddie on motion of Kacal.

Wu on motion of Turner.

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

Anchia on motion of Turner.

POSTPONED BUSINESS

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

CSHB 1819 ON SECOND READING

(by Springer, Dale, Canales, Moody, Capriglione, et al.)

CSHB 1819, A bill to be entitled An Act relating to the criminal consequences of engaging in certain conduct with respect to a firearm silencer.

CSHB 1819 was read second time earlier today and was postponed until this time.

CSHB 1819 was passed to engrossment.

GENERAL STATE CALENDAR

(consideration continued)

CSHB 2359 ON SECOND READING

(by Ortega, Uresti, Roberts, and Neave)

CSHB 2359, A bill to be entitled An Act relating to common nuisances.

CSHB 2359 was passed to engrossment.

(Goldman in the chair)

CSHB 2409 ON SECOND READING**(by Raney, González, Simmons, Shine, Romero, et al.)**

CSHB 2409, A bill to be entitled An Act relating to wage requirements for community rehabilitation programs participating in the purchasing from people with disabilities program.

Amendment No. 1

Representative Simmons offered the following amendment to **CSHB 2409**:

Amend **CSHB 2409** (house committee printing) as follows:

(1) On page 1, line 23, strike "or request" and substitute "on request".

(2) On page 3, between lines 26 and 27, insert the following:

(b) The workforce commission, at the request of a community rehabilitation program or any worker with a disability, may exempt the community rehabilitation program from the requirements of this section with respect to a worker with a disability if the workforce commission determines, based on the program's circumstances, that requiring the program to pay the worker at the federal minimum wage would result in the program not being able to hire or retain the worker with a disability and the worker, based on the worker's circumstances, such as commuting to a particular job site, would not be able to obtain employment at a higher wage than the program would be able to pay the worker notwithstanding the requirements of this section.

(3) On page 3, line 27, strike "(b)" and substitute "(c)".

(4) On page 4, line 2, strike "(c)" and substitute "(d)".

(5) On page 4, line 8, strike "(d)" and substitute "(e)".

(6) On page 4, line 8, strike "(c)" and substitute "(d)".

Amendment No. 1 was adopted.

CSHB 2409, as amended, was passed to engrossment. (Rinaldi recorded voting no.)

CSHB 2373 ON SECOND READING**(by Miller)**

CSHB 2373, A bill to be entitled An Act relating to the period for filing a claim for reimbursement for certain ancillary services under the Medicaid program.

CSHB 2373 was passed to engrossment.

CSHB 2492 ON SECOND READING**(by Frullo)**

CSHB 2492, A bill to be entitled An Act relating to domestic surplus lines insurers; authorizing and imposing a tax.

CSHB 2492 was passed to engrossment.

CSHB 3356 ON SECOND READING
(by T. King)

CSHB 3356, A bill to be entitled An Act relating to privacy of certain structured settlement information.

CSHB 3356 was passed to engrossment.

CSHB 2425 ON SECOND READING
(by Price, Rose, Larson, S. Thompson, and Oliverson)

CSHB 2425, A bill to be entitled An Act relating to a requirement that a hospital allow a patient to designate a caregiver to receive aftercare instruction regarding the patient.

Representative Walle moved to postpone consideration of **CSHB 2425** until 5:04 p.m. today.

The motion prevailed.

CSHB 3781 ON SECOND READING
(by Phelan)

CSHB 3781, A bill to be entitled An Act relating to the uses of the lifetime license endowment account by the Parks and Wildlife Department.

CSHB 3781 was passed to engrossment.

CSHB 2508 ON SECOND READING
(by Kuempel)

CSHB 2508, A bill to be entitled An Act relating to the licensing and regulation of tow truck companies, tow truck operators, vehicle storage facilities, and vehicle storage facility employees, the regulation of parking facilities and parking facility owners, and the elimination of required state licensing for vehicle booting companies and operators.

Amendment No. 1

Representative Kuempel offered the following amendment to **CSHB 2508**:

Amend **CSHB 2508** (house committee printing) by striking the sentence that begins on page 6, line 8.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Kuempel offered the following amendment to **CSHB 2508**:

Amend **CSHB 2508** (house committee printing) on page 10, line 4, by striking "Not earlier than" and substituting "Before".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Kuempel offered the following amendment to **CSHB 2508**:

Amend **CSHB 2508** (house committee printing) as follows:

(1) On page 14, lines 6-7, strike "Subsections (a-1) and (b-1)" and substitute "Subsection (b-1)".

(2) On page 14, strike lines 16 through 22.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Kuempel offered the following amendment to **CSHB 2508**:

Amend **CSHB 2508** (house committee printing) as follows:

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

SECTION _____. Section 2308.205(a), Occupations Code, is amended to read as follows:

(a) A towing company that makes a nonconsent tow shall tow the vehicle to a vehicle storage facility that is operated by a person who holds a license to operate the facility under Chapter 2303, unless:

(1) the towing company agrees to take the vehicle to a location designated by the vehicle's owner; or

(2) the vehicle is towed under Section 2308.259(b).

(2) On page 36, line 20, strike "Section 2308.258" and substitute "Sections 2308.258 and 2308.259".

(3) On page 37, between lines 2 and 3, insert the following:

Sec. 2308.259. TOWING COMPANY'S AUTHORITY TO TOW VEHICLE FROM UNIVERSITY PARKING FACILITY. (a) In this section:

(1) "Special event" means a university-sanctioned, on-campus activity, including parking lot maintenance.

(2) "University" means:

(A) a public senior college or university, as defined by Section 61.003, Education Code; or

(B) a private or independent institution of higher education, as defined by Section 61.003, Education Code.

(b) Subject to Subsection (c), an individual designated by a university may, to facilitate a special event, request that a vehicle parked at a university parking facility be towed to another location on the university campus.

(c) A vehicle may not be towed under Subsection (b) unless signs complying with this section are installed on the parking facility for the 72 hours preceding towing enforcement for the special event and for 48 hours after the conclusion of the special event.

(d) Each sign required under Subsection (c) must:

(1) contain:

(A) a statement of:

(i) the nature of the special event; and

(ii) the dates and hours of towing enforcement; and

(B) the number, including the area code, of a telephone that is answered 24 hours a day to identify the location of a towed vehicle;

(2) face and be conspicuously visible to the driver of a vehicle that enters the facility;

(3) be located:

(A) on the right or left side of each driveway or curb-cut through which a vehicle can enter the facility, including an entry from an alley abutting the facility; or

(B) at intervals along the entrance so that no entrance is farther than 25 feet from a sign if:

(i) curbs, access barriers, landscaping, or driveways do not establish definite vehicle entrances onto a parking facility from a public roadway other than an alley; and

(ii) the width of an entrance exceeds 35 feet;

(4) be made of weather-resistant material;

(5) be at least 18 inches wide and 24 inches tall;

(6) be mounted on a pole, post, wall, or free-standing board; and

(7) be installed so that the bottom edge of the sign is no lower than two feet and no higher than six feet above ground level.

(e) If a vehicle is towed under Subsection (b), personnel must be available to:

(1) release the vehicle within two hours after a request for release of the vehicle; and

(2) accept any payment required for the release of the vehicle.

(f) A university may not charge a fee for a tow under Subsection (b) that exceeds 75 percent of the private property tow fee established under Section 2308.0575.

(g) A vehicle towed under Subsection (b) that is not claimed by the vehicle owner or operator within 48 hours after the conclusion of the special event may only be towed:

(1) without further expense to the vehicle owner or operator; and

(2) to another location on the university campus.

(h) The university must notify the owner or operator of a vehicle towed under Subsection (b) of the right of the vehicle owner or operator to a hearing under Subchapter J.

Amendment No. 4 was adopted.

Amendment No. 5

Representative Kuempel offered the following amendment to **CSHB 2508**:

Amend **CSHB 2508** (house committee printing) on page 37, between lines 2 and 3, by inserting the following:

(c) A booting company responsible for the installation of more than one boot on a vehicle may not charge a total amount for the removal of the boots that is greater than the amount of the fee for the removal of a single boot.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Kuempel offered the following amendment to **CSHB 2508**:

Amend **CSHB 2508** (house committee report) on page 28 by striking lines 1 through 7 and substituting the following:

Sec. 2308.151. LICENSE OR LOCAL AUTHORIZATION REQUIRED.
(a) Unless the person holds an appropriate license under this chapter [~~subchapter~~], a person may not:

- (1) perform towing operations; or
- (2) operate a towing company.

(b) Unless prohibited by a local authority under Section 2308.2085, a person may:

- (1) [~~3~~] perform booting operations; or
- (2) [~~4~~] operate a booting company.

Amendment No. 6 was adopted.

Amendment No. 7

Representative Zedler offered the following amendment to **CSHB 2508**:

Amend **CSHB 2508** (house committee printing) as follows:

(1) On page 16, strike lines 14 through 15 and substitute the following:

SECTION 1.22. Section 2303.160, Occupations Code, is amended by amending Subsections (b) and (c) and adding Subsection (d) to read as follows:

(2) On page 16, line 19, strike "valid photo identification" and substitute "a valid driver's license".

(3) On page 16, line 23-24, strike ", including [~~must accept~~] evidence of financial responsibility" and substitute "in the form of [~~must accept~~] evidence of financial responsibility".

(4) On page 17, between lines 14 and 15, insert the following:

(d) Notwithstanding Subsection (b), for a motor vehicle that is towed to a vehicle storage facility with a trailer, the vehicle storage facility operator may refuse to release the motor vehicle or trailer, including any cargo in the trailer, until all towing, recovery, and storage fees for the motor vehicle, trailer, and cargo are paid.

Amendment No. 7 was adopted.

CSHB 2508, as amended, was passed to engrossment.

CSHB 2664 ON SECOND READING **(by Miller, S. Thompson, Villalba, and Sheffield)**

CSHB 2664, A bill to be entitled An Act relating to nutrition and fitness standards for certain child-care facilities and training for employees at those facilities.

CSHB 2664 failed to pass to engrossment by (Record 861): 59 Yeas, 71 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Arévalo; Bernal; Blanco; Coleman; Cortez; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Longoria; Lozano; Lucio; Martinez; Miller; Minjarez; Moody; Neave; Nevárez; Oliveira; Ortega;

Perez; Pickett; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wilson.

Nays — Anderson, C.; Anderson, R.; Bell; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Collier; Cook; Cospere; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gonzales; Hefner; Holland; Hunter; Isaac; Kacal; Keough; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Meyer; Morrison; Murphy; Murr; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; White; Workman; Zedler; Zerwas.

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

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Ashby; Davis, S.; Davis, Y.; Sanford.

Absent — Bailes; Biedermann; Bohac; Cain; Canales; Craddick; Metcalf; Muñoz; Oliverson; Stephenson; Wray.

STATEMENTS OF VOTE

When Record No. 861 was taken, I was in the house but away from my desk. I would have voted no.

Bailes

When Record No. 861 was taken, I was in the house but away from my desk. I would have voted no.

Biedermann

When Record No. 861 was taken, I was in the house but away from my desk. I would have voted no.

Bohac

When Record No. 861 was taken, I was in the house but away from my desk. I would have voted no.

Cain

When Record No. 861 was taken, I was in the house but away from my desk. I would have voted no.

Craddick

When Record No. 861 was taken, I was in the house but away from my desk. I would have voted no.

Metcalf

When Record No. 861 was taken, I was in the house but away from my desk. I would have voted no.

Oliverson

When Record No. 861 was taken, I was shown voting yes. I intended to vote no.

Roberts

When Record No. 861 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

When Record No. 861 was taken, I was temporarily out of the house chamber. I would have voted no.

Wray

COMMITTEE GRANTED PERMISSION TO MEET

Representative Cook requested permission for the Committee on State Affairs to meet while the house is in session, at 5:30 p.m. today, in 1W.14, to consider **SB 735** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

State Affairs, 5:30 p.m. today, 1W.14, for a formal meeting, to consider **SB 735** and pending business.

CSHB 2697 ON SECOND READING (by Price, Coleman, et al.)

CSHB 2697, A bill to be entitled An Act relating to telemedicine and telehealth services.

Representative Price moved to postpone consideration of **CSHB 2697** until 10 a.m. Tuesday, May 9.

The motion prevailed.

HB 2776 ON SECOND READING (by Smithee)

HB 2776, A bill to be entitled An Act relating to the right of certain appellants to supersede a judgment or order on appeal.

HB 2776 was passed to engrossment.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Homeland Security and Public Safety:

Metcalf on motion of Phelan.

POSTPONED BUSINESS

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

CSHB 2425 ON SECOND READING
(by Price, Rose, Larson, S. Thompson, and Oliverson)

CSHB 2425, A bill to be entitled An Act relating to a requirement that a hospital allow a patient to designate a caregiver to receive aftercare instruction regarding the patient.

CSHB 2425 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Price offered the following amendment to **CSHB 2425**:

Amend **CSHB 2425** (house committee printing) as follows:

(1) On page 2, between lines 5 and 6, insert the following appropriately numbered subdivision to read as follows and renumber subsequent subdivisions and cross-references to those subdivisions accordingly:

() "Patient" means a person that is receiving or has received health care services at a hospital.

(2) On page 2, between lines 7 and 8, insert the following new section to read as follows:

Sec. 317.0015. APPLICABILITY. This chapter applies only to a patient who is:

(1) 18 years of age or older; or

(2) younger than 18 years of age who has had the disabilities of minority removed.

Amendment No. 1 was adopted.

CSHB 2425, as amended, was passed to engrossment.

GENERAL STATE CALENDAR
(consideration continued)

CSHB 2861 ON SECOND READING
(by Phillips, Martinez, Israel, Villalba, and Neave)

CSHB 2861, A bill to be entitled An Act relating to Texas Department of Transportation and regional mobility authority comprehensive development agreements.

Amendment No. 1

Representative Phillips offered the following amendment to **CSHB 2861**:

Amend **CSHB 2861** (house committee printing) on page 1 by striking lines 11-13 and substituting the following:

(1) the Interstate Highway 35 project in Hays, Travis, and Williamson Counties from Ranch-to-Market Road 1431 to Posey Road;

Amendment No. 1 was adopted.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 6 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 6 p.m. today, 3W.15, for a formal meeting, to set a calendar.

(Speaker in the chair)

CSHB 2861 - (consideration continued)

CSHB 2861, as amended, failed to pass to engrossment by (Record 862): 52 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, R.; Arévalo; Blanco; Burkett; Button; Coleman; Collier; Cortez; Elkins; Farrar; Flynn; Geren; Gooden; Guerra; Gutierrez; Hernandez; Howard; Huberty; Israel; Johnson, E.; King, P.; Koop; Lambert; Longoria; Lucio; Martinez; Meyer; Moody; Morrison; Murphy; Neave; Oliveira; Ortega; Perez; Phillips; Raney; Raymond; Rodriguez, E.; Rodriguez, J.; Sheffield; Shine; Smithee; Thompson, E.; Thompson, S.; Turner; Uresti; Villalba; Walle; Workman.

Nays — Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Canales; Capriglione; Clardy; Cospser; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Dukes; Dutton; Faircloth; Fallon; Frank; Frullo; Giddings; Goldman; Gonzales; González; Hefner; Herrero; Holland; Hunter; Isaac; Kacal; Keough; King, K.; King, T.; Klick; Krause; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Miller; Muñoz; Murr; Nevárez; Oliverson; Parker; Paul; Phelan; Pickett; Price; Reynolds; Rinaldi; Roberts; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Simmons; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Tinderholt; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Ashby; Davis, S.; Davis, Y.; Metcalf; Sanford.

Absent — Anderson, C.; Bernal; Cook; Gervin-Hawkins; Guillen; Hinojosa; Johnson, J.; Kuempel; Minjarez; Vo.

STATEMENTS OF VOTE

When Record No. 862 was taken, I was in the house but away from my desk. I would have voted no.

C. Anderson

When Record No. 862 was taken, I was shown voting yes. I intended to vote no.

R. Anderson

When Record No. 862 was taken, I was shown voting no. I intended to vote yes.

Giddings

When Record No. 862 was taken, I was shown voting no. I intended to vote yes.

K. King

When Record No. 862 was taken, I was shown voting yes. I intended to vote no.

Lambert

When Record No. 862 was taken, I was excused to attend a meeting of the Committee on Homeland Security and Public Safety. I would have voted no.

Metcalf

When Record No. 862 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 862 was taken, I was shown voting yes. I intended to vote no.

Raney

When Record No. 862 was taken, I was shown voting no. I intended to vote yes.

Rose

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on State Affairs:

Cook on motion of Shine.

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Calendars:

Alonzo on motion of Isaac.

Geren on motion of Isaac.

Giddings on motion of Isaac.

Howard on motion of Isaac.

Hunter on motion of Kacal.

Kacal on motion of Isaac.

K. King on motion of Isaac.

Koop on motion of Isaac.

Nevárez on motion of Isaac.

Phelan on motion of Isaac.

Rose on motion of Isaac.

(Metcalf now present)

POSTPONED BUSINESS

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

SB 1955 ON SECOND READING

(Wray - House Sponsor)

SB 1955, A bill to be entitled An Act relating to expunction of a notice of lis pendens.

SB 1955 was considered in lieu of **CSHB 4086**.

SB 1955 was read second time and was passed to third reading.

CSHB 4086 - LAID ON THE TABLE SUBJECT TO CALL

Representative Wray moved to lay **CSHB 4086** on the table subject to call.

The motion prevailed.

GENERAL STATE CALENDAR

(consideration continued)

CSHB 2888 ON SECOND READING

(by Romero)

CSHB 2888, A bill to be entitled An Act relating to an inmate's completion of classes or programs before being released on parole.

CSHB 2888 was passed to engrossment.

HB 3019 ON SECOND READING

(by Burkett and Button)

HB 3019, A bill to be entitled An Act relating to the prosecution for the offense of injury to a child, elderly individual, or disabled individual.

HB 3019 was passed to engrossment.

HB 3131 ON SECOND READING

(by Martinez)

HB 3131, A bill to be entitled An Act relating to the disposal of certain motor vehicles to a motor vehicle demolisher; increasing a fee.

HB 3131 was passed to engrossment.

HB 3294 ON SECOND READING**(by Parker)**

HB 3294, A bill to be entitled An Act relating to the eligibility of certain NASCAR events to receive funding through the Major Events Reimbursement Program.

HB 3294 failed to pass to engrossment by (Record 863): 45 Yeas, 80 Nays, 1 Present, not voting. (The vote was reconsidered on May 6, and **HB 3294** was passed to engrossment.)

Yeas — Anderson, C.; Anderson, R.; Bailes; Bell; Burkett; Burns; Capriglione; Clardy; Craddick; Darby; Elkins; Flynn; Goldman; Guillen; Huberty; King, P.; Klick; Krause; Lambert; Laubenberg; Leach; Lozano; Lucio; Meyer; Morrison; Murphy; Oliveira; Oliverson; Parker; Paul; Perez; Pickett; Price; Raney; Raymond; Roberts; Sheffield; Smithee; Stephenson; Stucky; Thompson, E.; Villalba; Workman; Wray; Zerwas.

Nays — Allen; Arévalo; Bernal; Biedermann; Blanco; Bonnen, D.; Bonnen, G.; Burrows; Button; Cain; Canales; Coleman; Collier; Cortez; Cospser; Cyrier; Dale; Dean; Deshotel; Dukes; Dutton; Faircloth; Fallon; Farrar; Frank; Frullo; Gervin-Hawkins; Gonzales; González; Gooden; Guerra; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, T.; Kuempel; Landgraf; Lang; Larson; Martinez; Metcalf; Miller; Minjarez; Moody; Muñoz; Murr; Neave; Ortega; Phillips; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Springer; Stickland; Swanson; Tinderholt; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Alonzo; Ashby; Cook; Davis, S.; Davis, Y.; Geren; Giddings; Howard; Hunter; Kacal; King, K.; Koop; Nevárez; Phelan; Rose; Sanford.

Absent — Alvarado; Bohac; Longoria; Thierry; Thompson, S.

STATEMENTS OF VOTE

When Record No. 863 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 863 was taken, I was in the house but away from my desk. I would have voted no.

Bohac

When Record No. 863 was taken, I was shown voting no. I intended to vote yes.

Faircloth

When Record No. 863 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 863 was taken, I was shown voting yes. I intended to vote no.

Perez

When Record No. 863 was taken, I was shown voting yes. I intended to vote no.

Pickett

When Record No. 863 was taken, I was shown voting no. I intended to vote yes.

Simmons

When Record No. 863 was taken, I was shown voting yes. I intended to vote no.

Workman

CSHB 3166 ON SECOND READING

(by Lucio)

CSHB 3166, A bill to be entitled An Act relating to the consideration of modeled sustainable groundwater pumping in the adoption of desired future conditions in groundwater conservation districts.

CSHB 3166 was passed to engrossment.

CSHB 117 ON SECOND READING

(by White and R. Anderson)

CSHB 117, A bill to be entitled An Act relating to ethyl alcohol monitoring as a condition of community supervision for certain intoxication offenses; authorizing the imposition of costs.

CSHB 117 was passed to engrossment.

CSHB 3151 ON SECOND READING

(by Sheffield)

CSHB 3151, A bill to be entitled An Act relating to demonstration projects to coordinate eligibility renewal and eligibility recertification for certain children in the Medicaid and child health plan programs.

CSHB 3151 was passed to engrossment.

CSHB 337 ON SECOND READING

(by Collier, C. Anderson, Coleman, Longoria, and Phelan)

CSHB 337, A bill to be entitled An Act relating to the continuation of certain public benefits, including medical assistance benefits, for individuals after release from confinement in a county jail.

CSHB 337 was passed to engrossment. (Rinaldi recorded voting no.)

SB 2105 ON SECOND READING
(J. Johnson - House Sponsor)

SB 2105, A bill to be entitled An Act relating to the requirement that the Texas Workforce Commission provide certain employment information for secondary school students.

SB 2105 was considered in lieu of **HB 374**.

SB 2105 was passed to third reading.

HB 374 - LAID ON THE TABLE SUBJECT TO CALL

Representative J. Johnson moved to lay **HB 374** on the table subject to call.

The motion prevailed.

HB 362 ON SECOND READING
(by Moody)

HB 362, A bill to be entitled An Act relating to the procedure for rearrest and adjustment of the bond amount in certain criminal cases.

HB 362 was passed to engrossment.

CSHB 3969 ON SECOND READING
(by K. King)

CSHB 3969, A bill to be entitled An Act relating to a study regarding the feasibility of implementing a central filing system for the filing of financing statements for agricultural liens.

Representative Metcalf moved to postpone consideration of **CSHB 3969** until 6:15 p.m. today.

The motion prevailed.

CSHB 553 ON SECOND READING
(by White and J. Johnson)

CSHB 553, A bill to be entitled An Act relating to the creation of a task force to identify opportunities for academic credit and industry recognition for inmates of the Texas Department of Criminal Justice.

Amendment No. 1

Representative White offered the following amendment to **CSHB 553**:

Amend **CSHB 553** (house committee report) as follows:

- (1) On page 1, line 13, strike "nine" and substitute "10".
- (2) On page 2, line 2, strike "and".
- (3) Strike page 2, lines 3 through 6, and substitute the following:

(6) three representatives of public junior colleges, as defined by Section 61.003, appointed by the governor, including:

(A) at least one representative of a public junior college that provides education services to persons confined or imprisoned in the department;
and

(B) at least one representative of a public junior college that does not provide services described by Paragraph (A); and
(7) one representative of a faith-based organization, appointed by the governor.

Amendment No. 1 was adopted.

CSHB 553, as amended, was passed to engrossment.

SB 1871 ON SECOND READING
(Raymond - House Sponsor)

SB 1871, A bill to be entitled An Act relating to the creation of the offense of theft of petroleum products.

SB 1871 was considered in lieu of **HB 891**.

SB 1871 was passed to third reading by (Record 864): 115 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Zerwas.

Nays — Biedermann; Cain; Lang; Rinaldi; Schaefer; Stickland; Swanson; Tinderholt; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Alonzo; Ashby; Cook; Davis, S.; Davis, Y.; Geren; Giddings; Howard; Hunter; Kacal; King, K.; Koop; Nevárez; Phelan; Rose; Sanford.

Absent — Krause; Longoria; Schofield; Shaheen; White; Zedler.

STATEMENTS OF VOTE

When Record No. 864 was taken, I was temporarily out of the house chamber. I would have voted no.

Krause

When Record No. 864 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 864 was taken, I was in the house but away from my desk. I would have voted yes.

Schofield

When Record No. 864 was taken, I was in the house but away from my desk. I would have voted yes.

Shaheen

When Record No. 864 was taken, I was shown voting no. I intended to vote yes.

Swanson

When Record No. 864 was taken, I was in the house but away from my desk. I would have voted yes.

White

HB 891 - LAID ON THE TABLE SUBJECT TO CALL

Representative Raymond moved to lay **HB 891** on the table subject to call.

The motion prevailed.

(K. King and Nevárez now present)

CSHB 4032 ON SECOND READING (by Phillips)

CSHB 4032, A bill to be entitled An Act relating to annual limitations on the reimbursement of expenses incurred by district court reporters.

CSHB 4032 was passed to engrossment.

(Ashby now present)

HB 1583 ON SECOND READING (by Cortez, Uresti, et al.)

HB 1583, A bill to be entitled An Act relating to the use of epinephrine auto-injectors on private school campuses and at or in transit to or from off-campus school events.

Representative Cortez moved to postpone consideration of **HB 1583** until 9 a.m. Monday, May 8.

The motion prevailed.

CSHB 1075 ON SECOND READING (by E. Thompson)

CSHB 1075, A bill to be entitled An Act relating to the frequency of criminal background checks for sports officials registered with the University Interscholastic League.

CSHB 1075 was passed to engrossment. (Rinaldi recorded voting no.)

CSHB 1744 ON SECOND READING**(by Murr)**

CSHB 1744, A bill to be entitled An Act relating to the payment of certain costs associated with certain assignments of a statutory probate court judge.

CSHB 1744 was passed to engrossment.

CSHB 4102 ON SECOND READING**(by Neave, González, Villalba, and Blanco)**

CSHB 4102, A bill to be entitled An Act relating to establishing and funding a grant program for testing evidence collected in relation to sexual assaults or other sex offenses; authorizing voluntary contributions.

CSHB 4102 was passed to engrossment.

(Alonzo now present)

HB 1877 ON SECOND READING**(by Murr)**

HB 1877, A bill to be entitled An Act relating to a penalty for independent executors who misrepresent in an affidavit in lieu of the inventory, appraisement, and list of claims that certain beneficiaries received the inventory and appraisement.

HB 1877 was passed to engrossment.

CSHB 3125 ON SECOND READING**(by Kuempel, Gutierrez, Raymond, Dale, and Herrero)**

CSHB 3125, A bill to be entitled An Act relating to charitable raffles conducted by the charitable foundations of certain professional sports teams.

Amendment No. 1

Representative Goldman offered the following amendment to **CSHB 3125**:

Amend **CSHB 3125** (house committee report) as follows:

- (1) On page 1, line 20, strike "or".
- (2) On page 2, line 1, strike the period and substitute "; or".
- (3) On page 2, between lines 1 and 2, insert the following:
(C) an organization hosting a Professional Golf Association event.

Amendment No. 1 was adopted.

CSHB 3125, as amended, was passed to engrossment.

(Giddings now present)

CSHB 972 ON SECOND READING**(by Giddings, et al.)**

CSHB 972, A bill to be entitled An Act relating to the assignment of a public school student to an uncertified teacher.

(Hunter now present)

CSHB 972 was passed to engrossment by (Record 865): 70 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Arévalo; Bailes; Bernal; Blanco; Bohac; Canales; Clardy; Coleman; Collier; Cortez; Cospes; Deshotel; Dukes; Dutton; Elkins; Farrar; Flynn; Frullo; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Lambert; Larson; Leach; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Shine; Smithee; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Ashby; Bell; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Craddick; Cyrier; Dale; Dean; Faircloth; Fallon; Frank; Goldman; Hefner; Isaac; Keough; King, P.; Klick; Krause; Kuempel; Landgraf; Laubenberg; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phillips; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Springer; Stephenson; Stickland; Swanson; Thompson, E.; Villalba; White; Wilson; Workman; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Cook; Davis, S.; Davis, Y.; Geren; Howard; Kacal; Koop; Phelan; Rose; Sanford.

Absent — Biedermann; Darby; Lang; Longoria; Tinderholt; Zerwas.

STATEMENTS OF VOTE

When Record No. 865 was taken, I was in the house but away from my desk. I would have voted no.

Biedermann

When Record No. 865 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 865 was taken, I was in the house but away from my desk. I would have voted no.

Lang

When Record No. 865 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 865 was taken, I was shown voting no. I intended to vote yes.

Lozano

When Record No. 865 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 865 was taken, I was excused to attend a meeting of the Committee on Calendars. I would have voted no.

Phelan

When Record No. 865 was taken, I was shown voting yes. I intended to vote no.

Smithee

When Record No. 865 was taken, I was in the house but away from my desk. I would have voted no.

Tinderholt

When Record No. 865 was taken, I was in the house but away from my desk. I would have voted no.

Zerwas

CSHB 1291 ON SECOND READING
(by Geren, Price, et al.)

CSHB 1291, A bill to be entitled An Act relating to the inclusion of American principles in the public school curriculum and instructional materials.

(Geren and Rose now present)

CSHB 1291 was passed to engrossment by (Record 866): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; 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; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; 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; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Cook; Davis, S.; Davis, Y.; Howard; Kacal; Koop; Phelan; Sanford.

Absent — Hunter; Longoria; Phillips.

STATEMENTS OF VOTE

When Record No. 866 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

When Record No. 866 was taken, I was excused to attend a meeting of the Committee on Calendars. I would have voted yes.

Koop

(Cook, Howard, and Kacal now present)

CSHB 3649 ON SECOND READING (by Herrero and Guillen)

CSHB 3649, A bill to be entitled An Act relating to confidential communications of victims of certain family violence offenses.

CSHB 3649 was passed to engrossment.

HB 2832 ON SECOND READING (by Oliveira, Flynn, Price, Romero, and Collier)

HB 2832, A bill to be entitled An Act relating to notice by a property owner to a mortgage servicer that the owner intends to enter into a contract with a property tax lender.

HB 2832 - POINT OF ORDER

Representative Tinderholt raised a point of order against further consideration of **HB 2832** under Rule 8, Section 1(a) of the House Rules on the grounds that the caption is inaccurate.

(Koop now present)

The speaker overruled the point of order and submitted the following statement:

Representative Tinderholt raised a point of order against further consideration of **HB 2832** under Rule 8, Section 1(a) of the House Rules on the grounds that the caption does not give the legislature and the public reasonable notice of the bill's subject. The point of order is respectfully overruled.

The caption reads "relating to notice by a property owner to a mortgage servicer that the owner intends to enter into a contract with a property tax lender." The bill amends Section 32.06 of the Tax Code to require that mortgage servicers receive notice from owners who enter into agreements with "transferees" for repayment of delinquent property taxes. Section 32.06 of the Tax Code governs property tax loans and transfers of liens. Representative Tinderholt asserts that the bill impacts at least some transferees who are not "lenders" because a subset of

transferees are not subject to the Property Tax Lender License Act. Section 32.06 defines a "transferee" as "a person who is licensed under Chapter 351, Finance Code, or is exempt from the application of that chapter under Section 351.051(c), Finance Code."

Section 351.051(c) of the Finance Code requires lenders to be licensed (among other requirements), but it expressly makes these requirements inapplicable to:

(1) any of the following entities or an employee of any of the following entities, if the employee is acting for the benefit of the employer:

(A) a bank, savings bank, or savings and loan association, or a subsidiary or an affiliate of a bank, savings bank, or savings and loan association; or

(B) a state or federal credit union, or a subsidiary, affiliate, or credit union service organization of a state or federal credit union; or

(2) an individual who:

(A) is related to the property owner within the second degree of consanguinity or affinity, as determined under Chapter 573, Government Code; or

(B) makes five or fewer property tax loans in any consecutive 12-month period from the individual's own funds. The fact that some transferees are exempt from the requirements of Chapter 351 of the Finance Code does not preclude them from being lenders within the meaning of the property tax loan and transfer of lien law found in Section 32.06 or under the commonly accepted use of the word "lender." Even Representative Tinderholt agrees that all of the transferees are lienholders who loan money for repayment of property taxes. For these reasons, the chair concludes that the caption provided reasonable notice of the bill's subject and did not violate Rule 8, Section 1(a).

HB 2832 was passed to engrossment. (Rinaldi recorded voting no.)

HB 998 ON SECOND READING
(by Alvarado)

HB 998, A bill to be entitled An Act relating to the confidentiality of certain information stored as part of the preparation of campaign finance reports required to be filed with the clerk of certain counties or municipalities.

HB 998 was passed to engrossment.

CSHB 1935 ON SECOND READING
(by Frullo, Dutton, Kuempel, Moody, Springer, et al.)

CSHB 1935, A bill to be entitled An Act relating to the carrying of certain knives.

Representative Frullo moved to postpone consideration of **CSHB 1935** until 4 p.m. Monday, May 8.

The motion prevailed.

CSHB 1507 ON SECOND READING
(by Giddings and Hernandez)

CSHB 1507, A bill to be entitled An Act relating to the rights of certain defendants who successfully complete a term of community supervision.

CSHB 1507 was passed to engrossment.

CSHB 2050 ON SECOND READING
(by G. Bonnen)

CSHB 2050, A bill to be entitled An Act relating to the confidentiality of certain employment records submitted to the Texas Commission on Law Enforcement or maintained by a law enforcement agency.

(Phillips in the chair)

Representative G. Bonnen moved to postpone consideration of **CSHB 2050** until 7:15 p.m. today.

The motion prevailed.

POSTPONED BUSINESS

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

CSHB 3969 ON SECOND READING
(by K. King)

CSHB 3969, A bill to be entitled An Act relating to a study regarding the feasibility of implementing a central filing system for the filing of financing statements for agricultural liens.

CSHB 3969 was read second time earlier today and was postponed until this time.

CSHB 3969 was passed to engrossment.

GENERAL STATE CALENDAR
(consideration continued)

HB 2880 ON SECOND READING
(by Dutton)

HB 2880, A bill to be entitled An Act relating to the criminal punishment for the threatened exhibition or use of a firearm in or on school property or on a school bus.

HB 2880 was passed to engrossment.

CSHB 3189 ON SECOND READING
(by D. Bonnen)

CSHB 3189, A bill to be entitled An Act relating to the reporting of and access to information related to court-ordered prescription drug substance abuse treatment; providing a criminal penalty.

Amendment No. 1

Representative D. Bonnen offered the following amendment to **CSHB 3189**:

Amend **CSHB 3189** (house committee report) as follows:

- (1) On page 1, line 9, between "REPORTING." and "A", insert "(a)".
- (2) On page 1, line 15, between "shall" and "submit", insert ", if the defendant consents to the release of the information,".
 - (3) On page 1, between lines 18 and 19, insert the following:
 - (b) A defendant may not be:
 - (1) required as a condition of community supervision to consent to the release of information under Subsection (a); or
 - (2) excluded from a substance abuse treatment facility or program based on the defendant's failure to consent to the release of the information.
 - (4) On page 1, line 21, between "REPORTING." and "A", insert "(a)".
 - (5) On page 2, strike lines 1 through 3 and substitute the following:
 - (1) the name and date of birth of the defendant;
 - (2) the name of the specialty court in which the defendant is participating;
 - (3) the date the defendant began participating in the specialty court; and
 - (4) if the defendant consents to the release of the information, the name of the substance or substances abused by the defendant.
 - (b) A defendant may not be:
 - (1) required as a condition of participation in a specialty court to consent to the release of information under Subsection (a)(4); or
 - (2) excluded from a substance abuse treatment facility or program based on the defendant's failure to consent to the release of the information.
 - (6) On page 2, line 6, between "REPORTING." and "A", insert "(a)".
 - (7) On page 2, line 8, between "shall" and "submit", insert ", if the patient consents to the release of the information,".
 - (8) On page 2, between lines 11 and 12, insert the following:
 - (b) A patient may not be excluded from a substance abuse treatment facility or program based on the patient's failure to consent to the release of information under Subsection (a).
 - (9) On page 2, strike lines 12 and 13 and substitute the following:
 SECTION 4. Section 481.076, Health and Safety Code, is amended by amending Subsections (a), (a-3), (a-4), (c), (i), and (j) and adding Subsection (a-6) to read as follows:
 - (10) On page 3, line 18, following the semicolon, strike "or" and substitute "[~~or~~"]".
 - (11) On page 3, line 21, between "Subsection (j)" and the period, insert "; or (8) the judge of a specialty court as defined by Section 121.001, Government Code, or the judge's designee, in the manner prescribed by Subsection (a-6)".
 - (12) On page 4, between lines 10 and 11, insert the following:
 - (a-6) On request by a judge of a specialty court as defined by Section 121.001, Government Code, or the judge's designee, the board shall provide to the judge or the judge's designee information submitted to the board under

Article 42A.3035, Code of Criminal Procedure, Section 121.003, Government Code, or Section 462.0691, 481.074(q), or 481.075 that relates to a current or prospective specialty court program participant.

Amendment No. 1 was adopted.

CSHB 3189, as amended, was passed to engrossment.

CSHB 3306 ON SECOND READING
(by Kuempel)

CSHB 3306, A bill to be entitled An Act relating to the regulation of motor vehicle towing, booting, and storage and to the elimination of required state licensing for vehicle booting companies and operators.

Amendment No. 1

Representative Kuempel offered the following amendment to **CSHB 3306**:

Amend **CSHB 3306** (house committee report) as follows:

- (1) On page 3, line 27, strike "authorized" and substitute "prohibited".
- (2) On page 4, line 1, strike "not".

Amendment No. 1 was adopted.

CSHB 3306, as amended, was passed to engrossment.

CSHB 4180 ON SECOND READING
(by Coleman)

CSHB 4180, A bill to be entitled An Act relating to issues affecting counties and certain other governmental entities and residents.

Amendment No. 1

Representative VanDeaver offered the following amendment to **CSHB 4180**:

Amend **CSHB 4180** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 264, Health and Safety Code, is amended by adding Section 264.004 to read as follows:

Sec. 264.004. DISSOLUTION. (a) The commissioners court of a county by order may dissolve an authority created by the commissioners court if the commissioners court and the authority provide for the sale or transfer of the authority's assets and liabilities to the county.

(b) The dissolution of an authority and the sale or transfer of the authority's assets and liabilities may not:

(1) violate a trust indenture or bond resolution relating to the outstanding bonds of the authority; or

(2) diminish or impair the rights of the holders of outstanding bonds, warrants, or other obligations of the authority.

(c) An order dissolving an authority takes effect on the 31st day after the date the commissioners court adopts the order.

(d) All records of the authority remaining when the authority is dissolved shall be transferred to the county clerk of the county in which the authority is located.

Amendment No. 1 was adopted.

CSHB 4180, as amended, was passed to engrossment.

HB 3609 ON SECOND READING
(by Burns)

HB 3609, A bill to be entitled An Act relating to the administrative and civil consequences imposed by the Department of Public Safety.

HB 3609 - POINT OF ORDER

Representative Murr raised a point of order against further consideration of **HB 3609**.

The point of order was withdrawn.

Representative Burns moved to postpone consideration of **HB 3609** until 10:30 a.m. Sunday, May 6, 2018.

The motion prevailed.

SB 256 ON SECOND READING
(Hunter and Stickland - House Sponsors)

SB 256, A bill to be entitled An Act relating to the confidentiality of home address information of certain victims of family violence, sexual assault or abuse, stalking, or trafficking of persons.

SB 256 was considered in lieu of **HB 2222**.

(Phelan now present)

SB 256 was passed to third reading by (Record 867): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; 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; Cospers; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Dukes; 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; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine;

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

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

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, S.; Davis, Y.; Sanford.

Absent — Villalba.

HB 2222 - LAID ON THE TABLE SUBJECT TO CALL

Representative Hunter moved to lay **HB 2222** on the table subject to call.

The motion prevailed.

CSHB 1216 ON SECOND READING

(by Deshotel and Thierry)

CSHB 1216, A bill to be entitled An Act relating to disclosure regarding the existence of a gestational agreement in a suit for the dissolution of a marriage and standing of an intended parent under a gestational agreement to file a suit affecting the parent-child relationship.

CSHB 1216 was passed to engrossment.

CSHB 1549 ON SECOND READING

(by Burkett, Raymond, S. Thompson, Price, Zerwas, et al.)

CSHB 1549, A bill to be entitled An Act relating to the provision of services by the Department of Family and Protective Services, including child protective services and prevention and early intervention services.

(Cyrier in the chair)

(S. Davis now present)

Amendment No. 1

Representative Burrows offered the following amendment to **CSHB 1549**:

Amend **CSHB 1549** (house committee printing) on page 4, line 19, between "neglect" and ":", by inserting "and who are receiving family-based safety services from the department".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Burkett offered the following amendment to **CSHB 1549**:

Amend **CSHB 1549** (house committee printing) on page 13, line 20, by striking "include a growth strategy" and substituting "identify strategies".

Amendment No. 2 was adopted.

CSHB 1549 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **CSHB 1549**.

The point of order was withdrawn.

CSHB 1549, as amended, was passed to engrossment by (Record 868): 129 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospér; Craddick; Dale; Darby; Davis, S.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; 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; Workman; Wray; Zerwas.

Nays — Biedermann; Cain; Lang; Stickland; Tinderholt; Zedler.

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

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Absent — Alonzo; Cook; Hernandez; Johnson, J.; Keough; Parker; Phillips; Rinaldi.

STATEMENTS OF VOTE

When Record No. 868 was taken, I was in the house but away from my desk. I would have voted yes.

Cook

When Record No. 868 was taken, I was in the house but away from my desk. I would have voted yes.

Hernandez

When Record No. 868 was taken, I was in the house but away from my desk. I would have voted no.

Keough

When Record No. 868 was taken, my vote failed to register. I would have voted no.

Phillips

When Record No. 868 was taken, my vote failed to register. I would have voted no.

Rinaldi

When Record No. 868 was taken, I was shown voting yes. I intended to vote no.

Wilson

SB 256 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Moody, Representative Stickland was authorized as a house sponsor to **SB 256**.

HOUSE AT EASE

At 7:14 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 7:47 p.m.

HB 1982 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 1982, A bill to be entitled An Act relating to the board of directors of the Lone Star Groundwater Conservation District.

Representative Metcalf moved to concur in the senate amendments to **HB 1982**.

The motion to concur in the senate amendments to **HB 1982** prevailed by (Record 869): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; 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; Cospers; Craddick; Dale; Darby; Davis, S.; Dean; Deshotel; Dukes; 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; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; 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; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Senate Amendment No. 1 (Senate Committee Amendment No. 1)

Amend **HB 1982** (house engrossed version) as follows:

(1) In SECTION 1 of the bill, in amended Section 6(a), Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001 (page 1, line 8), strike "five" and substitute "seven".

(2) In SECTION 3 of the bill, in amended Section 7(a), Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001 (page 1, line 24), strike "and".

(3) In SECTION 3 of the bill, in amended Section 7(a), Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001 (page 2, line 3), between "five" and the open bracket, insert the following:

⋮

(3) one director is elected from the City of Conroe by the voters of that municipality; and

(4) one director is elected from The Woodlands Township by the voters of that township

(4) Strike SECTION 4 of the bill (page 2, line 24 through page 3, line 13) and substitute the following:

SECTION 4. Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Section 7A to read as follows:

Sec. 7A. TEMPORARY PROVISION. (a) A director of the board of the Lone Star Groundwater Conservation District who is serving on August 31, 2017, shall serve until the director's successor has qualified following the directors' election held on the uniform election date in November 2018.

(b) After the November 2018 election, the precinct 1 director, the at-large director, and the director elected by the City of Conroe shall serve a term that expires December 1 of the second year after the date of the election and the directors of precincts 2, 3, and 4 and the director elected by The Woodlands Township shall serve a term that expires December 1 of the fourth year after the date of that election. The initial two-year terms of the precinct 1 director, the at-large director, and the director elected by the City of Conroe do not count toward the term limitation provided by Section 6(c) of this Act.

(c) This section expires September 1, 2024.

POSTPONED BUSINESS

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

CSHB 2050 ON SECOND READING

(by G. Bonnen)

CSHB 2050, A bill to be entitled An Act relating to the confidentiality of certain employment records submitted to the Texas Commission on Law Enforcement or maintained by a law enforcement agency.

CSHB 2050 was read second time earlier today and was postponed until this time.

Representative G. Bonnen moved to postpone consideration of **CSHB 2050** until 1 p.m. tomorrow.

The motion prevailed.

**GENERAL STATE CALENDAR
(consideration continued)**

HB 2466 ON SECOND READING

(by S. Davis, S. Thompson, Price, Zerwas, and Collier)

HB 2466, A bill to be entitled An Act relating to coverage for certain services related to maternal depression under the Medicaid and child health plan programs.

HB 2466 was passed to engrossment.

**HB 1174 ON SECOND READING
(by Hinojosa, Gonzales, and Koop)**

HB 1174, A bill to be entitled An Act relating to indicators of achievement under the public school accountability system.

Amendment No. 1

Representative Hinojosa offered the following amendment to **HB 1174**:

Amend **HB 1174** (house committee printing) on page 3, line 22, between "technical" and "courses", by inserting "or fine arts".

Amendment No. 1 was adopted.

HB 1174, as amended, was passed to engrossment.

HB 3294 - NOTICE GIVEN

At 7:58 p.m., pursuant to the provisions of Rule 7, Section 37(c) of the House Rules, Representative D. Bonnen gave notice that he would, in one hour, move to reconsider the vote by which **HB 3294** failed to pass to engrossment by Record No. 863.

**CSHB 1463 ON SECOND READING
(by Smithee, Villalba, et al.)**

CSHB 1463, A bill to be entitled An Act relating to procedures for asserting claims under the Americans with Disabilities Act; providing a civil penalty.

Amendment No. 1

Representative Smithee offered the following amendment to **CSHB 1463**:

Amend **CSHB 1463** (house committee report) as follows:

(1) On page 2, strike lines 19-25 and substitute the following:

(B) in reasonable detail, each alleged violation; and

(2) On page 2, line 26, strike "time" and substitute "date".

Amendment No. 1 was adopted.

CSHB 1463, as amended, was passed to engrossment. (Neave recorded voting no.)

SB 561 ON SECOND READING
(Smithee - House Sponsor)

SB 561, A bill to be entitled An Act relating to the identification and handling of unclaimed life insurance and annuity contract proceeds.

SB 561 was considered in lieu of **HB 1243**.

SB 561 was passed to third reading.

HB 1243 - LAID ON THE TABLE SUBJECT TO CALL

Representative Smithee moved to lay **HB 1243** on the table subject to call.

The motion prevailed.

CSHB 1542 ON SECOND READING
(by Price, Frullo, Romero, Bernal, Klick, et al.)

CSHB 1542, A bill to be entitled An Act relating to the definition of the least restrictive environment for the placement of children in foster care.

Representative Frullo moved to postpone consideration of **CSHB 1542** until 10 a.m. tomorrow.

The motion prevailed.

HB 25 ON SECOND READING
(by Simmons, Larson, Laubenberg, S. Davis, et al.)

HB 25, A bill to be entitled An Act relating to the elimination of straight-party voting.

Representative Simmons moved to postpone consideration of **HB 25** until 8:35 p.m. today.

The motion prevailed.

FIVE-DAY POSTING RULE SUSPENDED

Representative Sheffield moved to suspend the five-day posting rule to allow the Committee on Public Health to consider **HB 3012** at 8 a.m. Tuesday, May 9 in E2.012.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Health, 8 a.m. Tuesday, May 9, E2.012, for a public hearing, to consider **HB 3012** and the previously posted agenda.

CSHB 2223 ON SECOND READING
(by Giddings and White)

CSHB 2223, A bill to be entitled An Act relating to developmental coursework offered by public institutions of higher education under the Texas Success Initiative.

CSHB 2223 was passed to engrossment.

CSHB 2079 ON SECOND READING
(by Hunter and Howard)

CSHB 2079, A bill to be entitled An Act relating to the promotion of tourism related to the musical heritage of this state.

CSHB 2079 was passed to engrossment by (Record 870): 132 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; 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; Cospers; Craddick; Dale; Darby; Davis, S.; Dean; Deshotel; Dukes; Dutton; 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; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Biedermann; Cain; Lang; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt.

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

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Absent — Elkins; Raney.

STATEMENT OF VOTE

When Record No. 870 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

CSHB 3305 ON SECOND READING
(by Larson, Capriglione, K. King, and Price)

CSHB 3305, A bill to be entitled An Act relating to restrictions on certain contributions by persons appointed to public office by the governor.

CSHB 3305 was passed to engrossment by (Record 871): 94 Yeas, 46 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Burkett; Burns; Canales; Coleman; Collier; Cortez; Cosper; Dale; Darby; Davis, S.; Dean; Deshotel; Dukes; Dutton; Faircloth; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Kuempel; Landgraf; Larson; Longoria; Lucio; Martinez; Metcalf; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Shaheen; Sheffield; Shine; Smithee; Stephenson; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Zerwas.

Nays — Anderson, R.; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burrows; Button; Capriglione; Clardy; Craddick; Elkins; Fallon; Goldman; Hefner; King, P.; Klick; Koop; Krause; Lambert; Lang; Laubenberg; Leach; Lozano; Meyer; Miller; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Rinaldi; Schaefer; Schofield; Schubert; Simmons; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker; Cook; Cyrier(C); Farrar.

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Absent — Cain.

STATEMENTS OF VOTE

When Record No. 871 was taken, I was in the house but away from my desk. I would have voted no.

Cain

When Record No. 871 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 871 was taken, I was shown voting yes. I intended to vote no.

Frank

When Record No. 871 was taken, I was shown voting yes. I intended to vote no.

Landgraf

When Record No. 871 was taken, I was shown voting yes. I intended to vote no.

Villalba

When Record No. 871 was taken, I was shown voting yes. I intended to vote no.

Zerwas

CSHB 3056 ON SECOND READING
(by Meyer and Flynn)

CSHB 3056, A bill to be entitled An Act relating to the participation in the Texas Municipal Retirement System of certain employees of certain municipalities subject to the Texas Local Fire Fighters Retirement Act.

CSHB 3056 was passed to engrossment.

CSHB 3488 ON SECOND READING
(by Hinojosa, Oliveira, Meyer, and Parker)

CSHB 3488, A bill to be entitled An Act relating to authorizing public benefit corporations.

CSHB 3488 was passed to engrossment.

SB 24 ON SECOND READING
(Geren - House Sponsor)

SB 24, A bill to be entitled An Act relating to a privilege from disclosure to governmental units for certain evidence concerning sermons delivered by a religious leader.

SB 24 was considered in lieu of **HB 3956**.

SB 24 was passed to third reading by (Record 872): 141 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; 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; Dale; Darby; Davis, S.; Dean; Deshotel; Dukes; 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; Oliveira; Oliverson; Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price;

Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Rose; 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; Workman; Wray; Zedler; Zerwas.

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

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Absent — Craddick.

STATEMENT OF VOTE

When Record No. 872 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

HB 3956 - LAID ON THE TABLE SUBJECT TO CALL

Representative Geren moved to lay **HB 3956** on the table subject to call.

The motion prevailed.

POSTPONED BUSINESS

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

HB 25 ON SECOND READING

(by Simmons, Larson, Laubenberg, S. Davis, et al.)

HB 25, A bill to be entitled An Act relating to the elimination of straight-party voting.

HB 25 was read second time earlier today and was postponed until this time.

(Speaker in the chair)

Amendment No. 1

Representative Dutton offered the following amendment to **HB 25**:

Amend **HB 25** (house committee report) by striking all below the enacting clause.

Amendment No. 1 failed of adoption by (Record 873): 57 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Deshotel; Dukes; Dutton; Farrar; Flynn; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Phillips; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Smithee; Stickland; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Frank; Frullo; Geren; Goldman; Gonzales; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Pickett; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Absent — Cain; Capriglione; Krause; Phelan; VanDeaver.

STATEMENTS OF VOTE

When Record No. 873 was taken, I was in the house but away from my desk. I would have voted no.

Cain

When Record No. 873 was taken, I was in the house but away from my desk. I would have voted no.

Capriglione

When Record No. 873 was taken, I was in the house but away from my desk. I would have voted no.

Krause

When Record No. 873 was taken, I was in the house but away from my desk. I would have voted no.

Phelan

When Record No. 873 was taken, I was in the house but away from my desk. I would have voted no.

VanDeaver

Amendment No. 2

Representative Dutton offered the following amendment to **HB 25**:

Amend **HB 25** (house committee printing) as follows:

(1) On page 1, strike lines 10 through 15 and substitute the following:

(3) casting a straight-party vote in an election in a county in which more than 25 total offices and measures appear on the ballot in any precinct;

(4) casting a provisional ballot; and

(5) ~~[until the expiration of Section 13.122(d), voting for the first time by a person who registered by mail; and~~

[~~(6)~~] securing an additional ballot if the voter's original ballot is spoiled.

(2) Strike page 1, line 16, through page 4, line 10, and substitute the following:

SECTION 2. Section 52.071, Election Code, is amended by adding Subsection (c) to read as follows:

(c) This section applies only to an election held in a county in which more than 25 total offices and measures appear on the ballot in any precinct.

(3) Renumber the SECTIONS of the bill appropriately.

Amendment No. 2 failed of adoption by (Record 874): 53 Yeas, 91 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Stickland; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Amendment No. 3

Representative Walle offered the following amendment to **HB 25**:

Amend **HB 25** (house committee printing) as follows:

(1) On page 1, strike lines 10 through 15 and substitute the following:

(3) casting a straight-party vote in a county that is not participating in a countywide polling place program under Section 43.007;

(4) casting a provisional ballot; and

(5) ~~[until the expiration of Section 13.122(d), voting for the first time by a person who registered by mail; and~~

[~~(6)~~] securing an additional ballot if the voter's original ballot is spoiled.

(2) Strike page 1, line 16, through page 4, line 10, and substitute the following:

SECTION 2. Section 52.071, Election Code, is amended by adding Subsection (c) to read as follows:

(c) This section applies only to a county that is not participating in a countywide polling place program under Section 43.007.

(3) Renumber the SECTIONS of the bill appropriately.

Amendment No. 3 failed of adoption by (Record 875): 53 Yeas, 91 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Stickland; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Amendment No. 4

Representative Martinez offered the following amendment to **HB 25**:

Amend **HB 25** (house committee printing) as follows:

(1) On page 1, strike lines 10 through 15, and substitute the following:

(3) casting a straight-party vote;

(4) casting a provisional ballot; and

(5) ~~[until the expiration of Section 13.122(d), voting for the first time by a person who registered by mail; and~~

[~~(6)~~] securing an additional ballot if the voter's original ballot is spoiled.

(2) Strike page 1, line 16, through page 4, line 10, and substitute the following:

SECTION 2. Section 52.071, Election Code, is amended by adding Subsection (c) to read as follows:

(c) This section applies only to a ballot to be voted by mail under Chapter 86.

(3) Renumber the SECTIONS of the bill appropriately.

Amendment No. 4 failed of adoption by (Record 876): 53 Yeas, 90 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Phillips; Raymond; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Stickland; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Pickett; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Absent — Reynolds.

Amendment No. 5

Representative Giddings offered the following amendment to **HB 25**:

Amend **HB 25** (house committee printing) as follows:

(1) On page 1, strike lines 10 through 15, and substitute the following:

- (3) casting a straight-party vote, if applicable;
- (4) casting a provisional ballot; and
- (5) ~~[until the expiration of Section 13.122(d), voting for the first time by a person who registered by mail; and~~
~~[(6)]~~ securing an additional ballot if the voter's original ballot is spoiled.

(2) Strike page 1, line 16, through page 4, line 10, and substitute the following:

SECTION 2. Section 52.071, Election Code, is amended by adding Subsection (c) to read as follows:

(c) This section applies only to a county for which the commissioners court has adopted an order:

(1) finding that the commissioners court would be required to expend money to ensure that access to and wait times at polling places would not be adversely affected by the elimination of straight-party voting; and

(2) opting out of the elimination of straight-party voting.

(3) Renumber the SECTIONS of the bill appropriately.

Amendment No. 5 failed of adoption by (Record 877): 53 Yeas, 89 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Stickland; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Oliverson; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Absent — Murr; Villalba.

STATEMENT OF VOTE

When Record No. 877 was taken, my vote failed to register. I would have voted no.

Murr

REMARKS ORDERED PRINTED

Representatives Walle and Turner moved to print all remarks on **HB 25** on second reading and any subsequent reading.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **HB 25**.]

Amendment No. 6

Representative Dutton offered the following amendment to **HB 25**:

Amend **HB 25** (house committee printing) as follows:

(1) On page 1, strike lines 10 through 15, and substitute the following:

(3) casting a straight-party vote, if applicable;

(4) casting a provisional ballot; and

(5) ~~[until the expiration of Section 13.122(d), voting for the first time by a person who registered by mail; and~~

[~~(6)~~] securing an additional ballot if the voter's original ballot is spoiled.

(2) Strike page 1, line 16, through page 4, line 10, and substitute the following:

SECTION 1. Section 52.071, Election Code, is amended by adding Subsection (c) to read as follows:

(c) This section applies only to a county with a population of one million or more for an election held on or before September 1, 2019.

(3) Renumber the SECTIONS of the bill appropriately.

Amendment No. 6 failed of adoption by (Record 878): 54 Yeas, 90 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Landgraf; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Stickland; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Koop; Krause; Kuempel; Lambert; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Amendment No. 7

Representative Blanco offered the following amendment to **HB 25**:

Amend **HB 25** (house committee printing) as follows:

(1) On page 1, strike lines 10 through 15 and substitute the following:

(3) casting a straight-party vote;

(4) casting a provisional ballot; and

(5) ~~[until the expiration of Section 13.122(d), voting for the first time by a person who registered by mail; and~~

~~[(6)]~~ securing an additional ballot if the voter's original ballot is spoiled.

(2) Strike page 1, line 16, through page 4, line 10, and substitute the following:

SECTION 2. Section 52.071, Election Code, is amended by adding Subsection (c) to read as follows:

(c) This section applies only to a ballot to be voted under Chapter 101.

(3) Renumber the SECTIONS of the bill appropriately.

Amendment No. 7 failed of adoption by (Record 879): 53 Yeas, 90 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Phillips; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

Absent — Pickett.

Amendment No. 8

Representative Alonzo offered the following amendment to **HB 25**:

Amend **HB 25** (house committee printing) on page 4, line 11, between "2017" and the period, by inserting ", but the former law is continued in effect until the date the the United States Supreme Court has issued an opinion holding that each change in law made by this Act is consistent with the United States constitution."

Amendment No. 8 was withdrawn.

Amendment No. 9

Representative Alonzo offered the following amendment to **HB 25**:

Amend **HB 25** (house committee printing) on page 4, line 11, between "2017" and the period, by inserting ", but the former law is continued in effect until the date the Act is found by the United States Department of Justice to be in accordance with the United States constitution and all applicable federal laws, including the federal Voting Rights Act of 1965 (52 U.S.C. Section 10101 et seq.)."

Amendment No. 9 was withdrawn.

Amendment No. 10

Representative J. Rodriguez offered the following amendment to **HB 25**:

Amend **HB 25** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 31, Election Code, is amended by adding Section 31.013 to read as follows:

Sec. 31.013. REPORT ON EXPENDITURES FOR VOTER EDUCATION PROGRAMS. (a) The secretary of state shall prepare a report on the expenditures for its voter education programs for each general election including:

(1) the total amount spent for voter education;
(2) the name of and amount paid to each vendor under all voter education programs;

(3) the amount spent on voter education advertising programs itemized by the language used to communicate;

(4) an estimated number of voters that the voter education programs reached;

(5) the primary and secondary demographics targeted through each medium and in each media designated market area as determined by Nielsen Media Research as of September 1, 2017;

(6) the media designated market areas where television, radio, print, or outdoor advertisements were placed;

(7) the expenditures for each medium in each media designated market area;

(8) the total amount expended on digital marketing with an explanation of each form of digital marketing used and how digital marketing was targeted by demographic, market, and language;

(9) the total number of digital impressions achieved in each form of digital marketing;

(10) the number of digital impressions in each form of digital advertising that were viewed 100 percent;

(11) the saturation and cost per point of advertisements in each media designated market area; and

(12) the name of each organization the secretary of state collaborated with or distributed voter education material to.

(b) The secretary of state may only enter into a contract with a vendor that agrees to release the information required by Subsection (a).

(c) Not later than January 31 of each odd-numbered year, the secretary of state shall deliver the report to the committees of each house of the legislature with jurisdiction over elections.

SECTION _____. Not later than December 1, 2017, the secretary of state shall prepare a report on the expenditures of the 2016 general election voter education programs, including all the information required by Section 31.013, Election Code, as added by this Act, and deliver the report to the committees of each house of the legislature with jurisdiction over elections.

Amendment No. 10 failed of adoption by (Record 880): 56 Yeas, 88 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Dean; Deshotel; Dukes; Dutton; Faircloth; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Keough; King, T.; Klick; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Stickland; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Elkins; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; King, K.; King, P.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

STATEMENTS OF VOTE

When Record No. 880 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 880 was taken, I was shown voting yes. I intended to vote no.

Faircloth

When Record No. 880 was taken, I was shown voting yes. I intended to vote no.

Keough

Amendment No. 11

Representative Israel offered the following amendment to **HB 25**:

Amend **HB 25** (house committee printing) by adding the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. The heading to Section 31.012, Election Code, is amended to read as follows:

Sec. 31.012. VOTER ~~IDENTIFICATION~~ EDUCATION.

SECTION _____. Section 31.012, Election Code, is amended by amending Subsection (a) and adding Subsections (b-1) and (d) to read as follows:

(a) The secretary of state and the voter registrar of each county that maintains a website shall provide notice of the identification requirements for voting prescribed by Chapter 63 and that straight ticket voting has been eliminated pursuant to **HB 25**, Acts of the 85th Legislature, Regular Session, 2017 on each entity's respective website in each language in which voter registration and election materials are available. The secretary of state shall prescribe the wording of the notice to be included on the websites.

(b-1) As soon as practicable after September 1, 2017, the secretary of state shall distribute electronically to each county election administrator and the county chair of each political party notice that straight ticket voting has been eliminated pursuant to **HB 25**, Acts of the 85th Legislature, Regular Session, 2017.

(d) The secretary of state shall adopt rules and establish procedures as necessary for the implementation of the elimination of straight-party voting to ensure that voters and county election administrator are not burdened by the implementation.

Amendment No. 11 was adopted.

HB 25, as amended, was passed to engrossment by (Record 881): 85 Yeas, 59 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Frank; Frullo; Geren; Goldman; Gonzales; Hefner; Holland; Huberty;

Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Pickett; Price; Raney; Rinaldi; Roberts; Schaefer; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Arévalo; Bernal; Blanco; Canales; Capriglione; Coleman; Collier; Cortez; Deshotel; Dukes; Dutton; Farrar; Flynn; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Phelan; Phillips; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Stickland; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anchia; Paddie; Wu.

Absent, Excused, Committee Meeting — Davis, Y.; Sanford.

SB 256 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Moody, Representatives Herrero and Moody were authorized as house sponsors to **SB 256**.

COMMITTEES GRANTED PERMISSION TO MEET

Pursuant to Rule 4, Section 9 of the House Rules, Representative Burkett 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.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Land and Resource Management, during bill referral today, 3W.9, for a formal meeting, to consider pending business.

PROVIDING FOR ADJOURNMENT

At 10:29 p.m., Representative White moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 9 a.m. tomorrow.

The motion prevailed.

(Guerra in the chair)

**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.)

(Geren in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 10:59 p.m., adjourned until 9 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HB 4323 (By Biedermann), Relating to the creation of the Kendall County Water Control and Improvement District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Special Purpose Districts.

HB 4337 (By Leach), Relating to the authority of a municipality to remove directors of the North Texas Municipal Water District.

To Natural Resources.

HB 4339 (By Rinaldi), Relating to notice of the deadline for an application for a place on the ballot for the election of and eligibility of directors of the Northwest Dallas County Flood Control District.

To Natural Resources.

HCR 129 (By Bailes), Expressing support for the creation of the Sam Houston Republic of Texas Presidential Library at Sam Houston State University.

To Culture, Recreation, and Tourism.

HCR 131 (By Guillen), Designating June 30 as Vaquero Day for a 10-year period beginning in 2017.

To Culture, Recreation, and Tourism.

HCR 135 (By Lucio), Urging the International Boundary and Water Commission to follow the terms of the 1944 U.S.-Mexico water treaty.
To Natural Resources.

HCR 136 (By Gutierrez), Convening a joint memorial session to honor Texans killed in combat while serving in the United States military.
To Defense and Veterans' Affairs.

SB 17 to Ways and Means.

SB 30 to Homeland Security and Public Safety.

SB 63 to General Investigating and Ethics.

SB 88 to Transportation.

SB 91 to Homeland Security and Public Safety.

SB 179 to Public Education.

SB 190 to Human Services.

SB 277 to Ways and Means.

SB 292 to Public Health.

SB 293 to Human Services.

SB 298 to Appropriations.

SB 331 to Higher Education.

SB 344 to Public Health.

SB 368 to Licensing and Administrative Procedures.

SB 409 to Judiciary and Civil Jurisprudence.

SB 445 to General Investigating and Ethics.

SB 455 to Human Services.

SB 467 to Elections.

SB 489 to Public Education.

SB 491 to Higher Education.

SB 511 to Judiciary and Civil Jurisprudence.

SB 524 to Criminal Jurisprudence.

SB 528 to State Affairs.

SB 537 to Higher Education.

SB 544 to Defense and Veterans' Affairs.

SB 564 to Government Transparency and Operation.

SB 573 to Culture, Recreation, and Tourism.

SB 582 to Public Health.

SB 611 to State Affairs.

- SB 613** to Human Services.
- SB 659** to Government Transparency and Operation.
- SB 679** to Public Health.
- SB 705** to General Investigating and Ethics.
- SB 720** to Culture, Recreation, and Tourism.
- SB 722** to Culture, Recreation, and Tourism.
- SB 730** to Ways and Means.
- SB 754** to Public Education.
- SB 762** to Criminal Jurisprudence.
- SB 769** to Defense and Veterans' Affairs.
- SB 772** to Homeland Security and Public Safety.
- SB 773** to Criminal Jurisprudence.
- SB 805** to Defense and Veterans' Affairs.
- SB 813** to Judiciary and Civil Jurisprudence.
- SB 833** to Public Health.
- SB 838** to Homeland Security and Public Safety.
- SB 867** to Transportation.
- SB 907** to Human Services.
- SB 952** to Business and Industry.
- SB 957** to Elections.
- SB 1001** to Transportation.
- SB 1023** to Transportation.
- SB 1024** to Homeland Security and Public Safety.
- SB 1063** to Human Services.
- SB 1087** to Licensing and Administrative Procedures.
- SB 1109** to Elections.
- SB 1124** to Judiciary and Civil Jurisprudence.
- SB 1147** to Culture, Recreation, and Tourism.
- SB 1148** to Public Health.
- SB 1166** to Public Education.
- SB 1171** to Insurance.
- SB 1187** to Transportation.
- SB 1205** to Human Services.
- SB 1221** to Ways and Means.

SB 1223 to Higher Education.
SB 1237 to Juvenile Justice and Family Issues.
SB 1250 to Criminal Jurisprudence.
SB 1253 to Criminal Jurisprudence.
SB 1291 to Transportation.
SB 1318 to Public Education.
SB 1326 to Criminal Jurisprudence.
SB 1343 to Business and Industry.
SB 1349 to Transportation.
SB 1367 to Higher Education.
SB 1384 to Transportation.
SB 1398 to Public Education.
SB 1403 to Investments and Financial Institutions.
SB 1466 to Insurance.
SB 1477 to Government Transparency and Operation.
SB 1492 to Insurance.
SB 1512 to Insurance.
SB 1560 to Transportation.
SB 1658 to Public Education.
SB 1676 to Defense and Veterans' Affairs.
SB 1677 to Defense and Veterans' Affairs.
SB 1710 to Judiciary and Civil Jurisprudence.
SB 1728 to Juvenile Justice and Family Issues.
SB 1735 to Pensions.
SB 1736 to Judiciary and Civil Jurisprudence.
SB 1743 to Human Services.
SB 1760 to Licensing and Administrative Procedures.
SB 1763 to Judiciary and Civil Jurisprudence.
SB 1784 to Public Education.
SB 1787 to Human Services.
SB 1820 to Elections.
SB 1823 to Criminal Jurisprudence.
SB 1845 to Higher Education.
SB 1854 to Public Education.

SB 1857 to Juvenile Justice and Family Issues.

SB 1882 to Public Education.

SB 1893 to Judiciary and Civil Jurisprudence.

SB 1911 to Judiciary and Civil Jurisprudence.

SB 1936 to Defense and Veterans' Affairs.

SB 1944 to Defense and Veterans' Affairs.

SB 1968 to Defense and Veterans' Affairs.

SB 2001 to Public Health.

SB 2006 to Transportation.

SB 2020 to Judiciary and Civil Jurisprudence.

SB 2056 to Ways and Means.

SB 2075 to Transportation.

SB 2076 to Transportation.

SB 2087 to Insurance.

SB 2262 to Natural Resources.

SB 2265 to Special Purpose Districts.

SIGNED BY THE SPEAKER

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

House List No. 15

HB 217, HB 1331, HB 1439, HB 1440, HB 1445, HB 1448, HB 1664, HB 1791, HB 1962, HB 2134, HB 4300

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 5, 2017

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 636 Huffines
Relating to procedures for certain municipalities to adopt or amend a national model building code.

SB 1588 Huffines
Relating to the elimination of regular mandatory vehicle safety inspections and the imposition of replacement fees.

SB 1882 Menéndez
Relating to a school district contract to partner with an open-enrollment charter school to operate a district campus.

SB 2144 Taylor, Larry
Relating to the creation of a commission to recommend improvements to the public school finance system.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 4

Appropriations - **HB 40**

Business and Industry - **HB 2483, HB 2727**

Corrections - **SB 1584**

County Affairs - **HB 3639**

Criminal Jurisprudence - **HB 722, HB 1087, HB 1110, HB 1436, HB 1824, HB 1997, HB 2440, HB 2450, HB 2458, HB 2458 (corrected), HB 2736, HB 2773, HB 2908, HB 2908 (corrected), HB 2974, HB 3080, HB 3249, HB 3513, HB 3786, HB 3819, HB 4015**

Economic and Small Business Development - **SB 2105**

Elections - **HB 1149**

Energy Resources - **HB 1717, SB 1422**

Environmental Regulation - **HB 3036**

Government Transparency and Operation - **HB 1530, HB 1604, HB 2073**

Higher Education - **HB 971, HB 1192, HB 1737, HB 2156, HB 2290, HB 2996, HB 3048, HB 3904**

Insurance - **HB 2760, SB 680**

International Trade and Intergovernmental Affairs - **HCR 103, HR 408**

Investments and Financial Services - **HB 2831, HB 3088, HB 3419, SB 1402, SJR 60**

Judiciary and Civil Jurisprudence - **HB 1145, HB 1226, HB 1246**

Juvenile Justice and Family Issues - **HB 1617, HB 2863, HB 3538, HB 3705, HB 4307**

Land and Resource Management - **HB 424, HB 3156, HB 3603, HB 4047, HJR 61**

Licensing and Administrative Procedures - **SB 849**

Public Education - **HB 145, HB 194, HB 404, HB 895, HB 1692, HB 1918, HB 2159, HB 2209**

Public Health - **SB 1533**

Special Purpose Districts - **HB 4268, HB 4282, HB 4294, HB 4297, HB 4303, HB 4320**

State Affairs - **HB 826, HB 1475, HB 2063, HB 2858, SB 24**

Transportation - **HB 3238, HB 3651, SB 128**

Urban Affairs - **HB 2214, HB 3174, HB 3324**

Ways and Means - **HB 2250**

ENGROSSED

May 4 - HB 17, HB 156, HB 210, HB 214, HB 297, HB 332, HB 385, HB 441, HB 462, HB 938, HB 967, HB 979, HB 986, HB 1028, HB 1103, HB 1160, HB 1238, HB 1254, HB 1303, HB 1410, HB 1449, HB 1494, HB 1501, HB 1510, HB 1521, HB 1538, HB 1558, HB 1573, HB 1586, HB 1716, HB 1753, HB 1776, HB 1823, HB 1904, HB 1917, HB 2002, HB 2064, HB 2067, HB 2128, HB 2182, HB 2207, HB 2228, HB 2283, HB 2319, HB 2339, HB 2377, HB 2431, HB 2435, HB 2442, HB 2445, HB 2468, HB 2469, HB 2471, HB 2565, HB 2566, HB 2567, HB 2575, HB 2576, HB 2577, HB 2624, HB 2625, HB 2639, HB 2646, HB 2654, HB 2663, HB 2681, HB 2687, HB 2744, HB 2756, HB 2762, HB 2765, HB 2804, HB 2818, HB 2819, HB 2836, HB 2849, HB 2904, HB 2909, HB 2912, HB 2927, HB 2976, HB 2991, HB 3071, HB 3177, HB 3178, HB 3181, HB 3188, HB 3206, HB 3237, HB 3295, HB 3342, HB 3394, HB 3423, HB 3453, HB 3481, HB 3484, HB 3492, HB 3496, HB 3504, HB 3521, HB 3537, HB 3567, HB 3582, HB 3593, HB 3657, HB 3674, HB 3726, HB 3727, HB 3879, HB 3905, HB 3921, HB 3934, HB 3948, HB 3976, HB 4002, HB 4007, HB 4035, HB 4056, HB 4147, HB 4156, HB 4182, HB 4271, HB 4284, HB 4305, HB 4306, HB 4330, HCR 27, HCR 75, HCR 83

ENROLLED

May 4 - HB 1664, HB 2134

SIGNED BY THE GOVERNOR

May 4 - HCR 74, HCR 76, HCR 111, HCR 114, HCR 115, HCR 116

