

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-FIFTH DAY — FRIDAY, MAY 19, 2017

The house met at 1:09 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 1357).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.(C); 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; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Springer.

(Springer now present)

LEAVES OF ABSENCE GRANTED

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

REGULAR ORDER OF BUSINESS SUSPENDED

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

RULES SUSPENDED

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

The motion prevailed.

MOTION FOR ONE RECORD VOTE

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

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

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

(Record 1358): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

HB 1603 (Cain, Shaheen, and Stickland - no) (141 - 3 - 2)

HB 1800 (Cain, Shaheen, and Stickland - no) (141 - 3 - 2)

SB 976 (Cain, Shaheen, and Stickland - no) (141 - 3 - 2)

SB 1479 (Cain, Shaheen, and Stickland - no) (141 - 3 - 2)

SB 1260 (Cain, Shaheen, and Stickland - no) (141 - 3 - 2)

HB 2881 (Cain and Stickland - no) (142 - 2 - 2)

SB 1361 (Cain, Krause, Rinaldi, Schaefer, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (135 - 9 - 2)

HB 2987 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 3136 (Cain, Rinaldi, Shaheen, Stickland, and Zedler - no) (139 - 5 - 2)

SB 726

HB 4268 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4270 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4275 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4281 (Cain, Simmons, and Stickland - no) (141 - 3 - 2)

SB 2286 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4287 (Cain, Simmons, Springer, and Stickland - no) (140 - 4 - 2)

HB 4294 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4297 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4298 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

SB 2271 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4301 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4303 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler - no) (136 - 8 - 2)

HB 4309 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4310 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4311 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4312 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4313 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4314 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

SB 320 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

SB 321 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4321 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4324 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4325 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4329 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4331 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

SB 2282 (Rinaldi, Shaheen, Simmons, Springer, and Zedler - no) (139 - 5 - 2)

HB 4333 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4334 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4335 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4340 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4341 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4343 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4344 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4345 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4347 (Cain, Rinaldi, Shaheen, Simmons, Springer, Stickland, and Zedler - no) (137 - 7 - 2)

HB 4349 (Cain, Shaheen, Simmons, Springer, and Stickland - no) (139 - 5 - 2)

SB 208 (Krause, Schaefer, and Shaheen - no) (141 - 3 - 2)

SB 213 (Rinaldi, Springer, and Zedler - no) (141 - 3 - 2)

SB 377 (Shaheen - no) (143 - 1 - 2)

SB 396

SB 499

SB 510

SB 532

SB 539 (Krause and Schaefer - no) (142 - 2 - 2)

SB 560

SB 686 (Krause, Rinaldi, Schaefer, Shaheen, Tinderholt, and Zedler - no) (138 - 6 - 2)

SB 714

SB 718

SB 721

SB 799 (Cain, Krause, Rinaldi, Schaefer, Shaheen, Stickland, Tinderholt, and Zedler - no) (136 - 8 - 2)

SB 864

SB 867

SB 887 (Cain, Stickland, and Tinderholt - no) (141 - 3 - 2)

SB 904 (Cain, Rinaldi, Shaheen, Stickland, and Zedler - no) (139 - 5 - 2)

SB 924

SB 952 (Cain - no) (143 - 1 - 2)

SB 998

SB 1023

SB 1089

SB 1102

SB 1119 (Cain, Krause, Rinaldi, Schaefer, Stickland, and Zedler - no) (138 - 6 - 2)

SB 1136 (Cain, Krause, Rinaldi, Schaefer, Shaheen, Stickland, Tinderholt, and Zedler - no) (136 - 8 - 2)

SB 1152 (Krause and Schaefer - no) (142 - 2 - 2)

SB 1179

SB 1193

SB 1199

SB 1237

SB 1238 (Cain, Krause, Murphy, Rinaldi, Schaefer, Shaheen, Simmons, Springer, Stickland, Tinderholt, and Zedler - no) (133 - 11 - 2) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1242

SB 1290

SB 1304

SB 1349

SB 1381

SB 1401

SB 1403

SB 1490

SB 1492

SB 1502

SB 1503

SB 1519 (Krause, Rinaldi, Schaefer, and Zedler - no) (140 - 4 - 2)

SB 1523

SB 1539 (Cain, Krause, Schaefer, Shaheen, and Stickland - no) (139 - 5 - 2)

SB 1548

SB 1565

SB 1571

SB 1667

SB 1705 (Krause, Murphy, Murr, Rinaldi, Schaefer, and Zedler - no) (138 - 6 - 2)

SB 1732

SB 1806

SB 1813

SB 1837

SB 1864

SB 1877 (Cain - no) (143 - 1 - 2)

SB 1901

SB 1932

SB 1952

SB 1965

SB 2242 (Shaheen - no) (143 - 1 - 2)

SB 2243 (Cain, Shaheen, and Stickland - no) (141 - 3 - 2)

SB 2245 (Cain, Krause, Schaefer, Shaheen, and Stickland - no) (139 - 5 - 2)

SB 2255

SB 2268 (Cain, Krause, Rinaldi, Schaefer, Shaheen, Stickland, and Zedler - no) (137 - 7 - 2)

HB 3783

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

EMERGENCY CALENDAR

SENATE BILLS

THIRD READING

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

SB 11 ON THIRD READING

(Frank, Raymond, Klick, Burkett, and Dale - House Sponsors)

SB 11, A bill to be entitled An Act relating to the administration of services provided by the Department of Family and Protective Services, including foster care, child protective services, and prevention and early intervention services.

SB 11 was passed by (Record 1359): 109 Yeas, 34 Nays, 1 Present, not voting.

Yeas — Alvarado; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Bohac; Bonnen, D.(C); Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Holland; Huberty; Hunter; Isaac; Johnson, E.; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Metcalf; Meyer; Miller; Morrison; Muñoz; Murphy; Murr; Oliveira; Oliverson; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Nays — Allen; Alonzo; Anchia; Arévalo; Bernal; Blanco; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; González; Hinojosa; Howard; Israel; Johnson, J.; King, T.; Martínez; Minjarez; Moody; Neave; Nevárez; Ortega; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Turner; Uresti; Vo.

Present, not voting — Mr. Speaker.

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Biedermann; Tinderholt.

STATEMENTS OF VOTE

When Record No. 1359 was taken, I was shown voting yes. I intended to vote no.

Landgraf

When Record No. 1359 was taken, I was shown voting no. I intended to vote yes.

Romero

When Record No. 1359 was taken, I was in the house but away from my desk. I would have voted yes.

Tinderholt

When Record No. 1359 was taken, I was shown voting yes. I intended to vote no.

Walle

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

SB 489 ON THIRD READING (Alvarado - House Sponsor)

SB 489, A bill to be entitled An Act relating to recommendations regarding instruction in public schools to prevent the use of e-cigarettes.

(Speaker in the chair)

SB 489 was passed by (Record 1360): 112 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Burns; Burrows; Button; Canales; Clardy; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Huberty; Hunter; Isaac; Israel;

Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Smithee; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wilson; Workman; Wray; Wu.

Nays — Bell; Bonnen, G.; Cain; Capriglione; Dean; Faircloth; Goldman; Hefner; Holland; Keough; Klick; Krause; Landgraf; Lang; Metcalf; Phillips; Rinaldi; Sanford; Shaheen; Simmons; Springer; Stephenson; Stickland; Swanson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Biedermann; Bonnen, D.; Coleman; Dukes; Oliveira; Schaefer; Tinderholt; White.

STATEMENT OF VOTE

When Record No. 1360 was taken, I was in the house but away from my desk. I would have voted no.

Tinderholt

SB 573 ON THIRD READING (Frullo - House Sponsor)

SB 573, A bill to be entitled An Act relating to the disposition of proceeds from the sale of freshwater fishing stamps issued by the Parks and Wildlife Department.

SB 573 was passed by (Record 1361): 142 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Dukes; Oliveira; White.

SB 693 ON THIRD READING
(Phelan - House Sponsor)

SB 693, A bill to be entitled An Act relating to three-point seat belts on buses that transport schoolchildren.

SB 693 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Morrison, Representatives Meyer, Deshotel, C. Anderson, Howard, and White were authorized as house sponsors to **SB 693**.

SB 693 was passed by (Record 1362): 96 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Farrar; Gervin-Hawkins; González; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Lambert; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Sheffield; Shine; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Cospier; Cyrier; Dale; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Isaac; Keough; Klick; Krause; Kuempel; Lang; Laubenberg; Leach; Murphy; Murr; Paul; Phillips; Rinaldi; Schaefer; Schubert; Shaheen; Simmons; Springer; Stephenson; Stickland; Swanson; Thompson, E.; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Smithee.

STATEMENT OF VOTE

When Record No. 1362 was taken, I was shown voting yes. I intended to vote no.

Bailes

SB 754 ON THIRD READING
(K. King - House Sponsor)

SB 754, A bill to be entitled An Act relating to the extension and modification of a public school district depository contract.

SB 754 was passed by (Record 1363): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Coleman; Dukes.

SB 720 ON THIRD READING
(Frullo - House Sponsor)

SB 720, A bill to be entitled An Act relating to rules regarding the carcasses of certain birds or animals.

SB 720 was passed by (Record 1364): 137 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis,

Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Nays — Biedermann; Cain; Murr; Rinaldi; Stickland; Swanson; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Dukes.

SB 957 ON THIRD READING

(Laubenberg, Gonzales, Hinojosa, Geren, and Rose - House Sponsors)

SB 957, A bill to be entitled An Act relating to the content and numbering of propositions on the ballot.

SB 957 was passed by (Record 1365): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

SB 966 ON THIRD READING
(Neave - House Sponsor)

SB 966, A bill to be entitled An Act relating to criminal offenses regarding the consumption or possession of alcoholic beverages by a minor.

SB 966 was passed by (Record 1366): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Dukes; Pickett.

SB 1153 ON THIRD READING
(Huberty - House Sponsor)

SB 1153, A bill to be entitled An Act relating to parental rights and information regarding certain intervention strategies used with public school students.

SB 1153 was passed by (Record 1367): 141 Yeas, 0 Nays, 1 Present, not voting.

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

Guillen; Gutierrez; Hefner; Hernandez; 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; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Davis, S.; Lang; Martinez; Neave.

STATEMENTS OF VOTE

When Record No. 1367 was taken, my vote failed to register. I would have voted yes.

Lang

When Record No. 1367 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez

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 **SB 1553**, **SB 1838**, **SB 2084**, **SB 2141**, and 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 **SB 1553**, **SB 1838**, **SB 2084**, **SB 2141**, and pending business.

SB 1329 ON THIRD READING (Smithee - House Sponsor)

SB 1329, A bill to be entitled An Act relating to the operation and administration of and practice in courts in the judicial branch of state government; increasing a fee.

SB 1329 was passed by (Record 1368): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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, 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Rodriguez, E.

SB 1051 ON THIRD READING (Dutton - House Sponsor)

SB 1051, A bill to be entitled An Act relating to the accommodation of a deaf or hard of hearing student in driver education; authorizing a fee.

SB 1051 was passed by (Record 1369): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Dukes; Raney.

SB 190 ON THIRD READING
(Wu - House Sponsor)

SB 190, A bill to be entitled An Act relating to the administrative closure of certain reported cases of child abuse or neglect made to the Department of Family and Protective Services.

Amendment No. 1

Representative Wu offered the following amendment to **SB 190**:

Amend **SB 190** on third reading in SECTION 1 of the bill, in added Section 261.3017 as follows:

(1) In added Subsection (a)(2), after "initial report;", strike "and".

(2) In added Subsection (a)(3), strike "(3)either".

(3) In added Subsection (a)(3)(A), strike "(A)" and substitute "(3)".

(4) In added Subsection (a)(3)(A), after "assistance;", strike "or" and substitute "and".

(5) In added Subsection (a)(3)(B), strike "(B)" and substitute "(4)".

(6) Strike added Subsection (b) and substitute the following:

(b) A department supervisor shall review each reported case of child abuse or neglect that has remained open for more than 60 days and administratively close the case if:

(1) the supervisor determines that:

(A) the circumstances described by Subsections (a)(1)-(4) exist;

and

(B) closing the case would not expose the child to an undue risk of

harm; and

(2) the department director grants approval for the administrative closure of the case.

Amendment No. 1 was adopted.

SB 190, as amended, was passed by (Record 1370): 143 Yeas, 0 Nays, 1 Present, not voting.

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

Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Dukes; Raney.

SB 1096 ON THIRD READING
(Smithee - House Sponsor)

SB 1096, A bill to be entitled An Act relating to guardianships; authorizing a fee.

SB 1096 was passed by (Record 1371): 125 Yeas, 16 Nays, 1 Present, not voting.

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

Nays — Bell; Biedermann; Cain; Isaac; Krause; Lang; Murr; Paul; Rinaldi; Schaefer; Stickland; Swanson; Thompson, E.; Tinderholt; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Dukes; Lozano; Pickett; Raymond.

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, Senate List Nos. 20 and 21).

SB 2 - RECOMMITTED

Representative D. Bonnen moved to recommit **SB 2** to the Committee on Ways and Means.

The motion prevailed.

POSTPONED BUSINESS

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

CSSB 1501 ON SECOND READING

(Kuempel - House Sponsor)

CSSB 1501, 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.

CSSB 1501 was read second time on May 18 and was postponed until 4:45 p.m. May 18.

Amendment No. 1

Representative Kuempel offered the following amendment to **CSSB 1501**:

Amend **CSSB 1501** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 2303.151, Occupations Code, is amended by adding Subsections (f) and (g) to read as follows:

(f) If the operator of a vehicle storage facility sends a notice required under this section after the time prescribed by Subsection (a) or (b):

(1) the deadline for sending any subsequent notice is determined based on the date notice required this section is actually sent;

(2) the operator may not begin to charge the daily storage fee authorized under Section 2303.155(b)(3) for the vehicle that is the subject of the notice until 24 hours after the operator sends the notice required under this section; and

(3) the ability of the operator to seek foreclosure of a lien for storage charges on the vehicle that is the subject of the notice is not affected.

(g) Notwithstanding any other law, a state agency or county office may not require proof of delivery of a notice sent under this section in order to issue a title for the vehicle that is the subject of the notice if proof is provided that the notice was mailed in accordance with this section.

SECTION _____. Section 2303.154, Occupations Code, is amended by amending Subsections (a) and (a-1) and adding Subsections (d), (e), (f), and (g) to read as follows:

~~(a) [If a vehicle is not claimed by a person permitted to claim the vehicle or a law enforcement agency has not taken an action in response to a notice under Section 683.031(e), Transportation Code, before the 15th day after the date notice is mailed or published under Section 2303.151 or 2303.152, the operator of the vehicle storage facility shall send a second notice to the registered owner and the primary lienholder of the vehicle.~~

~~[(a-1)] If a vehicle is not claimed by a person permitted to claim the vehicle before the 10th day after the date notice is mailed or published under Section 2303.151 or 2303.152, the operator of the vehicle storage facility shall consider the vehicle to be abandoned and, if required by the law enforcement agency with jurisdiction where the vehicle is located, report the ~~[send notice of]~~ abandonment to the ~~[a]~~ law enforcement agency. If the law enforcement agency notifies the vehicle storage facility that the agency will send notices and dispose of the abandoned vehicle under Subchapter B, Chapter 683, Transportation Code, the vehicle storage facility shall pay the fee required under Section 683.031, Transportation Code.~~

~~(d) Not earlier than the 15th day and before the 21st day after the date notice is mailed or published under Section 2303.151 or 2303.152, the operator of a vehicle storage facility shall send a second notice to the registered owner and each recorded lienholder of the vehicle if the facility:~~

~~(1) was not required to make a report under Subsection (a); or~~

~~(2) has made a required report under Subsection (a) and the law enforcement agency:~~

~~(A) has notified the facility that the law enforcement agency will not take custody of the vehicle;~~

~~(B) has not taken custody of the vehicle; or~~

~~(C) has not responded to the report.~~

~~(e) If the operator of a vehicle storage facility sends a notice required under this section outside of the time described by Subsection (d):~~

~~(1) the deadline for sending any subsequent notice is determined based on the date notice under this section is actually sent;~~

~~(2) the operator may not charge the daily storage fee authorized under Section 2303.155(b)(3) for the vehicle that is the subject of the notice during the period beginning on the 21st day after the date that notice under Section 2303.151 is sent and ending 24 hours after notice under this section is sent; and~~

~~(3) the ability of the operator to seek foreclosure of a lien for storage charges on the vehicle that is the subject of the notice is not affected.~~

~~(f) Notwithstanding any other law, a state agency or county office may not require proof of delivery of a notice sent under this section in order to issue a title for the vehicle that is the subject of the notice if proof is provided that the notice was mailed in accordance with this section.~~

~~(g) A report sent under Subsection (a) may, at the discretion of the law enforcement agency, contain a list of more than one vehicle, watercraft, or outboard motor.~~

SECTION _____. Sections 2303.151 and 2303.154, Occupations Code, as amended by this Act, apply only to a vehicle accepted for storage by a vehicle storage facility on or after the effective date of this Act. A vehicle accepted for storage by a vehicle storage facility before the effective date of this Act is governed by the law in effect at the time the vehicle was accepted, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Frullo offered the following amendment to **CSSB 1501**:

Amend **CSSB 1501** (house committee printing) as follows:

(1) On page 4, line 4, strike "Section 2308.205(a)" and substitute "Section 2308.205".

(2) On page 4, line 5, between "amended" and "to", insert "by amending Subsection (a) and adding Subsection (a-1)".

(3) On page 4, line 12, between "under" and "Section" insert the following:

∴

(A) rules adopted under Subsection (a-1); or

(B)

(4) On page 4, between lines 12 and 13, insert the following:

(a-1) The commission shall adopt rules authorizing a towing company that makes a nonconsent tow from a parking facility to tow the vehicle to another location on the same parking facility under the direction of:

(1) the parking facility owner;

(2) a parking facility authorized agent; or

(3) a peace officer.

(5) On page 11, between lines 25 and 26, insert the following appropriately designated subsections and redesignate the existing subsections of the section accordingly:

(____) The Texas Commission of Licensing and Regulation shall adopt rules to implement Section 2308.205(a-1), Occupations Code, as added by this Act, as soon as practicable after the effective date of this Act.

(____) Section 2308.253(e), Occupations Code, as amended by this Act, applies only to a contract, including a lease or rental agreement, entered into on or after the effective date of this Act. A contract entered into before that date is governed by the law in effect on the date the contract was entered into, and the former law is continued in effect for that purpose.

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

SECTION _____. The heading to Section 2308.205, Occupations Code, is amended to read as follows:

Sec. 2308.205. TOWING OF ~~[STORAGE OF TOWED]~~ VEHICLES TO LICENSED VEHICLE STORAGE FACILITIES OR OTHER LOCATIONS ON PARKING FACILITIES.

SECTION _____. Sections 2308.253(c), (d), and (e), Occupations Code, are amended to read as follows:

(c) A parking facility owner may not have an emergency vehicle described by Section 2308.251(b) ~~towed [removed]~~ from the parking facility.

(d) Except as provided by a contract described by Subsection (e), a parking facility owner may not have a vehicle ~~towed [removed]~~ from the parking facility merely because the vehicle does not display an unexpired license plate or registration insignia issued for the vehicle under Chapter 502, Transportation Code, or the vehicle registration law of another state or country.

(e) A contract provision providing for the ~~towing [removal]~~ from a parking facility of a vehicle that does not display an unexpired license plate or registration insignia is valid only if the provision requires the owner or operator of the vehicle to be given at least 10 days' written notice that the vehicle will be towed from the parking facility at the vehicle owner's or operator's expense if it is not removed from the parking facility. The notice must:

(1) state:

(A) that the vehicle does not display an unexpired license plate or registration insignia;

(B) that the vehicle will be towed at the expense of the owner or operator of the vehicle if the vehicle does not display an unexpired license plate or registration insignia; and

(C) a telephone number that is answered 24 hours a day to enable the owner or operator of the vehicle to locate the vehicle; and

(2) be:

(A) [(+)] delivered in person to the owner or operator of the vehicle; [or]

(B) [(=)] sent by certified mail, return receipt requested, to that owner or operator; or

(C) attached:

(i) to the vehicle's front windshield;

(ii) to the vehicle's driver's side window; or

(iii) if the vehicle has no front windshield or driver's side window, to a conspicuous part of the vehicle.

Amendment No. 2 was adopted by (Record 1372): 131 Yeas, 8 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gerwin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; 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; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schaefer; Schofield;

Schubert; Shaheen; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wilson; Workman; Wray; Wu.

Nays — Biedermann; Cain; Cospere; Rinaldi; Simmons; Stickland; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Burkett; Dean; Deshotel; Klick; Sanford; White.

STATEMENTS OF VOTE

When Record No. 1372 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 1372 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

When Record No. 1372 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1372 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 1372 was taken, my vote failed to register. I would have voted no.

White

Amendment No. 3

Representative Goldman offered the following amendment to **CSSB 1501**:

Amend **CSSB 1501** (house committee printing) as follows:

(1) On page 11, line 11, strike "Sections 2308.1555" and substitute "Sections 2308.1551, 2308.1555,".

(2) On page 11, line 14, strike "Section 2308.1555" and substitute "Section 2308.1551, 2308.1555,".

Amendment No. 3 was adopted.

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 1:45 p.m. today, in 1W.14, to consider **SB 2**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Ways and Means, 1:45 p.m. today, 1W.14, for a formal meeting, to consider **SB 2**.

CSSB 1501 - (consideration continued)**Amendment No. 4**

Representative Miller offered the following amendment to **CSSB 1501**:

Amend **CSSB 1501** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter E, Chapter 2308, Occupations Code, is amended by adding Section 2308.210 to read as follows:

Sec. 2308.210. ROADWAY CLEARANCE PROGRAM IN CERTAIN COUNTIES; OFFENSE. (a) In this section, "freeway" has the meaning assigned by Section 541.302, Transportation Code.

(b) The commissioners court of a county adjacent to a county with a population of more than 3.3 million by order may establish a program:

(1) for maintaining the safe movement of traffic on county freeways;
and

(2) under which a peace officer designated by the sheriff's office or the commissioners court is authorized to direct, at the scene of an incident or remotely, a towing company, only for the purpose of the program, to:

(A) remove from a freeway, including the shoulder of a freeway, a vehicle that is impeding the safe movement of traffic; and

(B) relocate the vehicle to the closest safe location for the vehicle to be stored.

(c) An order under Subsection (b) must ensure the protection of the public and the safe and efficient operation of towing and storage services in the county.

(d) The commissioners court of a county operating a program under this section:

(1) may enter into an agreement with a federal agency, state agency, municipality, adjacent county, metropolitan rapid transit authority, or regional planning organization or any other governmental entity for the purpose of carrying out the program; and

(2) may apply for grants and other funding to carry out the program.

(e) A towing company or towing operator commits an offense if the company or operator violates a provision of an order establishing a program under this section relating to:

(1) the presence of a tow truck at the scene of an incident on a freeway or other area under the jurisdiction of the program; or

(2) the offering of towing or related services on a freeway or other area under the jurisdiction of the program.

(f) An offense under Subsection (e) is a misdemeanor punishable by a fine of not less than \$1 or more than \$200.

Amendment No. 4 was adopted by (Record 1373): 115 Yeas, 23 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Hinojosa; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Schofield; Schubert; Sheffield; Shine; Smithe; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Cain; Capriglione; Cosper; Holland; Keough; Krause; Lang; Metcalf; Murr; Phillips; Rinaldi; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Deshotel; Dukes; King, P.; Klick; Rose; Sanford; Schaefer.

STATEMENTS OF VOTE

When Record No. 1373 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1373 was taken, I was in the house but away from my desk. I would have voted yes.

P. King

When Record No. 1373 was taken, I was in the house but away from my desk. I would have voted no.

Schaefer

Amendment No. 5

On behalf of Representative Herrero, Representative Hernandez offered the following amendment to **CSSB 1501**:

Amend **CSSB 1501** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 2303.1551(b), Occupations Code, is amended to read as follows:

(b) A vehicle storage facility accepting a nonconsent towed vehicle shall post a sign that complies with commission rules and states ~~[in one inch letters stating]~~ "Nonconsent tow fees schedules available on request." The vehicle storage facility shall provide a copy of a nonconsent towing fees schedule on request. The commission shall adopt rules for signs required under this subsection.

Amendment No. 5 was adopted by (Record 1374): 119 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; 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; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheffield; Shine; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu.

Nays — Anderson, R.; Biedermann; Cain; Capriglione; Cosper; Cyrier; Dale; Hefner; Holland; Keough; Krause; Lang; Rinaldi; Schaefer; Schofield; Shaheen; Simmons; Smithee; Springer; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Klick.

Amendment No. 6

On behalf of Representative Herrero, Representative Hernandez offered the following amendment to **CSSB 1501**:

Amend **CSSB 1501** (house committee printing) as follows:

- (1) On page 11, strike lines 9 and 10 and substitute the following:
 - (1) Sections 2303.056(c) and (d);
 - (2) Section 2308.002(9);
 - (3) Sections 2308.059(b) and (c); and
 - (4) Section 2308.103(d).

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

SECTION _____. The heading to Section 2303.056, Occupations Code, is amended to read as follows:

Sec. 2303.056. PERIODIC [~~AND RISK-BASED~~] INSPECTIONS.

SECTION _____. The heading to Section 2308.059, Occupations Code, is amended to read as follows:

Sec. 2308.059. PERIODIC [~~AND RISK-BASED~~] INSPECTIONS.

Amendment No. 6 was adopted by (Record 1375): 106 Yeas, 36 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Burns; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Elkins; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Smithee; Stephenson; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, G.; Burrows; Cain; Capriglione; Cosper; Cyrier; Dean; Faircloth; Fallon; Goldman; Hefner; Holland; Keough; Klick; Krause; Landgraf; Lang; Metcalf; Parker; Rinaldi; Sanford; Schaefer; Schubert; Shaheen; Simmons; Springer; Stickland; Stucky; Swanson; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Burkett; Murr.

STATEMENTS OF VOTE

When Record No. 1375 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 1375 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1375 was taken, my vote failed to register. I would have voted no.

Murr

CSSB 1501, as amended, was passed to third reading.

SB 1849 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Moody, Representatives S. Thompson, Hunter, Moody, and White were authorized as house sponsors to **SB 1849**.

MAJOR STATE CALENDAR

SENATE BILLS

SECOND READING

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

CSSB 8 ON SECOND READING

(Burkett, Cook, Laubenberg, Raney, and Bailes - House Sponsors)

CSSB 8, A bill to be entitled An Act relating to certain prohibited abortions and the treatment and disposition of a human fetus, human fetal tissue, and embryonic and fetal tissue remains; creating a civil cause of action; imposing a civil penalty; creating criminal offenses.

CSSB 8 - POINT OF ORDER

Representative Turner raised a point of order against further consideration of **CSSB 8** under Rule 4, Section 32(c)(3) of the House Rules on the grounds that the committee report is incorrect.

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

Rule 4, Section 32(c)(3) of the House Rules requires the bill analysis to include "a statement indicating whether or not any rulemaking authority is expressly delegated . . . and, if so, identifying the sections of the measure in which that rulemaking authority is delegated." The bill analysis for **CSSB 8** identifies Section 3 of the bill as granting rulemaking authority to the executive commissioner of the Health and Human Services Commission.

Representative Turner argues that Section 8 of the bill also creates rulemaking authority and should accordingly have also been identified in the rulemaking section of the bill analysis. The portion of Section 8 at issue reads: "Not later than December 1, 2017, the executive commissioner . . . shall adopt any rules necessary to implement Chapters 173 and 697, Health and Safety Code, as added by this Act." Representative Turner acknowledges that the chair has previously found similar language to be a deadline for the adoption of rules rather than an express independent grant of new rulemaking authority. See 83 H.J. Reg 4053-4054 (2013) (Schaefer point of order on **SB 1079**); 83 H.J. Reg 4053 (2013) (Cortez point of order on **SB 14**).

However, Representative Turner contends that in this case, Section 8 must be creating rulemaking authority because Section 2 of the bill, which adds Chapter 173 to the Health and Safety Code, does not contain its own express,

independent grant of new rulemaking authority. He therefore concludes that Section 8's deadline for adopting rules must also serve as a grant of rulemaking authority. Otherwise, he contends, there is no reason for Section 8's reference to Chapter 173; it would be meaningless, as the executive commissioner would otherwise have no authority to adopt rules to implement Chapter 173. This conclusion is incorrect. Section 12.001(b) of the Health and Safety Code requires the executive commissioner to adopt rules "for the performance of each duty imposed by law on the executive commissioner, the department, or the commissioner" Thus, the executive commissioner has existing authority to adopt rules to implement Chapter 173, and Section 8 of the bill merely sets the deadline by which adoption of those rules must be accomplished.

(Kacal in the chair)

Amendment No. 1

Representative Burkett offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. It is the intent of the legislature that every provision, section, subsection, sentence, clause, phrase, or word in this Act, and every application of the provisions in this Act to each person or entity, are severable from each other. If any application of any provision in this Act to any person, group of persons, or circumstances is found by a court to be invalid for any reason, the remaining applications of that provision to all other persons and circumstances shall be severed and may not be affected.

CSSB 8 - POINTS OF ORDER

Representative Canales raised a point of order against further consideration of **CSSB 8** under Rule 8, Section 3 of the House Rules on the grounds that it violates the one-subject rule.

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

Rule 8, Section 3 of the House Rules limits "[e]ach bill (except a general appropriations bill . . .) shall contain only one subject." Representative Canales argues that page 9, lines 6-9 requirement to maintain a registry of "participating funeral homes and cemeteries willing to provide free common burial or low-cost private burial," creates an impermissible second subject. The section Representative Canales points to is under a newly created chapter titled "Disposition of Embryonic and Fetal Tissue Remains." The provisions of that section repeatedly specify their application to the disposition of embryonic and fetal remains. Having reviewed the bill, the chair does not find a subject outside of prohibited abortions and the disposition of human fetal and embryonic remains. The point of order is respectfully overruled.

Representative Canales raised a point of order against further consideration of **CSSB 8** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

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

Rule 4, Section 32(c)(3) of the House Rules requires the bill analysis to include a detailed analysis of the subject matter of the bill. Representative Canales specifically argues that the bill creates two different criminal penalties based on similar elements, and that the bill analysis does not sufficiently describe them. Section 2 of the bill adds Section 173.007 to the Health and Safety Code which creates a Class A misdemeanor for offering a woman monetary or other consideration to have an abortion or consent to the donation of fetal tissue. Separately, Section 7 of the bill amends Section 48.03 of the Penal Code to create a state jail felony for a person who knowingly offers to buy, offers to sell fetal tissue for economic benefit. Both penalties are discussed in the bill analysis. The Class A misdemeanor section is discussed on page 2 of the bill analysis, and the state jail felony penalty is discussed on page 3 of the bill analysis. Having thoroughly reviewed the bill, the bill analysis, and house precedent, the chair finds that, the bill analysis complies with Rule 4, Section 32(c). The second point of order is respectfully overruled.

Amendment No. 1 was adopted by (Record 1376): 92 Yeas, 51 Nays, 3 Present, not voting.

Yeas — 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; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Stephenson; Thierry; Thompson, S.; Turner; Vo; Walle; Wu.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

STATEMENT OF VOTE

When Record No. 1376 was taken, I was shown voting no. I intended to vote yes.

Lozano

LEAVE OF ABSENCE GRANTED

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

Koop on motion of Burns.

CSSB 8 - (consideration continued)

Amendment No. 2

Representative Klick offered the following amendment to **CSSB 8**:

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

(1) On page 1, line 8, strike "Subchapter F" and substitute "Subchapters F and G".

(2) On page 3, between lines 18 and 19, insert the following:

SUBCHAPTER G. DISMEMBERMENT ABORTIONS

Sec. 171.151. DEFINITION. In this subchapter, "dismemberment abortion" means an abortion in which a person, with the purpose of causing the death of an unborn child, dismembers the living unborn child and extracts the unborn child one piece at a time from the uterus through the use of clamps, grasping forceps, tongs, scissors, or a similar instrument that, through the convergence of two rigid levers, slices, crushes, or grasps, or performs any combination of those actions on, a piece of the unborn child's body to cut or rip the piece from the body. The term does not include an abortion that uses suction to dismember the body of an unborn child by sucking pieces of the unborn child into a collection container. The term includes a dismemberment abortion that is used to cause the death of an unborn child and in which suction is subsequently used to extract pieces of the unborn child after the unborn child's death.

Sec. 171.152. DISMEMBERMENT ABORTIONS PROHIBITED. (a) A person may not intentionally perform a dismemberment abortion unless the dismemberment abortion is necessary in a medical emergency.

(b) A woman on whom a dismemberment abortion is performed, an employee or agent acting under the direction of a physician who performs a dismemberment abortion, or a person who fills a prescription or provides equipment used in a dismemberment abortion does not violate Subsection (a).

Sec. 171.153. CRIMINAL PENALTY. (a) A person who violates Section 171.152 commits an offense.

(b) An offense under this section is a state jail felony.

Sec. 171.154. CONSTRUCTION OF SUBCHAPTER. (a) This subchapter shall be construed, as a matter of state law, to be enforceable to the maximum possible extent consistent with but not further than federal constitutional requirements, even if that construction is not readily apparent, as such constructions are authorized only to the extent necessary to save the subchapter

from judicial invalidation. Judicial reformation of statutory language is explicitly authorized only to the extent necessary to save the statutory provision from invalidity.

(b) If any court determines that a provision of this subchapter is unconstitutionally vague, the court shall interpret the provision, as a matter of state law, to avoid the vagueness problem and shall enforce the provision to the maximum possible extent. If a federal court finds any provision of this subchapter or its application to any person, group of persons, or circumstances to be unconstitutionally vague and declines to impose the saving construction described by this subsection, the Supreme Court of Texas shall provide an authoritative construction of the objectionable statutory provisions that avoids the constitutional problems while enforcing the statute's restrictions to the maximum possible extent and shall agree to answer any question certified from a federal appellate court regarding the statute.

(c) A state executive or administrative official may not decline to enforce this subchapter, or adopt a construction of this subchapter in a way that narrows its applicability, based on the official's own beliefs concerning the requirements of the state or federal constitution, unless the official is enjoined by a state or federal court from enforcing this subchapter.

(d) This subchapter may not be construed to:

(1) authorize the prosecution of or a cause of action to be brought against a woman on whom an abortion is performed or induced in violation of this subchapter; or

(2) create or recognize a right to abortion or a right to a particular method of abortion.

(3) On page 13, on both lines 4 and 13, strike "or F" and substitute "F, or G".

(4) On page 15, line 24, strike "Subchapter F" and substitute "Subchapters F and G".

(5) On page 15, line 25, strike "applies" and substitute "apply".

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

SECTION _____. (a) If some or all of the provisions of this Act are ever temporarily or permanently restrained or enjoined by judicial order, all other provisions of Texas law regulating or restricting abortion shall be enforced as though the restrained or enjoined provisions had not been adopted; provided, however, that whenever the temporary or permanent restraining order or injunction is stayed or dissolved, or otherwise ceases to have effect, the provisions shall have full force and effect.

(b) Mindful of Leavitt v. Jane L., 518 U.S. 137 (1996), in which in the context of determining the severability of a state statute regulating abortion the United States Supreme Court held that an explicit statement of legislative intent is controlling, it is the intent of the legislature that every provision, section, subsection, sentence, clause, phrase, or word in this Act, and every application of the provisions in this Act, are severable from each other. If any application of any provision in this Act to any person, group of persons, or circumstances is found

by a court to be invalid, the remaining applications of that provision to all other persons and circumstances shall be severed and may not be affected. All constitutionally valid applications of this Act shall be severed from any applications that a court finds to be invalid, leaving the valid applications in force, because it is the legislature's intent and priority that the valid applications be allowed to stand alone. Even if a reviewing court finds a provision of this Act to impose an undue burden in a large or substantial fraction of relevant cases, the applications that do not present an undue burden shall be severed from the remaining provisions and shall remain in force, and shall be treated as if the legislature had enacted a statute limited to the persons, group of persons, or circumstances for which the statute's application does not present an undue burden. The legislature further declares that it would have passed this Act, and each provision, section, subsection, sentence, clause, phrase, or word, and all constitutional applications of this Act, irrespective of the fact that any provision, section, subsection, sentence, clause, phrase, or word, or applications of this Act, were to be declared unconstitutional or to represent an undue burden.

(c) If any provision of this Act is found by any court to be unconstitutionally vague, then the applications of that provision that do not present constitutional vagueness problems shall be severed and remain in force.

CSSB 8 - POINT OF ORDER

Representative Turner raised a point of order against further consideration of **CSSB 8** under Rule 4, Section 32(c)(3) of the House Rules on the grounds that the bill analysis is incorrect.

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

Rule 4, Section 32(c)(3) of the House Rules requires the bill analysis to include "a statement indicating whether or not any rulemaking authority is expressly delegated . . . and, if so, identifying the sections of the measure in which that rulemaking authority is delegated." The bill analysis for **CSSB 8** identifies Section 3 of the bill as granting rulemaking authority to the executive commissioner of the Health and Human Services Commission.

Earlier in the day, the chair overruled a point of order by Representative Turner, in which he argued that Section 8 of the bill created rulemaking authority. He asserts on this new point of order that, given the chair's ruling on the earlier point of order, the bill analysis must be incorrect in identifying Section 3 of the bill as creating an express, independent grant of new rulemaking authority. In short, he says that if Sections 2 and 8 are not included in the rulemaking section of the bill analysis, Section 3 should also not be identified.

But Section 3 of the bill contains the following: "Sec. 697.009. RULES. The executive commissioner shall adopt rules to implement this chapter." This is an express, independent grant of new rulemaking authority. As discussed in the chair's ruling on Representative Turner's other point of order on this bill, Section 2 of the bill contains no such language, and Section 8 of the bill merely creates a deadline by which rules must be adopted. Having thoroughly reviewed the bill and the bill analysis again, the chair finds that the bill analysis correctly

identified Section 3 as expressly granting rulemaking authority that is independent of the executive commissioner's general powers under Chapter 12 of the Health and Safety Code. Therefore, the chair finds no violation of Rule 4, Section 32(c)(3).

CSSB 8 - POINT OF ORDER

Representative Canales raised a point of order against further consideration of **CSSB 8**.

The point of order was withdrawn.

Amendment No. 3

Representative Turner offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Klick to **CSSB 8** as follows:

(1) On page 1, line 23, between "PROHIBITED" and the underlined period, insert "; EXCEPTION".

(2) On page 2, between lines 2 and 3, insert the following appropriately lettered subsection:

() This section does not apply to an abortion that terminates a pregnancy that is the result of sexual assault or incest.

Amendment No. 3 failed of adoption by (Record 1377): 36 Yeas, 94 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Collier; Cortez; Davis, S.; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Hinojosa; Howard; Israel; Johnson, E.; Lucio; Minjarez; Moody; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Hunter; Isaac; Kacal(C); Keough; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raymond; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; Vo; White; Wilson; Workman; Wray; Zedler.

Present, not voting — Mr. Speaker; Uresti.

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Koop; Zerwas.

Absent — Biedermann; Canales; Coleman; Davis, Y.; Guillen; Hernandez; Huberty; Johnson, J.; Longoria; Martinez; Muñoz; Raney; Walle.

STATEMENTS OF VOTE

When Record No. 1377 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 1377 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 1377 was taken, I was shown voting yes. I intended to vote no.

Nevárez

When Record No. 1377 was taken, I was in the house but away from my desk. I would have voted no.

Raney

When Record No. 1377 was taken, I was shown voting yes. I intended to vote no.

J. Rodriguez

When Record No. 1377 was taken, I was shown voting yes. I intended to vote no.

Rose

Amendment No. 4

Representative Farrar offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Klick to **CSSB 8** as follows:

(1) On page 1, line 23, between "PROHIBITED" and the underlined period, insert "EXCEPTION".

(2) On page 2, between lines 2 and 3, insert the following appropriately lettered subsection:

() This section does not apply to a dismemberment abortion for which a physician has determined, in the physician's professional judgment, is the safest available procedure for the woman.

Amendment No. 4 failed of adoption by (Record 1378): 34 Yeas, 90 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Collier; Cortez; Davis, S.; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Hinojosa; Howard; Israel; Johnson, E.; Lucio; Minjarez; Moody; Neave; Oliveira; Ortega; Perez; Reynolds; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Elkins; Faircloth;

Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Isaac; Kacal(C); Keough; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Meyer; Miller; Morrison; Muñoz; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raymond; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker.

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Koop; Zerwas.

Absent — Biedermann; Canales; Coleman; Davis, Y.; Dukes; Guillen; Hernandez; Huberty; Hunter; Johnson, J.; Longoria; Martinez; Metcalf; Nevárez; Raney; Rodriguez, E.; Rodriguez, J.; Walle; Wray; Wu.

STATEMENTS OF VOTE

When Record No. 1378 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 1378 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1378 was taken, I was in the house but away from my desk. I would have voted no.

Metcalf

When Record No. 1378 was taken, I was in the house but away from my desk. I would have voted no.

Raney

When Record No. 1378 was taken, I was in the house but away from my desk. I would have voted no.

Wray

Amendment No. 5

Representative Farrar offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Klick to **CSSB 8** on page 1, line 26, between "emergency" and the underlined period, by inserting "or the life of the mother is in jeopardy".

Amendment No. 5 failed of adoption by (Record 1379): 46 Yeas, 88 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; King, T.; Longoria; Lucio; Minjarez; Moody; Muñoz; Neave; Oliveira; Ortega; Perez; Raymond; Reynolds; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

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

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Koop; Zerwas.

Absent — Canales; Cook; Guillen; Johnson, J.; Martinez; Nevárez; Roberts; Rodriguez, E.; Sheffield.

STATEMENT OF VOTE

When Record No. 1379 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

REMARKS ORDERED PRINTED

Representative Farrar moved to print all remarks on **CSSB 8**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **CSSB 8**.]

Amendment No. 2 was adopted by (Record 1380): 92 Yeas, 42 Nays, 3 Present, not voting.

Yeas — 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; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Keough; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Metcalf; Meyer; Miller; Morrison; Muñoz; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts;

Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Longoria; Lucio; Martinez; Minjarez; Moody; Neave; Nevárez; Oliveira; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Thierry; Thompson, S.; Turner; Vo; Wu.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Koop; Zerwas.

Absent — Canales; Coleman; King, K.; King, T.; Lozano; Ortega; Stephenson; Walle.

STATEMENTS OF VOTE

When Record No. 1380 was taken, I was in the house but away from my desk. I would have voted no.

Canales

When Record No. 1380 was taken, I was presiding in the chair and was shown voting present, not voting. I intended to vote yes.

Kacal

When Record No. 1380 was taken, I was in the house but away from my desk. I would have voted yes.

T. King

When Record No. 1380 was taken, I was in the house but away from my desk. I would have voted no.

Ortega

When Record No. 1380 was taken, I was in the house but away from my desk. I would have voted yes.

Stephenson

Amendment No. 6

Representative Leach offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) by striking page 3, line 26 through page 4, line 2, and substituting the following:

state or an agency of this state; or

(C) a birthing center licensed under Chapter 244.

Amendment No. 6 was withdrawn.

Amendment No. 7

Representative S. Davis offered the following amendment to **CSSB 8**:

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

- (1) Strike page 3, line 19 through page 10, line 6.
- (2) Strike page 13, line 15 through page 15, line 23.
- (3) On page 15, line 24, strike "(a)".
- (4) On page 16, strike lines 3-25.
- (5) Renumber SECTIONS of the bill accordingly.

Amendment No. 7 failed of adoption by (Record 1381): 49 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

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; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Keough; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; 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.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Koop; Zerwas.

Absent — Johnson, J.

(Kuempel in the chair)

Amendment No. 8

Representatives Cain, Holland, Cospers, and Leach offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee printing) on page 4, by striking lines 3-7 and substituting the following:

(2) "Human fetal tissue" means any gestational human organ, cell, or tissue from an unborn child. The term does not include:

(A) supporting cells or tissue derived from a pregnancy or associated maternal tissue that is not part of the unborn child; or

(B) the umbilical cord or placenta, provided that the umbilical cord or placenta is not derived from a terminated pregnancy.

Amendment No. 8 was withdrawn.

Amendment No. 9

Representative Minjarez offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) on page 4, between lines 13 and 14, by inserting the following appropriately numbered subdivisions and renumbering subsequent subdivisions and correcting cross-references to those subdivisions accordingly:

() human fetal tissue obtained from a terminated ectopic pregnancy or a terminated molar pregnancy;

() human fetal tissue obtained from a pregnancy that is terminated because of ruptured membranes, preeclampsia, low levels of amniotic fluid, excessive levels of amniotic fluid, or placenta previa;

COMMITTEE GRANTED PERMISSION TO MEET

Representative Laubenberg requested permission for the Committee on Elections to meet while the house is in session, at 4:30 p.m. today, in 1W.14, to consider **SB 1109** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Elections, 4:30 p.m. today, 1W.14, for a formal meeting, to consider **SB 1109** and pending business.

CSSB 8 - (consideration continued)

Amendment No. 9 failed of adoption by (Record 1382): 50 Yeas, 92 Nays, 2 Present, not voting.

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

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; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; 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.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Koop; Zerwas.

Absent — Johnson, J.

(Koop now present)

Amendment No. 10

Representative Gervin-Hawkins offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) as follows:

(1) On page 8, line 5, between "241.010" and the underlined comma, insert "and except as otherwise provided by this section".

(2) On page 9, between lines 2 and 3, insert the following appropriately lettered subsection:

() This section does not apply to the disposition of embryonic and fetal tissue remains resulting from the termination of a pregnancy caused by sexual assault or incest.

Amendment No. 10 failed of adoption by (Record 1383): 49 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodríguez, E.; Rodríguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

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; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raymond; 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.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Guillen; Johnson, J.; Raney.

Amendment No. 11

Representative Alvarado offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) as follows:

(1) On page 8, line 5, between "241.010" and the underlined comma, insert "and except as provided by Section 697.0085".

(2) On page 10, between lines 4 and 5, insert the following:

Sec. 697.0085. EXCEPTION. (a) A person is not required to comply with this chapter or a rule adopted under this chapter if compliance would violate a sincerely held religious belief of the person.

(b) A person who asserts the person was acting in accordance with an accommodation provided by this section is not subject to a civil penalty under Section 697.008 for failure to comply with this chapter or a rule adopted under this chapter.

Amendment No. 11 failed of adoption by (Record 1384): 49 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Vo; Walle; Wu.

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; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Koop; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Klick; Swanson; Uresti.

STATEMENTS OF VOTE

When Record No. 1384 was taken, I was in the house but away from my desk. I would have voted no.

Klick

When Record No. 1384 was taken, I was in the house but away from my desk. I would have voted no.

Swanson

Amendment No. 12

Representative Anchia offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) as follows:

(1) On page 8, line 5, between "241.010" and the underlined comma, insert "and except as provided by Section 697.0085".

(2) On page 10, between lines 4 and 5, insert the following:

Sec. 697.0085. EXCEPTIONS. (a) A health care facility is not required to comply with this chapter or a rule adopted under this chapter if:

(1) compliance would violate a sincerely held religious belief of an owner of the facility; or

(2) the pregnant woman asserts that compliance would violate a sincerely held religious belief of the woman.

(b) An employee of a health care facility is not required to comply with this chapter or a rule adopted under this chapter if compliance would violate a sincerely held religious belief of the employee.

(c) A person who asserts the person was acting in accordance with an accommodation provided by this section is not subject to an administrative penalty under Section 697.007 or a civil penalty under Section 697.008 for failure to comply with this chapter or a rule adopted under this chapter.

Amendment No. 12 failed of adoption by (Record 1385): 49 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Dukes; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Koop; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Uresti; Vo; Walle; Wu.

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; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; 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.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Deshotel; Turner.

STATEMENT OF VOTE

When Record No. 1385 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 5:05 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, 5:05 p.m. today, 3W.15, for a formal meeting, to set a calendar.

CSSB 8 - (consideration continued)

Amendment No. 13

Representative E. Rodriguez offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) on page 8, by striking lines 14-17 and substituting the following:

of embryonic and fetal tissue remains may be interred or scattered in any manner as authorized by law for human remains.

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 Hefner.

Ashby on motion of Hefner.

Cook on motion of Hefner.

S. Davis on motion of Hefner.

Geren on motion of Hefner.

Howard on motion of Hefner.

Hunter on motion of Hefner.

Kacal on motion of Hefner.

K. King on motion of Hefner.

Koop on motion of Hefner.

Nevárez on motion of Hefner.

Paddie on motion of Hefner.

Phelan on motion of Hefner.

Rose on motion of Hefner.

CSSB 8 - (consideration continued)

Amendment No. 13 failed of adoption by (Record 1386): 41 Yeas, 84 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Dukes; Farrar; Gervin-Hawkins; González; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Israel; Johnson, E.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Oliveira; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Thierry; Thompson, S.; Turner; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Isaac; Keough; King, P.; Klick; Krause; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phillips; Pickett; Price; Raney; Raymond; 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.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Alonzo; Ashby; Cook; Davis, S.; Geren; Howard; Hunter; Kacal; King, K.; Koop; Nevárez; Paddie; Phelan; Rose; Zerwas.

Absent — Deshotel; Johnson, J.; Neave; Ortega; Uresti.

STATEMENTS OF VOTE

When Record No. 1386 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1386 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 1386 was taken, I was in the house but away from my desk. I would have voted yes.

Uresti

(Ashby, Cook, S. Davis, Geren, Koop, Nevárez, Paddie, and Phelan now present)

Amendment No. 14

Representative Turner offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) on page 8, by striking lines 14-17 and substituting the following:

of embryonic and fetal tissue remains may be interred or scattered in any manner as authorized by law for human remains.

Amendment No. 14 was withdrawn.

Amendment No. 15

Representatives Cain and Oliverson offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) on page 4, by striking lines 3-7 and substituting the following:

(2) "Human fetal tissue" means any gestational human organ, cell, or tissue from an unborn child. The term does not include:

(A) supporting cells or tissue derived from a pregnancy or associated maternal tissue that is not part of the unborn child; or

(B) the umbilical cord or placenta, provided that the umbilical cord or placenta is not derived from an elective abortion.

Amendment No. 15 was adopted by (Record 1387): 93 Yeas, 39 Nays, 2 Present, not voting.

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

Nays — Allen; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Dukes; Farrar; Gervin-Hawkins; González; Guerra; Hernandez; Hinojosa; Israel; Johnson, E.; King, T.; Lucio; Martinez; Minjarez; Moody; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Thierry; Turner; Vo; Walle; Wu.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Alonzo; Howard; Hunter; Kacal; King, K.; Rose; Zerwas.

Absent — Burkett; Deshotel; Gutierrez; Johnson, J.; Raney; Romero.

STATEMENT OF VOTE

When Record No. 1387 was taken, I was in the house but away from my desk. I would have voted no.

Deshotel

(Alonzo, Howard, Hunter, Kacal, K. King, and Rose now present)

Amendment No. 16

Representative Moody offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) as follows:

- (1) On page 2, line 12, between "PENALTY." and "A", insert "(a)".
- (2) On page 2, between lines 14 and 15, insert the following new subsection:

(b) A person may not be prosecuted under this section solely as a party under Subchapter A, Chapter 7, Penal Code.

Amendment No. 16 was withdrawn.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Frullo requested permission for the Committee on Culture, Recreation, and Tourism to meet while the house is in session, at 5:50 p.m. today, in 1W.14, to consider **SB 965**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Culture, Recreation, and Tourism, 5:50 p.m. today, 1W.14, for a formal meeting, to consider **SB 965**.

CSSB 8 - (consideration continued)**Amendment No. 17**

Representatives Cook, Leach, Parker, Springer, Krause, Smithee, Flynn, Miller, Burns, Capriglione, Morrison, Shine, Stickland, Frank, Wilson, Roberts, Stucky, Rinaldi, Fallon, Oliverson, Lambert, and Tinderholt offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 33.001(1), Family Code, is amended to read as follows:

(1) "Abortion" has the meaning assigned by Section 245.002, Health and Safety Code ~~[means the use of any means to terminate the pregnancy of a female known by the attending physician to be pregnant, with the intention that the termination of the pregnancy by those means will with reasonable likelihood cause the death of the fetus]~~. This definition, as applied in this chapter, ~~[applies only to an unemancipated minor known by the attending physician to be pregnant and]~~ may not be construed to limit a minor's access to contraceptives.

SECTION _____. Section 161.006(b), Family Code, is amended to read as follows:

(b) In this code, "abortion" has the meaning assigned by Section 245.002, Health and Safety Code ~~[means an intentional expulsion of a human fetus from the body of a woman induced by any means for the purpose of causing the death of the fetus]~~.

SECTION _____. Section 170.001(1), Health and Safety Code, is amended to read as follows:

(1) "Abortion" has the meaning assigned by Section 245.002 ~~[means an act involving the use of an instrument, medicine, drug, or other substance or device developed to terminate the pregnancy of a woman if the act is done with an intention other than to:~~

~~[(A) increase the probability of a live birth of the unborn child of the woman;~~

~~[(B) preserve the life or health of the child; or~~

~~[(C) remove a dead fetus]~~.

SECTION _____. Section 171.002(1), Health and Safety Code, is amended to read as follows:

(1) "Abortion" has the meaning assigned by Section 245.002 ~~[means the use of any means to terminate the pregnancy of a female known by the attending physician to be pregnant with the intention that the termination of the pregnancy by those means will, with reasonable likelihood, cause the death of the fetus]~~.

SECTION _____. Section 171.061(1), Health and Safety Code, is amended to read as follows:

(1) "Abortion" has the meaning assigned by Section 245.002. This definition, as applied in this subchapter, may not be construed to apply to an act done with the intent to ~~[means the act of using, administering, prescribing, or otherwise providing an instrument, a drug, a medicine, or any other substance, device, or means with the intent to terminate a clinically diagnosable pregnancy of a woman and with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the woman's unborn child. An act is not an abortion if the act is done with the intent to:~~

~~[(A) save the life or preserve the health of an unborn child;~~

~~[(B) remove a dead, unborn child whose death was caused by spontaneous abortion;~~

~~[(C) remove an ectopic pregnancy; or~~

~~[(D)] treat a maternal disease or illness for which a prescribed drug, medicine, or other substance is indicated.~~

SECTION _____. Section 245.002(1), Health and Safety Code, is amended to read as follows:

(1) "Abortion" means the act of using or prescribing an instrument, a drug, a medicine, or any other substance, device, or means with the intent to cause the death of an unborn child of a woman known to be pregnant [an act or procedure performed after pregnancy has been medically verified and with the intent to cause the termination of a pregnancy other than for the purpose of either the birth of a live fetus or removing a dead fetus]. The term does not include birth control devices or oral contraceptives. An act is not an abortion if the act is done with the intent to:

(A) save the life or preserve the health of an unborn child;

(B) remove a dead, unborn child whose death was caused by spontaneous abortion; or

(C) remove an ectopic pregnancy.

Amendment No. 18

Representatives Krause, Capriglione, Lang, Burkett, Burrows, Springer, Morrison, Burns, Murphy, White, Dean, Schaefer, Leach, Cain, Wilson, K. King, Geren, Sanford, Cyrier, Bohac, Meyer, D. Bonnen, Goldman, Miller, Hefner, Isaac, Dale, P. King, Parker, Schofield, Shaheen, Stickland, Holland, Klick, Lambert, Kacal, Smithee, R. Anderson, Rinaldi, Fallon, Phillips, Huberty, Simmons, Zedler, Paul, Murr, Cospers, Swanson, Ashby, Wray, Landgraf, VanDeaver, Phelan, Paddie, Schubert, Shine, Stucky, G. Bonnen, Price, Raney, Larson, E. Thompson, Roberts, Villalba, Oliverson, and Frank offered the following amendment to Amendment No. 17:

Amend Amendment No. 17 by Cook to **CSSB 8** (house committee report) as follows:

(1) On page 3, at the end of line 13, insert the following:

(4-a) "Ectopic pregnancy" means the implantation of a fertilized egg or embryo outside of the uterus.

(4-b) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(7) "Unborn child" means an individual human being in utero from fertilization until birth.

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

SECTION _____. Section 171.061(9), Health and Safety Code, is repealed.

Amendment No. 18 was adopted.

Amendment No. 17, as amended, was withdrawn.

(Paddie in the chair)

Amendment No. 19

Representative Schaefer offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) as follows:

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

SECTION _____. Section 245.005(e), Health and Safety Code, is amended to read as follows:

(e) As a condition for renewal of a license, the licensee must submit to the department the annual license renewal fee and an annual report~~[-including the report required under Section 245.011].~~

SECTION _____. The heading to Section 245.011, Health and Safety Code, is amended to read as follows:

Sec. 245.011. PHYSICIAN REPORTING REQUIREMENTS; CRIMINAL PENALTY.

SECTION _____. Section 245.011, Health and Safety Code, is amended by amending Subsections (a), (b), (d), and (e) and adding Subsections (f) and (g) to read as follows:

(a) A physician who performs an abortion at an [Each] abortion facility must complete and submit a monthly [an annual] report to the department on each abortion [that is] performed by the physician at the abortion facility. The report must be submitted on a form provided by the department.

(b) ~~The report may not identify by any means [the physician performing the abortion or] the patient.~~

(d) Except as provided by Section 245.023, all information and records held by the department under this chapter are confidential and are not open records for the purposes of Chapter 552, Government Code. That information may not be released or made public on subpoena or otherwise, except that release may be made:

(1) for statistical purposes, but only if a person, patient, physician performing an abortion, or abortion facility is not identified;

(2) with the consent of each person, patient, physician, and abortion facility identified in the information released;

(3) to medical personnel, appropriate state agencies, or county and district courts to enforce this chapter; or

(4) to appropriate state licensing boards to enforce state licensing laws.

(e) A person commits an offense if the person violates Subsection (b), (c), or (d) [this section]. An offense under this subsection is a Class A misdemeanor.

(f) Not later than the 15th day of each month, a physician shall submit to the department the report required by this section for each abortion performed by the physician at an abortion facility in the preceding calendar month.

(g) The department shall establish and maintain a secure electronic reporting system for the submission of the reports required by this section. The department shall adopt procedures to enforce this section and to ensure that only physicians who perform one or more abortions during the preceding calendar month are required to file the reports under this section for that month.

SECTION _____. Chapter 245, Health and Safety Code, is amended by adding Sections 245.0115 and 245.0116 to read as follows:

Sec. 245.0115. NOTIFICATION. Not later than the seventh day after the date the report required by Section 245.011 is due, the commissioner of state health services shall notify the Texas Medical Board of a violation of that section.

Sec. 245.0116. DEPARTMENT REPORT. (a) The department shall publish on its Internet website a monthly report containing aggregate data of the information in the reports submitted under Section 245.011.

(b) The department's monthly report may not identify by any means an abortion facility, a physician performing the abortion, or a patient.

(2) On page 15, line 12, between "implement" and "Chapters", insert "Section 245.011, Health and Safety Code, as amended by this Act, and".

(3) On page 15, between lines 14 and 15, insert the following appropriately numbered subdivision and renumber subsequent subdivisions and cross-references to those subdivisions accordingly:

() as soon as practicable after the effective date of this Act, develop the electronic reporting system required by Section 245.011, Health and Safety Code, as amended by this Act;

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Culture, Recreation, and Tourism:

D. Bonnen on motion of Darby.

Faircloth on motion of Darby.

Fallon on motion of Darby.

Fruzzo on motion of Darby.

Gervin-Hawkins on motion of Darby.

Martinez on motion of Darby.

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. 3).

CSSB 8 - (consideration continued)

Amendment No. 19 was adopted by (Record 1388): 90 Yeas, 47 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospere; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Flynn; Frank; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; 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.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Dukes; Farrar; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Bonnen, D.; Faircloth; Fallon; Frullo; Gervin-Hawkins; Martinez; Zerwas.

Absent — Deshotel.

STATEMENTS OF VOTE

When Record No. 1388 was taken, I was excused to attend a meeting of the Committee on Culture, Recreation, and Tourism. I would have voted yes.

D. Bonnen

When Record No. 1388 was taken, I was in the house but away from my desk. I would have voted no.

Deshotel

When Record No. 1388 was taken, I was excused to attend a meeting of the Committee on Culture, Recreation, and Tourism. I would have voted yes.

Frullo

When Record No. 1388 was taken, I was presiding in the chair and was shown voting present, not voting. I intended to vote yes.

Paddie

Amendment No. 20

Representative Moody offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) as follows:

(1) On page 2, line 12, between "PENALTY." and "A", insert "(a)".

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

(b) A person may not be prosecuted under this section solely as a party under Subchapter A, Chapter 7, Penal Code.

(Fallon, Frullo, and Martinez now present)

Amendment No. 20 failed of adoption by (Record 1389): 51 Yeas, 83 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Dukes; Farrar; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Koop; Krause; Larson; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospier; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Fallon; Flynn; Frank; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, P.; Klick; Lambert; Landgraf; Lang; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; 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.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Bonnen, D.; Faircloth; Gervin-Hawkins; Zerwas.

Absent — Deshotel; Frullo; King, K.; King, T.; Kuempel; Pickett; Raymond.

STATEMENTS OF VOTE

When Record No. 1389 was taken, I was excused to attend a meeting of the Committee on Culture, Recreation, and Tourism. I would have voted no.

D. Bonnen

When Record No. 1389 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1389 was taken, I was excused to attend a meeting of the Committee on Culture, Recreation, and Tourism. I would have voted no.

Faircloth

When Record No. 1389 was taken, I was in the house but away from my desk. I would have voted no.

Frullo

When Record No. 1389 was taken, I was shown voting yes. I intended to vote present, not voting.

Koop

When Record No. 1389 was taken, I was shown voting yes. I intended to vote no.

Sanford

(Faircloth now present)

Amendment No. 21

Representative Gutierrez offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) on page 3, between lines 18 and 19, by inserting the following new section:

Sec. 171.106. PROVISION OF INFORMATION. At the time the physician declines to perform on a woman a partial-birth abortion prohibited by this subchapter, the physician shall inform the woman of the available public resources to assist a woman through pregnancy, childbirth, and the child's dependency, including:

(1) the federal special supplemental nutrition program for women, infants, and children authorized by 42 U.S.C. Section 1786;

(2) the child health plan program established under Chapters 62 and 63;

(3) the financial assistance program under Chapter 31, Human Resources Code;

(4) the medical assistance program under Chapter 32, Human Resources Code; and

(5) the supplemental nutrition assistance program under Chapter 33, Human Resources Code.

Amendment No. 21 failed of adoption by (Record 1390): 48 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Dukes; Farrar; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Thierry; Thompson, S.; Turner; Uresti; Vo; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; 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; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Zedler.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Bonnen, D.; Gervin-Hawkins; Zerwas.

Absent — Deshotel; Johnson, J.

STATEMENTS OF VOTE

When Record No. 1390 was taken, I was excused to attend a meeting of the Committee on Culture, Recreation, and Tourism. I would have voted no.

D. Bonnen

When Record No. 1390 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

Amendment No. 22

Representative Schaefer offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Subchapter A, Chapter 171, Health and Safety Code, is amended by adding Section 171.006 to read as follows:

Sec. 171.006. PROHIBITED ABORTIONS; OFFENSE. (a) A physician may not perform or induce or attempt to perform or induce an abortion if the physician's sole purpose for performing, inducing, or attempting to perform or induce the abortion is because of a fetal abnormality, including a severe fetal abnormality, and the probable post-fertilization age of the unborn child is 20 or more weeks.

(b) A physician who violates Subsection (a) commits an offense. An offense under this section is a state jail felony.

SECTION _____. Section 171.046(c), Health and Safety Code, is repealed.

(2) On page 16, line 18, strike "Chapter 48, Penal Code, as amended by this Act, applies" and substitute "The changes in law made by this Act apply".

(3) Renumber the SECTIONS of the bill as appropriate.

(Gervin-Hawkins now present)

Representative Cook moved to table Amendment No. 22.

The motion to table prevailed by (Record 1391): 72 Yeas, 65 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bailes; Bernal; Blanco; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Darby; Davis, S.; Davis, Y.; Dukes; Farrar; Geren; Gervin-Hawkins; Gonzales; González; Gooden; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Larson; Longoria; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Shine; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bell; Biedermann; Bohac; Bonnen, G.; Burns; Burrows; Cain; Capriglione; Cospers; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Hefner; Holland; Huberty; Hunter; Isaac; Keough; King, P.; Klick; Krause; Landgraf; Lang; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Murphy; Murr; Oliverson; Paul; Phelan; Phillips; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; White; Wilson; Wray; Zedler.

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

Absent, Excused — Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Bonnen, D.; Zerwas.

Absent — Burkett; Deshotel; Guillen; Parker; Sheffield.

STATEMENTS OF VOTE

When Record No. 1391 was taken, I was excused to attend a meeting of the Committee on Culture, Recreation, and Tourism. I would have voted no.

D. Bonnen

When Record No. 1391 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 1391 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1391 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1391 was taken, my vote failed to register. I would have voted no.

Parker

When Record No. 1391 was taken, I was shown voting yes. I intended to vote no.

Price

When Record No. 1391 was taken, I was shown voting yes. I intended to vote no.

Shine

When Record No. 1391 was taken, I was shown voting present, not voting. I intended to vote no.

Simmons

When Record No. 1391 was taken, I was shown voting yes. I intended to vote no.

Workman

REASON FOR VOTE

My vote to table Amendment No. 22 by Representative Schaefer on **CSSB 8** was based on convictions beyond mere policy or principle. The text "including a severe fetal abnormality," includes such conditions as anencephaly. Knowing first hand of the dire consequence to such a rare birth defect, I cannot in good faith dictate to another individual how they should cope with such a scenario of immanent peril.

Bailes

COMMITTEE GRANTED PERMISSION TO MEET

Representative Oliveira requested permission for the Committee on Business and Industry to meet while the house is in session, at 7:15 p.m. today, in 3W.9, to consider **SB 1943** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Business and Industry, 7:15 p.m. today, 3W.9, for a formal meeting, to consider **SB 1943** and pending business.

LEAVE OF ABSENCE GRANTED

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

Biedermann on motion of Tinderholt.

CSSB 8 - (consideration continued)

Amendment No. 23

Representative Hinojosa offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee printing) on page 7, line 14, by striking "terminates in the death of the embryo or fetus" and substituting "is terminated by an abortion".

Amendment No. 23 was withdrawn.

Amendment No. 24

Representative Cook offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 33.001(1), Family Code, is amended to read as follows:

(1) "Abortion" has the meaning assigned by Section 245.002, Health and Safety Code [~~means the use of any means to terminate the pregnancy of a female known by the attending physician to be pregnant, with the intention that the termination of the pregnancy by those means will with reasonable likelihood cause the death of the fetus~~]. This definition, as applied in this chapter, [~~applies only to an unemancipated minor known by the attending physician to be pregnant and~~] may not be construed to limit a minor's access to contraceptives.

SECTION _____. Section 161.006(b), Family Code, is amended to read as follows:

(b) In this code, "abortion" has the meaning assigned by Section 245.002, Health and Safety Code [~~means an intentional expulsion of a human fetus from the body of a woman induced by any means for the purpose of causing the death of the fetus~~].

SECTION _____. Section 170.001(1), Health and Safety Code, is amended to read as follows:

(1) "Abortion" has the meaning assigned by Section 245.002 [~~means an act involving the use of an instrument, medicine, drug, or other substance or device developed to terminate the pregnancy of a woman if the act is done with an intention other than to:~~

[~~(A) increase the probability of a live birth of the unborn child of the woman;~~

[~~(B) preserve the life or health of the child; or~~

[~~(C) remove a dead fetus~~].

SECTION _____. Section 171.002(1), Health and Safety Code, is amended to read as follows:

(1) "Abortion" has the meaning assigned by Section 245.002 [~~means the use of any means to terminate the pregnancy of a female known by the attending physician to be pregnant with the intention that the termination of the pregnancy by those means will, with reasonable likelihood, cause the death of the fetus~~].

SECTION _____. Section 171.061(1), Health and Safety Code, is amended to read as follows:

(1) "Abortion" has the meaning assigned by Section 245.002. This definition, as applied in this subchapter, may not be construed to apply to an act done with the intent to ~~[means the act of using, administering, prescribing, or otherwise providing an instrument, a drug, a medicine, or any other substance, device, or means with the intent to terminate a clinically diagnosable pregnancy of a woman and with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the woman's unborn child. An act is not an abortion if the act is done with the intent to:~~

~~[(A) save the life or preserve the health of an unborn child;~~

~~[(B) remove a dead, unborn child whose death was caused by spontaneous abortion;~~

~~[(C) remove an ectopic pregnancy; or~~

~~[(D)] treat a maternal disease or illness for which a prescribed drug, medicine, or other substance is indicated.~~

SECTION _____. Section 245.002, Health and Safety Code, is amended by amending Subdivisions (1) and (4-a) and adding Subdivision (4-b) to read as follows:

(1) "Abortion" means the act of using or prescribing an instrument, a drug, a medicine, or any other substance, device, or means with the intent to cause the death of an unborn child of a woman known to be pregnant [an act or procedure performed after pregnancy has been medically verified and with the intent to cause the termination of a pregnancy other than for the purpose of either the birth of a live fetus or removing a dead fetus]. The term does not include birth control devices or oral contraceptives. An act is not an abortion if the act is done with the intent to:

(A) save the life or preserve the health of an unborn child;

(B) remove a dead, unborn child whose death was caused by spontaneous abortion; or

(C) remove an ectopic pregnancy.

(4-a) "Ectopic pregnancy" means the implantation of a fertilized egg or embryo outside of the uterus.

(4-b) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

Amendment No. 24 was adopted by (Record 1392): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson;

Ortega; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Wu; Zedler.

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

Absent, Excused — Biedermann; Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Clardy; Deshotel; Oliveira; Roberts; Schofield; Thierry; Workman.

STATEMENT OF VOTE

When Record No. 1392 was taken, I was presiding in the chair and was shown voting present, not voting. I intended to vote yes.

Paddie

Amendment No. 25

Representative Krause offered the following amendment to **CSSB 8**:

Amend **CSSB 8** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Section 245.002, Health and Safety Code, is amended by adding Subdivision (7) to read as follows:

(7) "Unborn child" means an individual human being in utero from fertilization until birth.

Amendment No. 25 was withdrawn.

CSSB 8, as amended, was passed to third reading by (Record 1393): 96 Yeas, 47 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Deshotel; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Muñoz; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; 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.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Dukes; Farrar; Gervin-Hawkins; González; Guerra; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Longoria; Lucio; Martinez; Minjarez; Moody; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

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

Absent, Excused — Biedermann; Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

STATEMENTS OF VOTE

When Record No. 1393 was taken, I was shown voting yes. I intended to vote no.

Deshotel

When Record No. 1393 was taken, I was shown voting no. I intended to vote yes.

Martinez

When Record No. 1393 was taken, I was presiding in the chair and was shown voting present, not voting. I intended to vote yes.

Paddie

GENERAL STATE CALENDAR SENATE BILLS SECOND READING

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

SB 30 ON SECOND READING (S. Thompson and Coleman - House Sponsors)

SB 30, A bill to be entitled An Act relating to inclusion of instruction regarding interaction with peace officers in the required curriculum for certain public school students and in driver education courses and to civilian interaction training for peace officers.

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. 4).

COMMITTEE GRANTED PERMISSION TO MEET

Representative White requested permission for the Committee on Corrections to meet while the house is in session, at 7:40 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Corrections, 7:40 p.m. today, 1W.14, for a formal meeting, to consider pending business.

SB 30 - (consideration continued)

Amendment No. 1

Representative S. Thompson offered the following amendment to **SB 30**:

Amend **SB 30** (house committee report) as follows:

- (1) On page 1, line 9, strike "INTERACTION WITH".
- (2) On page 1, line 20, between "encounters" and the underlined period, insert "and on the value that peace officers bring to the community".
- (3) Strike "police" and substitute "peace" in each of the following places:
 - (A) page 1, line 23;
 - (B) page 2, line 1;
 - (C) page 2, line 2;
 - (D) page 2, line 4;
 - (E) page 2, line 6;
 - (F) page 2, line 9;
 - (G) page 3, line 13;
 - (H) page 3, line 15;
 - (I) page 3, line 16;
 - (J) page 3, line 19;
 - (K) page 3, line 20;
 - (L) page 3, line 23;
 - (M) page 4, line 21;
 - (N) page 4, line 23;
 - (O) page 4, line 24;
 - (P) page 4, line 26;
 - (Q) page 5, line 1; and
 - (R) page 5, line 4.
- (4) On page 4, line 25, between "interactions" and the underlined semicolon, insert ", including the use by officers of de-escalation strategies and techniques".

(5) On page 5, between lines 12 and 13, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

(____) the Task Force on Civilian-Peace Officer Interactions established under Article 2.1398, Code of Criminal Procedure, as added by this Act, shall establish the initial criteria required under that article;

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

SECTION _____. This Act may be cited as the Community Safety Act.

SECTION _____. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1398 to read as follows:

Art. 2.1398. TASK FORCE ON CIVILIAN-PEACE OFFICER INTERACTIONS. (a) In this article, "task force" means the Task Force on Civilian-Peace Officer Interactions.

(b) The task force is established to study and report on the impact of civilian and peace officer education under Sections 28.012 and 1001.109, Education Code, and Section 1701.268, Occupations Code, on interactions between civilians and peace officers during traffic stops and other in-person encounters.

(c) The task force is composed of:

(1) a state senator appointed by the lieutenant governor;

(2) a state representative appointed by the speaker of the house of representatives;

(3) a member of the Texas Commission on Law Enforcement appointed by the governor;

(4) a representative of a peace officer organization appointed by the governor;

(5) a representative of a criminal justice reform advocacy group or civil rights organization appointed by the governor; and

(6) four members of the public appointed as follows:

(A) two members appointed by the governor;

(B) one member appointed by the lieutenant governor; and

(C) one member appointed by the speaker of the house of representatives.

(d) The governor shall designate one of the members of the public appointed by the governor to serve as presiding officer.

(e) In conducting the study, the task force shall:

(1) collaborate with Texas Southern University and the Bill Blackwood Law Enforcement Management Institute of Texas;

(2) establish criteria for measuring any improvement in interactions between civilians and peace officers resulting from education described by Subsection (b); and

(3) consider all available data relevant to the study, including:

(A) data on racial profiling by peace officers;

(B) reports submitted under Article 2.139 or 2.1395;

(C) peace officer training materials; and

(D) any other relevant public records.

(f) Not later than December 1, 2022, the task force shall submit to the members of the legislature a report on the results of the study. The report must evaluate whether the education described by Subsection (b) improves interactions between civilians and peace officers, including by reducing the number of complaints filed against officers and the number of incidents involving use of force.

(g) This article expires September 1, 2023.

SECTION _____. Article 2.139, Code of Criminal Procedure, as added by Chapter 1124 (**HB 3791**), Acts of the 84th Legislature, Regular Session, 2015, is redesignated as Article 2.1396, Code of Criminal Procedure.

SECTION _____. As soon as practicable after the effective date of this Act, the appropriate appointing person shall make the appointments to the Task Force on Civilian-Peace Officer Interactions as described by Article 2.1398, Code of Criminal Procedure, as added by this Act.

SECTION _____. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes.

Amendment No. 1 was adopted. (Lang and Rinaldi recorded voting no.)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Smithee requested permission for the Committee on Judiciary and Civil Jurisprudence to meet while the house is in session, at 7:40 p.m. today, in 1W.14, to consider **SB 239** and **SB 824**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Judiciary and Civil Jurisprudence, 7:40 p.m. today, 1W.14, for a formal meeting, to consider **SB 239** and **SB 824**.

SB 30 - (consideration continued)

SB 30, as amended, was passed to third reading.

SB 1849 ON SECOND READING (Coleman - House Sponsor)

SB 1849, A bill to be entitled An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

SB 1849 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE MOODY: First of all, I appreciate the effort that you put into this all session and not just all session but during the interim to build into this session. I just have one point to clarify. There is a provision on page 18 related to the jail administrators and the examination that the commission is going to develop for them to take when they take that position. And the way the bill is laid out, it says that that examination should be taken within 180 days of them being placed in that position. So just for legislative intent, this bill is forward looking, so if you are a current jail administrator, this provision—

REPRESENTATIVE COLEMAN: Does not apply.

MOODY: Does not apply. So we're looking forward. As someone is newly appointed, we are going to be moving forward with this requirement. Is that correct?

COLEMAN: That's correct.

REMARKS ORDERED PRINTED

Representative Moody moved to print remarks between Representative Coleman and Representative Moody.

The motion prevailed.

SB 1849 was passed to third reading by (Record 1394): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Hefner; Hernandez; 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; Sanford; 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.

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

Absent, Excused — Biedermann; Dutton; Giddings; Herrero.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Cook; Gutierrez; Phillips; Schaefer.

STATEMENT OF VOTE

When Record No. 1394 was taken, my vote failed to register. I would have voted yes.

Phillips

LEAVES OF ABSENCE GRANTED

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

Schaefer on motion of Krause.

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

Metcalf on motion of Phelan.

(Speaker in the chair)

SB 968 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Lozano, Representative Alvarado was authorized as a house sponsor to **SB 968**.

SB 968 ON SECOND READING

(Leach, Alvarado, Howard, et al. - House Sponsors)

SB 968, A bill to be entitled An Act relating to requiring certain public and private institutions of higher education to provide students and employees an option to electronically report certain offenses to the institution.

Amendment No. 1

Representatives Alvarado and Leach offered the following amendment to **SB 968**:

Amend **SB 968** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 51.9363, Education Code, is amended by amending Subsection (e) and adding Subsections (f) and (g) to read as follows:

(e) Each institution of higher education shall provide to students enrolled at the institution information regarding the protocol for reporting incidents of campus sexual assault adopted under Subsection (b), including the name, office location, and contact information of the institution's Title IX coordinator, by:

(1) e-mailing the information to each student at the beginning of each semester or other academic term; and

(2) including the information in the orientation required under Subsection (d).

(f) As part of the protocol for responding to reports of campus sexual assault adopted under Subsection (b), each institution of higher education shall:

(1) to the greatest extent practicable based on the number of counselors employed by the institution, ensure that each alleged victim or alleged perpetrator of an incident of campus sexual assault and any other person who reports such an incident is offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident; and

(2) notwithstanding any other law, allow an alleged victim or alleged perpetrator of an incident of campus sexual assault to drop a course in which both parties are enrolled without any academic penalty.

(g) Each biennium, each institution of higher education shall review the institution's campus sexual assault policy and, with approval of the institution's governing board, revise the policy as necessary.

SECTION _____. Section 51.9363, Education Code, as amended by this Act, applies beginning with the 2017-2018 academic year.

Amendment No. 1 was adopted.

SB 968, as amended, was passed to third reading.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a committee meeting:

Capriglione on motion of E. Johnson.

SB 969 ON SECOND READING

(Leach, Alvarado, and Howard - House Sponsors)

SB 969, A bill to be entitled An Act relating to requiring certain public and private institutions of higher education to provide amnesty to students who report incidents of sexual assault.

Amendment No. 1

Representative Leach offered the following amendment to **SB 969**:

Amend **SB 969** (house committee report) as follows:

(1) On page 1, lines 8 and 9, strike "INCIDENTS OF SEXUAL ASSAULT" and substitute "CERTAIN INCIDENTS".

(2) On page 1, between lines 11 and 12, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

() "Dating violence" means abuse or violence, or a threat of abuse or violence, against a person with whom the actor has or has had a social relationship of a romantic or intimate nature.

(3) On page 1, between lines 20 and 21, insert the following appropriately numbered subdivisions:

() "Sexual harassment" means unwelcome, sex-based verbal or physical conduct that:

(A) in the employment context, unreasonably interferes with a person's work performance or creates an intimidating, hostile, or offensive work environment; or

(B) in the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student's ability to participate in or benefit from educational programs or activities at a postsecondary educational institution.

() "Stalking" means a course of conduct directed at a person that would cause a reasonable person to fear for the person's safety or to suffer substantial emotional distress.

(4) Strike page 1, line 21, through page 2, line 5, and substitute the following appropriately lettered subsections and reletter subsequent subsections and cross-references to those subsections accordingly:

() A postsecondary educational institution may not take any disciplinary action against a student enrolled at the institution who in good faith reports to the institution being the victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking for a violation by the student of the institution's code of conduct occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the institution's disciplinary process regarding the incident, if any.

() A postsecondary educational institution may investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, or stalking was made in good faith.

(5) On page 2, strike lines 9 and 10 and substitute the following:
the student's own commission or assistance in the commission of sexual harassment, sexual assault, dating violence, or stalking.

Amendment No. 1 was adopted.

SB 969, as amended, was passed to third reading.

SB 2006 ON SECOND READING
(Morrison - House Sponsor)

SB 2006, A bill to be entitled An Act relating to erecting or maintaining certain outdoor signs regulated by the Texas Department of Transportation.

Amendment No. 1

Representative Isaac offered the following amendment to **SB 2006**:

Amend **SB 2006** (house committee printing) as follows:

(1) On page 13, line 25, strike "or" and substitute "[~~or~~"]".

(2) On page 14, line 4, between "2502" and the period, insert the following:

; or

(20) in Hays County:

(A) Farm-to-Market Road 1826;

(B) Ranch-to-Market Road 150 between the western city limits of Kyle and Ranch-to-Market Road 12;

(C) Ranch-to-Market Road 12 between Farm-to-Market Road 2439 and U.S. Highway 290;

(D) Ranch-to-Market Road 2325;

(E) Ranch-to-Market Road 3237; and

(F) Ranch-to-Market Road 32

Amendment No. 1 was withdrawn.

SB 2006 was passed to third reading. (Rinaldi recorded voting no.)

SB 22 ON SECOND READING
(Lucio - House Sponsor)

SB 22, A bill to be entitled An Act relating to the establishment of a Pathways in Technology Early College High School (P-TECH) program and to the repeal of the tech-prep program.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Alvarado requested permission for the Committee on Urban Affairs to meet while the house is in session, at 7:56 p.m. today, in 1W.14, to consider **SB 1670**, **SB 2283**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Urban Affairs, 7:56 p.m. today, 1W.14, for a formal meeting, to consider **SB 1670**, **SB 2283**, and pending business.

SB 22 - (consideration continued)

SB 22 was passed to third reading by (Record 1395): 137 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; 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.

Nays — Stickland.

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

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf.

Absent, Excused, Committee Meeting — Capriglione; Schaefer; Zerwas.

Absent — Deshotel; King, T.

STATEMENT OF VOTE

When Record No. 1395 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

SB 22 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Huberty, Representatives Huberty, Howard, Giddings, and Parker were authorized as house sponsors to **SB 22**.

SB 81 ON SECOND READING
(S. Davis and Zerwas - House Sponsors)

SB 81, A bill to be entitled An Act relating to the operations of the Cancer Prevention and Research Institute of Texas; authorizing a trust company to charge the institute an investment fee.

Amendment No. 1

Representative S. Davis offered the following amendment to **SB 81**:

Amend **SB 81** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 102.003, Health and Safety Code, is amended to read as follows:

Sec. 102.003. SUNSET PROVISION. The Cancer Prevention and Research Institute of Texas is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the institute is abolished and this chapter expires September 1, 2023 [~~2024~~].

SECTION _____. Section 102.254, Health and Safety Code, is amended to read as follows:

Sec. 102.254. PERIOD FOR AWARDS. The oversight committee may not award money under Subchapter E [~~before January 1, 2008, or~~] after August 31, 2022 [~~2020~~].

Amendment No. 1 was adopted by (Record 1396): 93 Yeas, 45 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bonnen, D.; Burkett; Button; Clardy; Coleman; Collier; Cortez; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dukes; Elkins; Farrar; Flynn; Geren; Gervin-Hawkins; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; Klick; Koop; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; Workman; Wray; Wu.

Nays — Anderson, R.; Bell; Bonnen, G.; Burns; Burrows; Cain; Canales; Cook; Cospier; Cyrier; Dean; Faircloth; Fallon; Frank; Frullo; Goldman; Hefner; Holland; Hunter; Isaac; Keough; Krause; Kuempel; Landgraf; Lang; Laubenberg; Leach; Meyer; Miller; Murr; Parker; Phillips; Rinaldi; Sanford; Schubert; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Villalba; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf.

Absent, Excused, Committee Meeting — Capriglione; Schaefer; Zerwas.

Absent — Bohac; Deshotel; King, T.

STATEMENTS OF VOTE

When Record No. 1396 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 1396 was taken, I was shown voting no. I intended to vote yes.

Cook

When Record No. 1396 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1396 was taken, I was shown voting no. I intended to vote yes.

Frullo

When Record No. 1396 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 1396 was taken, I was shown voting no. I intended to vote yes.

Parker

When Record No. 1396 was taken, I was shown voting no. I intended to vote yes.

Villalba

When Record No. 1396 was taken, I was shown voting yes. I intended to vote no.

Workman

(Capriglione now present)

SB 81, as amended, was passed to third reading.

LEAVE OF ABSENCE GRANTED

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

Wu on motion of Turner.

SB 1045 ON SECOND READING

(Kacal - House Sponsor)

SB 1045, A bill to be entitled An Act relating to the consolidation of public notice requirements for certain air quality permit applications.

Amendment No. 1

Representative Howard offered the following amendment to **SB 1045**:

Amend **SB 1045** (house committee report) as follows:

(1) On page 1, line 13, strike "and".

(2) On page 1, line 16, between "(1)" and the underlined period, insert the following:

;

(3) the facility or federal source will use the best available control technology, considering the technical practicability and economic reasonableness of reducing or eliminating the emissions resulting from the facility or source; and

(4) no evidence indicates that the emissions from the facility or federal source will contravene the intent of this chapter, including the intent to protect public health and property

Amendment No. 1 failed of adoption by (Record 1397): 60 Yeas, 79 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Burkett; Canales; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Farrar; Geren; Gervin-Hawkins; González; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Huberty; Israel; Johnson, J.; King, T.; Koop; Lambert; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Stucky; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospier; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Hunter; Isaac; Johnson, E.; Kacal; Keough; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Meyer; Miller; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Roberts; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Swanson; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Schaefer; Zerwas.

Absent — Morrison; Thompson, E.

STATEMENTS OF VOTE

When Record No. 1397 was taken, I was shown voting yes. I intended to vote no.

Burkett

When Record No. 1397 was taken, I was shown voting yes. I intended to vote no.

Koop

When Record No. 1397 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

When Record No. 1397 was taken, I was shown voting yes. I intended to vote no.

Murphy

(Schaefer now present)

Amendment No. 2

Representative Morrison offered the following amendment to **SB 1045**:

Amend **SB 1045** (house committee report) as follows:

(1) On page 1, line 6, strike "Subsection (g-1)" and substitute "Subsections (g-1) and (g-2)".

(2) On page 1, between lines 16 and 17, insert the following:

(g-2) Commission rules adopted under Subsection (i) for consolidated notice under Subsection (g-1) must provide for a 60-day period in which a person may provide general comments, request a public meeting, or request a public hearing.

Representative Kacal moved to table Amendment No. 2.

The motion to table prevailed by (Record 1398): 77 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Alvarado; Anchia; Anderson, R.; Ashby; Bailes; Button; Cain; Clardy; Coleman; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Flynn; Frullo; Geren; Guerra; Hefner; Holland; Huberty; Hunter; Kacal; Keough; King, K.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Longoria; Lucio; Meyer; Muñoz; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raymond; Rinaldi; Roberts; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Smithee; Springer; Stickland; Stucky; Thompson, E.; Tinderholt; VanDeaver; Walle; White; Wilson; Workman; Wray; Zedler.

Nays — Allen; Alonzo; Anderson, C.; Arévalo; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Canales; Capriglione; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Fallon; Farrar; Frank; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Isaac; Israel; Johnson, E.; Johnson, J.; King, P.; Laubenberg; Leach; Lozano; Martinez; Miller; Minjarez; Moody; Morrison; Neave; Nevárez; Oliveira; Ortega; Perez; Raney; Rodriguez, E.; Rodriguez, J.; Schaefer; Simmons; Stephenson; Thierry; Thompson, S.; Turner; Uresti; Villalba; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Reynolds; Swanson.

STATEMENTS OF VOTE

When Record No. 1398 was taken, I was shown voting yes. I intended to vote no.

Anchia

When Record No. 1398 was taken, I was shown voting no. I intended to vote yes.

Isaac

When Record No. 1398 was taken, I was shown voting yes. I intended to vote no.

Phillips

SB 1045 was passed to third reading by (Record 1399): 87 Yeas, 53 Nays, 1 Present, not voting.

Yeas — Alvarado; Anderson, C.; Anderson, R.; Ashby; Bailes; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Cain; Capriglione; Clardy; Cook; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Flynn; Frullo; Geren; Goldman; Gonzales; Gooden; Guerra; Guillen; Hefner; Holland; Huberty; Hunter; Isaac; Johnson, J.; Kacal; Keough; King, K.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Lozano; Meyer; Miller; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Thompson, E.; Tinderholt; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Zedler.

Nays — Allen; Alonzo; Anchia; Arévalo; Bell; Bernal; Blanco; Bohac; Burrows; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Faircloth; Fallon; Farrar; Frank; Gervin-Hawkins; González; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; King, P.; Laubenberg; Leach; Longoria; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Swanson; Thierry; Thompson, S.; Turner; Uresti; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Romero; Rose.

STATEMENTS OF VOTE

When Record No. 1399 was taken, I was shown voting yes. I intended to vote no.

C. Anderson

When Record No. 1399 was taken, I was shown voting no. I intended to vote yes.

Burrows

When Record No. 1399 was taken, I was shown voting no. I intended to vote yes.

Fallon

When Record No. 1399 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 1399 was taken, I was shown voting yes. I intended to vote no.

Phillips

When Record No. 1399 was taken, I was shown voting no. I intended to vote yes.

Swanson

**SB 47 ON SECOND READING
(Wu - House Sponsor)**

SB 47, A bill to be entitled An Act relating to a study on the availability of information regarding convictions and deferred dispositions for certain misdemeanors punishable by fine only.

Representative Turner moved to postpone consideration of **SB 47** until 12 p.m. tomorrow.

The motion prevailed.

**CSSB 725 ON SECOND READING
(Bernal, Giddings, and Huberty - House Sponsors)**

CSSB 725, A bill to be entitled An Act relating to donation and distribution of surplus food at public schools and grace period policies for public school students with insufficient balances on prepaid meal cards.

CSSB 725 - POINT OF ORDER

Representative Stickland raised a point of order against further consideration of **CSSB 725**.

The point of order was withdrawn.

Representative Bernal moved to postpone consideration of **CSSB 725** until 8:17 p.m. today.

The motion prevailed.

SB 790 ON SECOND READING

(Howard, Alvarado, Minjarez, S. Davis, and Blanco - House Sponsors)

SB 790, A bill to be entitled An Act relating to the continuation of the women's health advisory committee.

SB 790 was passed to third reading. (Hunter and Rinaldi recorded voting no.)

SB 1187 ON SECOND READING

(Phillips - House Sponsor)

SB 1187, A bill to be entitled An Act relating to the offense of operating a motor vehicle without financial responsibility.

SB 1187 was passed to third reading.

SB 497 ON SECOND READING

(Wu - House Sponsor)

SB 497, A bill to be entitled An Act relating to the creation of an office of data analytics in the Department of Family and Protective Services.

Representative Minjarez moved to postpone consideration of **SB 497** until 12:30 p.m. tomorrow.

The motion prevailed.

SB 922 ON SECOND READING

(Gonzales - House Sponsor)

SB 922, A bill to be entitled An Act relating to the reimbursement of certain providers under the Medicaid program for the provision of telehealth services.

Amendment No. 1

Representative Romero offered the following amendment to **SB 922**:

Amend **SB 922** (house committee report) on page 1 between lines 13 and 14, by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions appropriately:

() a licensed marriage and family therapist;

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

SB 922, as amended, was passed to third reading. (Rinaldi recorded voting no.)

CSSB 1129 ON SECOND READING

(Herrero - House Sponsor)

CSSB 1129, A bill to be entitled An Act relating to franchises granted by navigation districts.

CSSB 1129 was passed to third reading.

SB 1220 ON SECOND READING
(Vo - House Sponsor)

SB 1220, A bill to be entitled An Act relating to ensuring continuity of education and access to higher education, career information, and skills certification for foster care youth and former foster care youth.

SB 1220 was passed to third reading.

CSSB 2227 ON SECOND READING
(Martinez - House Sponsor)

CSSB 2227, A bill to be entitled An Act relating to an increase in and the use of the fee for permits issued for the movement of oversize or overweight vehicles carrying cargo in Hidalgo County.

CSSB 2227 was passed to third reading. (Rinaldi recorded voting no.)

CSSB 2118 ON SECOND READING
(S. Davis, Howard, Laubenberg, et al. - House Sponsors)

CSSB 2118, A bill to be entitled An Act relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.

Amendment No. 1

Representative S. Davis offered the following amendment to **CSSB 2118**:

Amend **CSSB 2118** (house committee printing) as follows:

- (1) On page 6, line 19, strike "section" and substitute "subchapter".
- (2) On page 11, line 27, strike "section" and substitute "subchapter [section]".

Amendment No. 1 was adopted.

Amendment No. 2

Representatives D. Bonnen, Muñoz, and Craddick offered the following amendment to **CSSB 2118**:

Amend **CSSB 2118** as follows:

- (1) On page 2, line 16, strike "and applied technology" and substitute "applied technology, and nursing".
- (2) On page 2, line 17, strike "those".
- (3) On page 10, line 27, strike "and applied technology" and substitute "applied technology, and nursing".
- (4) On page 11, line 5, strike "or applied technology" and substitute "applied technology, or nursing".
- (5) On page 11, line 20, following the period, insert "This subsection does not apply to a public junior college authorized to offer baccalaureate degree programs under Section 130.303(a)".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Clardy offered the following amendment to **CSSB 2118**:

Amend **CSSB 2118** (house committee printing) as follows:

(1) On page 2, line 25, through page 4, line 21, strike the text and substitute the following:

SECTION 5. Section 130.0012(b-1), Education Code, is transferred to Subchapter L, Chapter 130, Education Code, as added by this Act, redesignated as Section 130.304, Education Code, and amended to read as follows:

Sec. 130.304. BACCALAUREATE IN DENTAL HYGIENE. ~~[(b-1)]~~ The coordinating board shall authorize ~~[establish a pilot project to examine the feasibility and effectiveness of authorizing]~~ baccalaureate degree programs in the field of dental hygiene at a public junior college that offers a degree program in that field, has a main campus located in the county seat of a county with a population greater than 200,000, and includes territory in at least six public school districts located in two counties. ~~[Subsection (g) does not apply to junior-level and senior-level courses offered under this subsection. In its recommendations to the legislature relating to state funding for public junior colleges, the coordinating board shall recommend that junior-level and senior-level courses offered under this subsection by a public junior college receive the same state support as other courses offered by the public junior college.]~~

(2) On page 10, line 21 through page 11, line 14, strike the text and substitute the following:

(b) Notwithstanding Subsection (a), in ~~[(g) In]~~ its recommendations to the legislature relating to state funding for public junior colleges, the coordinating board shall recommend that a public junior college authorized to offer baccalaureate degree programs under Section 130.303(a) or 130.304 receive substantially the same state support for junior-level and senior-level courses in the fields of applied science, applied technology, and dental hygiene offered under this subchapter [section] as that provided to a general academic teaching institution for substantially similar courses. For purposes of this subsection, in [In] determining the contact hours attributable to students enrolled in a junior-level or senior-level course in the field of applied science, applied technology, or dental hygiene offered under this subchapter [section] used to determine a public junior college's proportionate share of state appropriations under Section 130.003, the coordinating board shall weigh those contact hours as necessary to provide the junior college the appropriate level of state support to the extent state funds for those courses are included in the appropriations. This subsection does not prohibit the legislature from directly appropriating state funds to support junior-level and senior-level courses to which this subsection applies [offered under this section].

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

SECTION _____. Sections 130.0012(b-2) and (b-3), Education Code, are repealed.

SECTION _____. The changes in law made by this Act to Section 130.0012(b-1), Education Code, redesignated as Section 130.304, Education Code, apply beginning with funding recommendations made under Subchapter L, Chapter 130, Education Code, as added by this Act, for the state fiscal biennium beginning September 1, 2019.

Amendment No. 3 was adopted.

Amendment No. 4

Representatives Wray and Cook offered the following amendment to **CSSB 2118**:

Amend **CSSB 2118** (house committee printing) by striking page 6, lines 18 through 24, and substituting the following:

(b) A public junior college may offer a baccalaureate degree program under this section only if its junior college district received a positive assessment of the overall financial health of the district as reported by the coordinating board and:

(1) had a taxable property valuation amount of not less than \$6 billion in the preceding year; or

(2) has a service area that adjoins the Trinity River and that has boundaries contiguous with the boundaries of at least two counties, each of which has a population greater than one million.

Amendment No. 4 was withdrawn.

CSSB 2118, as amended, was passed to third reading. (Hunter and Rinaldi recorded voting no.)

SB 2076 ON SECOND READING
(Pickett - House Sponsor)

SB 2076, A bill to be entitled An Act relating to the titling of motor vehicles; creating a criminal offense and authorizing fees.

Amendment No. 1

Representative Pickett offered the following amendment to **SB 2076**:

Amend **SB 2076** (house committee report) as follows:

(1) On page 3, line 12, strike "and".

(2) On page 3, strike lines 13 through 16 and substitute the following:

(8) a statement indicating whether the vehicle may be subject to an inspection under Chapter 548 [if the vehicle has an odometer, the odometer reading at the time of application for the title]; and

(9) any other information required by the department.

(3) On page 4, line 22, strike "the inspections required by Chapter 548," and substitute "any ~~the~~ inspections required by Chapter 548,".

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

Amendment No. 2

Representative Pickett offered the following amendment to **SB 2076**:

Amend **SB 2076** (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. 2 was adopted.

Representative Pickett moved to postpone consideration of **SB 2076** until 5:45 a.m. tomorrow.

The motion prevailed.

SB 297 ON SECOND READING (Miller, et al. - House Sponsors)

SB 297, A bill to be entitled An Act relating to the compensatory time and overtime pay for commissioned officers of the Department of Public Safety.

SB 297 was passed to third reading.

POSTPONED BUSINESS

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

CSSB 725 ON SECOND READING (Bernal, Giddings, and Huberty - House Sponsors)

CSSB 725, A bill to be entitled An Act relating to donation and distribution of surplus food at public schools and grace period policies for public school students with insufficient balances on prepaid meal cards.

CSSB 725 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Stickland offered the following amendment to **CSSB 725**:

Amend **CSSB 725** (house committee printing) by striking SECTION 1 and SECTION 3 of the bill and renumbering the remaining SECTIONS of the bill.

Amendment No. 1 was adopted.

CSSB 725, as amended, was passed to third reading.

**GENERAL STATE CALENDAR
(consideration continued)**

**SB 1395 ON SECOND READING
(Perez - House Sponsor)**

SB 1395, A bill to be entitled An Act relating to the powers and duties of navigation districts and port authorities.

SB 1395 was passed to third reading.

SB 2118 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Lozano, Representative Phillips was authorized as a house sponsor to **SB 2118**.

**HCR 42 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HCR 42, Designating the city of Rockwall as the official Live Music Capital of North Texas for 10-year period beginning in 2017.

Representative Holland moved to concur in the senate amendments to **HCR 42**.

The motion to concur in the senate amendments to **HCR 42** prevailed by (Record 1400): 140 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Fairecloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; Schaefer; Schofield; 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.

Nays — Rinaldi.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Schubert.

Senate Committee Substitute

CSHCR 42

WHEREAS, The City of Rockwall has long been committed to fostering a dynamic arts scene in its community, and live music has played a vital role in that mission; and

WHEREAS, In 1999, the city government launched the Concert by the Lake Series, a four-week program of free concerts on the eastern shore of Lake Ray Hubbard; an instant triumph, the series spotlighted regional bands, with each show averaging 175 attendees during the inaugural season; the increasing popularity of the series caused it to be relocated to The Harbor, a retail and entertainment development, in 2007, and two years later, the program was expanded to offer 24 consecutive weeks of live music annually; since that time, the concerts have regularly drawn crowds of more than 7,000 people; and

WHEREAS, The success of the Concert by the Lake Series led to the formation of the city's Live Music Project, which has provided invaluable support to area artists and brought a wide variety of musical genres to the community; among the project's many benefits has been the creation of several outdoor venues, including amphitheaters at The Harbor and at Harry Myers Park and two permanent stages in the Historic Downtown District; those locations have hosted numerous visiting headliners as well as Rockwall Summer Musicals, the Rockwall Philharmonic Orchestra, and the San Jacinto Plaza Music Series, which presents over 50 free concerts each year; and

WHEREAS, Since 2004, the annual Rockwall Founders Day Festival has placed special emphasis on live music by featuring regional groups and world-touring acts alike, including such Texas music legends as Robert Earl Keen, Jerry Jeff Walker, and Asleep at the Wheel, as well as the Little River Band, the Marshall Tucker Band, and the Charlie Daniels Band; and

WHEREAS, Through the efforts of the City of Rockwall, local residents are now able to enjoy nearly 130 free live music performances each year, and the town's growing reputation as an important music hub has made it a popular destination for travelers from across Texas and beyond; now, therefore, be it

RESOLVED, That the 85th Legislature of the State of Texas hereby designate the city of Rockwall as an official Free Live Music Capital of North Texas and urge that free live music continue to be readily available to the residents and visitors of the Lone Star State; and, be it further

RESOLVED, That, in accordance with the provisions of Section 391.003(e), Government Code, this designation remain in effect until the 10th anniversary of its designation.

**HB 1625 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative D. Bonnen called up with senate amendments for consideration at this time,

HB 1625, A bill to be entitled An Act relating to the procedures for the enforcement by the General Land Office of the Oil Spill Prevention and Response Act of 1991.

Representative D. Bonnen moved to concur in the senate amendments to **HB 1625**.

The motion to concur in the senate amendments to **HB 1625** prevailed by (Record 1401): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Farrar; Springer.

STATEMENT OF VOTE

When Record No. 1401 was taken, I was in the house but away from my desk. I would have voted yes.

Springer

Senate Committee Substitute

CSHB 1625, A bill to be entitled An Act relating to the procedures for the enforcement by the General Land Office of the Oil Spill Prevention and Response Act of 1991.

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

SECTION 1. Section 40.108(c), Natural Resources Code, is amended to read as follows:

(c) The commissioner must comply with the requirements of Section 40.254 before removing or disposing of a vessel or structure described in Subsection (a), except that the commissioner may remove a vessel or structure without first providing notice and an opportunity for a hearing if the owner or operator of the vessel or structure, or a person acting on behalf of the owner or operator, is not taking reasonable steps to abate the discharge, threat, or hazard described by Subsection (a) and the vessel or structure:

- (1) is involved in an actual or threatened unauthorized discharge of oil;
- (2) creates an imminent and significant threat to life or property; or
- (3) creates a significant navigation hazard ~~[without a hearing].~~

SECTION 2. Section 40.254, Natural Resources Code, is amended by amending Subsections (b-1), (c-1), (c-2), and (d) and adding Subsections (c-3), (c-4), and (d-1) to read as follows:

(b-1) The preliminary report must:

- (1) state the facts that support the commissioner's conclusion;
- (2) in the case of a derelict vessel or structure, determine whether the vessel or structure is considered:

- (A) a numbered vessel; ~~[or]~~
- (B) a vessel or structure that has no intrinsic value; or
- (C) a vessel or structure described by Section 40.108(c)(1), (2), or

(3);

(3) recommend:

- (A) that a penalty be imposed;
- (B) that a certificate be suspended;
- (C) that a derelict vessel or structure be removed or disposed of;

~~[or]~~

(D) that a derelict vessel or structure be removed or disposed of because it is a vessel or structure described by Section 40.108(c)(1), (2), or (3); or

(E) any combination of remedies under Paragraphs (A)-(D) ~~[(A)-(C)]~~; and

(4) if a penalty under Subdivision (3)(A) is recommended, recommend the amount of the penalty.

(c-1) Except as provided by Subsection (c-3), the ~~[The]~~ notice required by Subsection (c) must be given:

(1) by service in person or by registered or certified mail, return receipt requested; or

(2) if personal service cannot be obtained or the address of the person is unknown, by posting a copy of the notice on the facility, vessel, or structure and by publishing notice on the Internet website of the General Land Office and in the Texas Register at least two times within 10 consecutive days.

(c-2) If notice is given in the manner provided by Subsection (c-1), not later than the 20th day after the date on which the notice is served or mailed, or not later than the 20th day after the later of the date on which the notice was posted or

the last date the notice was published, as applicable, the person charged with the violation or a person claiming ownership of the facility, vessel, or structure may consent in writing to the report, including the commissioner's recommendations, or make a written request for a hearing.

(c-3) The notice required by Subsection (c) must be given by posting a copy of the notice on a derelict vessel or structure or by publishing notice on the Internet website of the General Land Office for 10 consecutive days if the derelict vessel or structure has been determined to have no intrinsic value under Subsection (b-1) and:

(1) the vessel or structure is not a numbered vessel or structure;

(2) there are no identifiable markings on the vessel or structure for which the current owner can be reasonably identified for service; or

(3) the address of the person charged with the violation is unknown.

(c-4) If notice is given in the manner provided by Subsection (c-3), not ~~[(d) Not]~~ later than the 10th ~~[20th]~~ day after the date on which the notice was posted or the last date the notice was published ~~[is served]~~, the person charged with the violation or a person claiming ownership of the ~~[a]~~ vessel or structure ~~[for which notice is posted under Subsection (c-2)]~~ may consent in writing to the report, including the commissioner's recommendations, or make a written request for a hearing.

(d) If a vessel or structure is removed without notice as authorized by Section 40.108(c), the commissioner shall serve written notice of the removal to the person charged with the violation not later than the 10th day after the date on which the removal occurs. The removal notice must:

(1) include the information required to be in a preliminary report notice under Subsection (c); and

(2) be provided in the manner described by Subsection (c-1), except that notice provided under the circumstances described by Subsection (c-1)(2) is not required to be posted on the vessel or structure.

(d-1) If notice is given in the manner provided by Subsection (d), not later than the 20th day after the date on which the notice is served or mailed, or not later than the 20th day after the last date the notice was published, as applicable, the person charged with the violation or a person claiming ownership of the vessel or structure may consent in writing to the report, including the commissioner's recommendations, or make a written request for a hearing.

SECTION 3. Section 40.254(e), Natural Resources Code, is amended by amending Subdivision (1) and adding Subdivision (3) to read as follows:

(1) If the person charged with the violation or a person claiming ownership of a facility, vessel, or structure for which notice is provided under Subsection (c-1), (c-3), or (d) ~~[posted under Subsection (c-2)]~~ consents to the commissioner's recommendations or does not timely respond to the notice, the commissioner by order shall take the recommended action or order a hearing to be held on the findings and recommendations in the report.

(3) The commissioner is not required to provide notice under Subdivision (2) of this subsection if notice was provided under Subsection (c-1)(2), (c-3), or (d) and the subject of the notice is a vessel or structure that was removed in the manner provided by Section 40.108.

SECTION 4. Section 40.254(f)(1), Natural Resources Code, is amended to read as follows:

(1) If the person charged with the violation or a person claiming ownership of a facility, vessel, or structure for which notice is provided under Subsection (c-1), (c-3), or (d) ~~[posted under Subsection (e-2)]~~ requests a hearing, the commissioner shall order a hearing and shall give written notice of that hearing.

SECTION 5. Section 40.254(g)(1), Natural Resources Code, is amended to read as follows:

(1) Not later than the 30th day after the date on which the commissioner's order is final, the person charged with the violation or a person claiming ownership of the facility, ~~[a]~~ vessel, or structure ~~[for which notice is posted under Subsection (e-2)]~~ shall comply with the order or file a petition for judicial review.

SECTION 6. The changes in law made by this Act apply only to an enforcement proceeding commenced by the General Land Office on or after the effective date of this Act. A proceeding commenced before the effective date of this Act is governed by the law in effect on the date the proceeding was commenced, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect September 1, 2017.

HB 1697 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 1697, A bill to be entitled An Act relating to the establishment of a pediatric health tele-connectivity resource program for rural Texas.

Representative Price moved to concur in the senate amendments to **HB 1697**.

The motion to concur in the senate amendments to **HB 1697** prevailed by (Record 1402): 141 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; 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.

Nays — Rinaldi.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

Senate Committee Substitute

CSHB 1697, A bill to be entitled An Act relating to the establishment of a pediatric health tele-connectivity resource program for rural Texas.

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

SECTION 1. Subtitle I, Title 4, Government Code, is amended by adding Chapter 541 to read as follows:

CHAPTER 541. PEDIATRIC TELE-CONNECTIVITY RESOURCE PROGRAM FOR RURAL TEXAS

Sec. 541.001. DEFINITIONS. In this chapter:

(1) "Nonurban health care facility" means a hospital licensed under Chapter 241, Health and Safety Code, or other licensed health care facility in this state that is located in a rural area as defined by Section 845.002, Insurance Code.

(2) "Pediatric specialist" means a physician who is certified in general pediatrics by the American Board of Pediatrics or American Osteopathic Board of Pediatrics.

(3) "Pediatric subspecialist" means a physician who is certified in a pediatric subspecialty by a member board of the American Board of Medical Specialties or American Osteopathic Board of Pediatrics.

(4) "Pediatric tele-specialty provider" means a pediatric health care facility in this state that offers continuous access to telemedicine medical services provided by pediatric subspecialists.

(5) "Physician" means a person licensed to practice medicine in this state.

(6) "Program" means the pediatric tele-connectivity resource program for rural Texas established under this chapter.

(7) "Telemedicine medical services" means health care services delivered to a patient:

(A) by a physician acting within the scope of the physician's license or a health professional acting under the delegation and supervision of a physician and within the scope of the health professional's license;

(B) from a physical location that is different from the patient's location; and

(C) using telecommunications or information technology.

Sec. 541.002. PEDIATRIC TELE-CONNECTIVITY RESOURCE PROGRAM FOR RURAL TEXAS. The commission with any necessary assistance of pediatric tele-specialty providers shall establish a pediatric tele-connectivity resource program for rural Texas to award grants to nonurban health care facilities to connect the facilities with pediatric specialists and pediatric subspecialists who provide telemedicine medical services.

Sec. 541.003. USE OF GRANT. A nonurban health care facility awarded a grant under this chapter may use grant money to:

(1) purchase equipment necessary for implementing a telemedicine medical service;

(2) modernize the facility's information technology infrastructure and secure information technology support to ensure an uninterrupted two-way video signal that is compliant with the Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191);

(3) pay a service fee to a pediatric tele-specialty provider under an annual contract with the provider; or

(4) pay for other activities, services, supplies, facilities, resources, and equipment the commission determines necessary for the facility to use a telemedicine medical service.

Sec. 541.004. SELECTION OF GRANT RECIPIENTS. (a) The commission with any necessary assistance of pediatric tele-specialty providers may select an eligible nonurban health care facility to receive a grant under this chapter.

(b) To be eligible for a grant under this chapter, a nonurban health care facility must have:

(1) a quality assurance program that measures the compliance of the facility's health care providers with the facility's medical protocols;

(2) on staff at least one full-time equivalent physician who has training and experience in pediatrics and one person who is responsible for ongoing nursery and neonatal support and care;

(3) a designated neonatal intensive care unit or an emergency department;

(4) a commitment to obtaining neonatal or pediatric education from a tertiary facility to expand the facility's depth and breadth of telemedicine medical service capabilities; and

(5) the capability of maintaining records and producing reports that measure the effectiveness of a grant received by the facility under this chapter.

Sec. 541.005. GIFTS, GRANTS, AND DONATIONS. (a) The commission may solicit and accept gifts, grants, and donations from any public or private source for the purposes of this chapter.

(b) A political subdivision that participates in the program may pay part of the costs of the program.

Sec. 541.006. WORK GROUP. (a) The commission may establish a program work group to:

(1) assist the commission with developing, implementing, or evaluating the program; and

(2) prepare a report on the results and outcomes of the grants awarded under this chapter.

(b) A member of a program work group established under this section is not entitled to compensation for serving on the program work group and may not be reimbursed for travel or other expenses incurred while conducting the business of the program work group.

(c) A program work group established under this section is not subject to Chapter 2110.

Sec. 541.007. REPORT TO GOVERNOR AND LEGISLATURE. Not later than December 1 of each even-numbered year, the commission shall submit a report to the governor and members of the legislature regarding the activities of the program and grant recipients, including the results and outcomes of grants awarded under this chapter.

Sec. 541.008. RULES. The executive commissioner may adopt rules necessary to implement this chapter.

Sec. 541.009. SPECIFIC APPROPRIATION REQUIRED. The commission may not spend state funds to accomplish the purposes of this chapter and is not required to award a grant under this chapter unless money is appropriated for the purposes of this chapter.

SECTION 2. Not later than December 1, 2017, the Health and Human Services Commission shall establish and implement the pediatric tele-connectivity resource program for rural Texas authorized by Chapter 541, Government Code, as added by this Act.

SECTION 3. Not later than December 1, 2018, the Health and Human Services Commission shall provide the initial report to the governor and the legislature as required by Section 541.007, Government Code, as added by this Act.

SECTION 4. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 5. This Act takes effect September 1, 2017.

HB 1128 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 1128, A bill to be entitled An Act relating to the date and time for the public sale of real property.

Representative Wray moved to concur in the senate amendments to **HB 1128**.

The motion to concur in the senate amendments to **HB 1128** prevailed by (Record 1403): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Geren; King, T.

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

Amend **HB 1128** (senate committee report) as follows:

(1) In SECTION 4 of the bill, in the recital (page 1, line 55), strike "Subsection (r-1)" and substitute "Subsections (r-1) and (r-2)".

(2) In SECTION 4 of the bill, in added Section 34.01(r-1), Tax Code (page 1, line 56), strike "including" and substitute "other than".

(3) In SECTION 4 of the bill, in amended Section 34.01, Tax Code (between page 1, line 61, and page 2, line 1), after added Subsection (r-1), insert the following:

(r-2) A sale of real property conducted by means of a public auction using online bidding and sale under Subsection (a-1) may begin at any time and must conclude at 4 p.m. on the first Tuesday of a month or, if the first Tuesday of a month occurs on January 1 or July 4, at 4 p.m. on the first Wednesday of the month.

Senate Amendment No. 2 (Senate Floor Amendment No. 2)

Amend **HB 1128** (senate committee report) by striking SECTION 7 of the bill (page 2, lines 18-22) and substituting the following:

SECTION 7. This Act takes effect September 1, 2017.

HB 1761 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 1761, A bill to be entitled An Act relating to jurisdiction of the Texas Supreme Court.

Representative Smithee moved to concur in the senate amendments to **HB 1761**.

The motion to concur in the senate amendments to **HB 1761** prevailed by (Record 1404): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Fairecloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Hinojosa.

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

Amend **HB 1761** (senate committee report) as follows:

(1) In SECTION 1 of the bill, amending Section 22.001(c), Government Code (page 1, line 53), between "subsection" and the comma, insert "or other law".

(2) In SECTION 5 of the bill (page 2, lines 28 and 29), strike "rendered" in both instances it is stated and substitute "signed".

HB 2437 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 2437, A bill to be entitled An Act relating to confidentiality of reports and related information for a solvency examination of an insurance carrier.

Representative Phillips moved to concur in the senate amendments to **HB 2437**.

The motion to concur in the senate amendments to **HB 2437** prevailed by (Record 1405): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Bernal.

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

Amend **HB 2437** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In amended Section 401.058(a), Insurance Code (page 1, line 25), strike "Except as provided by Subsection (c), a [A]" and substitute "A".

(2) In added Section 401.058(c), Insurance Code (page 1, line 36), between "regulatory action" and "that", insert "relating to the administration of this code".

HB 791 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 791, A bill to be entitled An Act relating to allowing certain individuals appointed by the governor to state office to file required financial statements by certified mail.

Representative Lozano moved to concur in the senate amendments to **HB 791**.

The motion to concur in the senate amendments to **HB 791** prevailed by (Record 1406): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Zedler.

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

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

STATEMENT OF VOTE

When Record No. 1406 was taken, I was shown voting present, not voting. I intended to vote yes.

Thierry

Senate Committee Substitute

CSHB 791, A bill to be entitled An Act relating to allowing individuals appointed to state office to file required financial statements by certified mail.

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

SECTION 1. Section 572.0291, Government Code, is amended to read as follows:

Sec. 572.0291. ELECTRONIC FILING REQUIRED. (a) Except as provided by Subsection (b), a [A] financial statement filed with the commission must be filed by computer diskette, modem, or other means of electronic transfer, using computer software provided by the commission or computer software that meets commission specifications for a standard file format.

(b) An individual who was appointed to office and who is required to file a financial statement with the commission under this subchapter may file the financial statement by certified mail. The filing by mail must be in compliance with Section 572.029.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

**HB 1691 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 1691, A bill to be entitled An Act relating to the designation of certain rest areas on Interstate Highway 27 in Hale County as the Nelda Laney Safety Stops.

Representative Smithee moved to concur in the senate amendments to **HB 1691**.

The motion to concur in the senate amendments to **HB 1691** prevailed by (Record 1407): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Allen; Farrar; Paddie.

STATEMENT OF VOTE

When Record No. 1407 was taken, I was shown voting yes. I intended to vote no.

Parker

Senate Committee Substitute

CSHB 1691, A bill to be entitled An Act relating to the designation of certain rest areas on Interstate Highway 27 in Hale County as the Nelda M. Laney Safety Rest Areas.

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

SECTION 1. Subchapter Y, Chapter 201, Transportation Code, is amended by adding Section 201.2003 to read as follows:

Sec. 201.2003. NELDA M. LANEY SAFETY REST AREAS. (a) The northbound and southbound rest areas located on Interstate Highway 27 in Hale County are designated as the Nelda M. Laney Safety Rest Areas.

(b) The department shall design and construct markers at each rest area described by Subsection (a) indicating the designation of those rest areas as the Nelda M. Laney Safety Rest Areas and any other appropriate information.

(c) The department shall erect markers at appropriate locations at the rest areas.

(d) Notwithstanding Subsections (b) and (c), the department is not required to design, construct, or erect a marker under this section unless a grant or donation of private funds is made to the department to cover the cost of the design, construction, and erection of the marker.

(e) Money received under Subsection (d) shall be deposited to the credit of the state highway fund.

SECTION 2. This Act takes effect September 1, 2017.

HB 2964 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

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

Representative Meyer moved to concur in the senate amendments to **HB 2964**.

The motion to concur in the senate amendments to **HB 2964** prevailed by (Record 1408): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

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

Amend **HB 2964** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 72.1021, Property Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A holder of shares of a mutual fund shall notify the owner of the shares when the owner makes the initial purchase of shares in the fund that the owner may designate a representative under Subsection (a).

SECTION 2. This Act takes effect September 1, 2017.

HB 1526 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative P. King called up with senate amendments for consideration at this time,

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

Representative P. King moved to concur in the senate amendments to **HB 1526**.

The motion to concur in the senate amendments to **HB 1526** prevailed by (Record 1409): 141 Yeas, 1 Nays, 1 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; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; Zedler.

Nays — Anchia.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

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

Amend **HB 1526** (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Sections 1551.114(e), (f), and (g), Insurance Code, are amended to read as follows:

(e) ~~The state [An active employee described by Subsection (d) is not eligible to receive a state contribution under Subchapter G for premiums. The community justice assistance division of the Texas Department of Criminal Justice] is responsible for payment of the contributions for each of a department's participating active employees and the employees' dependents [that the state would make] under Subchapter G [if the employees were state employees. Each covered active employee shall pay that portion of the cost of group coverages selected by the employee that exceeds the amount of division contributions].~~

(f) A retired employee is eligible to participate in the group benefits program on application to the board of trustees. On application, a retired employee is automatically covered by the basic coverage for annuitants unless the retired employee specifically waives coverage or unless the retired employee is expelled from the program. ~~The state [A retired employee is not eligible to receive a state contribution under Subchapter G for premiums. The community justice assistance division of the Texas Department of Criminal Justice] is responsible for payment of the contributions for each of a department's retired employees and the retired employees' participating dependents [that the state would make] under Subchapter G [if the retired employees were retired state employees. Each participating retired employee shall pay that portion of the cost of group coverage selected by the retired employee that exceeds the amount of division contributions].~~ The retired employee shall pay contributions required from the retired employee in the manner prescribed by the board of trustees. Each community supervision and corrections department shall notify each of its retired employees of the eligibility for participation and the costs associated with participation.

(g) All contributions received under this section from the ~~state [community justice assistance division of the Texas Department of Criminal Justice]~~, active employees of community supervision and corrections departments, and retired employees of community supervision and corrections departments for basic, optional, and voluntary coverages under the group benefits program shall be paid into the employees life, accident, and health insurance and benefits fund and shall be used by the board of trustees to provide those coverages as provided by this chapter.

SECTION _____. Section 509.011(a-1), Government Code, and Section 1551.322, Insurance Code, are repealed.

**HB 3101- HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 3101, A bill to be entitled An Act relating to authorizing the sale of alcoholic beverages on certain passenger buses; authorizing a fee.

Representative Kuempel moved to concur in the senate amendments to **HB 3101**.

The motion to concur in the senate amendments to **HB 3101** prevailed by (Record 1410): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; 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; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

Senate Committee Substitute

CSHB 3101, A bill to be entitled An Act relating to authorizing the sale of alcoholic beverages on certain passenger buses; authorizing a fee.

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

SECTION 1. Section 11.38(d), Alcoholic Beverage Code, is amended to read as follows:

(d) The following are exempt from the fee authorized in this section:

(1) agent's, airline beverage, passenger train beverage, passenger bus beverage, industrial, carrier's, private carrier's, private club registration, local cartage, storage, and temporary wine and beer retailer's permits;

(2) a wine and beer retailer's permit issued for a dining, buffet, or club car; and

(3) a mixed beverage permit during the three-year period following the issuance of the permit.

SECTION 2. Subtitle A, Title 3, Alcoholic Beverage Code, is amended by adding Chapter 48A to read as follows:

CHAPTER 48A. PASSENGER BUS BEVERAGE PERMIT

Sec. 48A.01. AUTHORIZED ACTIVITIES; APPLICABILITY OF CHAPTER. The holder of a passenger bus beverage permit:

(1) has the same rights with respect to the sale of alcoholic beverages on a passenger bus, as described by Section 48A.03(a), as the holder of an airline beverage permit has with respect to the sale of alcoholic beverages on a commercial passenger airplane under Section 34.01; and

(2) may store alcoholic beverages at the permitted location.

Sec. 48A.02. FEE. The annual fee for a passenger bus beverage permit is \$500.

Sec. 48A.03. ELIGIBILITY FOR PERMIT; APPLICATION AND PAYMENT OF FEE. (a) The commission or administrator may issue a passenger bus beverage permit to any corporation operating a commercial passenger bus service in or through the state using a passenger bus that:

(1) is designed and used for the regularly scheduled intercity transportation of passengers for compensation;

(2) is characterized by integral construction with:

(A) an elevated passenger deck over a baggage compartment;

(B) a passenger seating capacity of at least 16 and not more than

36; and

(C) a separate galley area;

(3) is at least 35 feet in length; and

(4) while transporting passengers for compensation, also transports an

attendant who:

(A) is not the operator of the bus; and

(B) has attended a commission-approved seller training program.

(b) Application and payment of the fee shall be made directly to the commission.

Sec. 48A.04. EXEMPTION FROM TAXES. The preparation and service of alcoholic beverages by the holder of a passenger bus beverage permit is exempt from a tax imposed by this code and from the tax imposed by Chapter 151, Tax Code.

Sec. 48A.05. SALE OF LIQUOR TO PERMITTEE. Only a holder of a wholesale permit may sell liquor to a holder of a passenger bus beverage permit. A sale of liquor to a holder of a passenger bus beverage permit shall be considered as a sale at retail to a consumer.

Sec. 48A.06. INAPPLICABLE PROVISION. Section 109.53 does not apply to a passenger bus beverage permit.

SECTION 3. Section 101.46(b), Alcoholic Beverage Code, is amended to read as follows:

(b) Subsection (a) of this section does not apply to permittees or licensees while engaged in supplying airline beverage, ~~or~~ mixed beverage, or passenger bus beverage permittees, nor to the possession or sale of liquor by an airline beverage, ~~or~~ mixed beverage, or passenger bus beverage permittee, but none of the permittees or licensees covered by this subsection may possess liquor in a container with a capacity of less than one fluid ounce.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SB 725 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Huberty, Representatives Alonzo, Anchia, Arévalo, Biedermann, Blanco, D. Bonnen, Burrows, Cain, Canales, Coleman, Cosper, Farrar, Guillen, Hinojosa, Howard, J. Johnson, Krause, Lucio, Martinez, Meyer, Miller, Minjarez, Neave, Ortega, Parker, Perez, Price, Raymond, Reynolds, E. Rodriguez, J. Rodriguez, Romero, Schubert, Springer, Stucky, Thierry, E. Thompson, S. Thompson, Turner, Uresti, VanDeaver, Villalba, and White were authorized as house sponsors to **SB 725**.

SB 2084 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Huberty, Representative Workman was authorized as a house sponsor to **SB 2084**.

HB 1819 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 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 concur in the senate amendments to **HB 1819**.

The motion to concur in the senate amendments to **HB 1819** prevailed by (Record 1411): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; 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; 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; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

STATEMENTS OF VOTE

When Record No. 1411 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 1411 was taken, I was shown voting yes. I intended to vote no.

Howard

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

Amend **HB 1819** (senate committee report) in SECTION 1 of the bill, in amended Section 46.05(a)(1), Penal Code (page 1, line 30), between "or" and "classified", by inserting "otherwise not subject to that registration requirement or unless the item is".

HB 920 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 920, A bill to be entitled An Act relating to the operation of all-terrain vehicles and recreational off-highway vehicles.

Representative Kacal moved to concur in the senate amendments to **HB 920**.

The motion to concur in the senate amendments to **HB 920** prevailed by (Record 1412): 140 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Gooden; Guerra;

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

Nays — Schaefer.

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

Absent, Excused — Biedermann; Dutton; Giddings; Herrero; Metcalf; Wu.

Absent, Excused, Committee Meeting — Zerwas.

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

Amend **HB 920** (senate committee printing) in SECTION 1 of the bill, in amended Section 663.037(g), Transportation Code (page 1, lines 55-61), by striking Subdivisions (3)-(5) and substituting the following:

(3) the vehicle's headlights and taillights are illuminated;

(4) the operator [~~office~~] holds a driver's license, as defined by Section 521.001; and

(5) the operation of the all-terrain vehicle does not exceed a distance of 25 miles from the point of origin to the destination.

Senate Amendment No. 2 (Senate Floor Amendment No. 2)

Amend Amendment No. 1 by Creighton, to **HB 920**, on page 1, line 10, by striking "25" and substituting "10 [~~25~~]"

SB 21 - REQUEST OF SENATE GRANTED CONFERENCE COMMITTEE APPOINTED

On motion of Representative P. King, the house granted the request of the senate for the appointment of a Conference Committee on **SB 21**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 21**: P. King, chair; Darby, K. King, Gonzales, and S. Thompson.

SB 527 - REQUEST OF SENATE GRANTED CONFERENCE COMMITTEE APPOINTED

On motion of Representative Cook, the house granted the request of the senate for the appointment of a Conference Committee on **SB 527**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 527**: Cook, chair; J. Rodriguez, Burns, Kacal, and Moody.

**SB 1070 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Frullo, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1070**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1070**: Frullo, chair; Smithee, Phillips, Turner, and Muñoz.

**SB 179 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Minjarez, the house granted the request of the senate for the appointment of a Conference Committee on **SB 179**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 179**: Minjarez, chair; Huberty, Bernal, Moody, and Faircloth.

**SB 1289 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Paddie, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1289**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1289**: Paddie, chair; Darby, Ashby, Phelan, and Lucio.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

County Affairs, upon final adjournment today, Desk 35, for a formal meeting, to consider pending business.

ADJOURNMENT

Representatives J. Rodriguez, Hunter, and Meyer moved that the house adjourn until 10:30 a.m. tomorrow in memory of Scott Deem of San Antonio and Jewel Andrews.

The motion prevailed.

The house accordingly, at 9:02 p.m., adjourned until 10:30 a.m. tomorrow.

ADDENDUM

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

Senate List No. 20

SB 12, SB 203, SB 511, SB 667, SB 735, SB 752, SB 877, SB 1305, SB 1367, SB 1895, SB 1954, SB 2082

Senate List No. 21

SB 46, SB 1107, SB 1300, SB 1476, SB 1488, SB 2027, SB 2053

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Friday, May 19, 2017 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 66 Guillen SPONSOR: Zaffirini
Relating to determining eligibility for a Texas Armed Services Scholarship and to the appointment by certain elected officials of students to receive that scholarship.
(Committee Substitute)

HB 129 Craddick SPONSOR: Estes
Relating to the manner in which a payor of proceeds derived from the sale of oil or gas production is required to provide certain information to a royalty interest owner.
(Committee Substitute)

HB 239 Hernandez SPONSOR: Whitmire
Relating to a report regarding the confinement of pregnant inmates by the Texas Department of Criminal Justice.

HB 1771 Price SPONSOR: Seliger

Relating to the use of certain weapons in or on the beds or banks of the Canadian River in Potter County.

HB 1779 Dale SPONSOR: Perry
 Relating to the authority of the Department of Public Safety to obtain and use criminal history record information for the purpose of performing certain departmental functions.
 (Amended)

HB 2359 Ortega SPONSOR: Rodríguez
 Relating to common nuisances.

HB 2425 Price SPONSOR: Taylor, Van
 Relating to a requirement that a hospital allow a patient to designate a caregiver to receive aftercare instruction regarding the patient.

HB 3488 Hinojosa, Gina SPONSOR: Estes
 Relating to authorizing public benefit corporations.

HB 3903 Burkett SPONSOR: Huffman
 Relating to certain political contributions by judicial candidates and officeholders and certain political committees.
 (Amended)

HB 3954 Gonzales, Larry SPONSOR: Schwertner
 Relating to the creation and operations of health care provider participation programs in certain counties.

SB 95 Hall
 Relating to the regulation of raw milk and raw milk products; adding a provision subject to a criminal penalty.

SB 1939 Hughes
 Relating to permits for the movement of intermodal shipping containers; authorizing a fee.

Respectfully,
 Patsy Spaw
 Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
 SENATE CHAMBER
 Austin, Texas
 Friday, May 19, 2017 - 3

The Honorable Speaker of the House
 House Chamber
 Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

- HB 62** Craddick SPONSOR: Zaffirini
Relating to the use of a wireless communication device while operating a motor vehicle; creating a criminal offense; modifying existing criminal penalties.
(Committee Substitute)
- HB 471** Johnson, Eric SPONSOR: Hancock
Relating to permitting credit unions and other financial institutions to award prizes by lot to promote savings.
- HB 572** Stephenson SPONSOR: Kolkhorst
Relating to the disposal of pesticides.
- HB 594** VanDeaver SPONSOR: Hughes
Relating to procedures for the dissolution of a county hospital authority.
- HB 639** Anderson, Charles "Doc" SPONSOR: Menéndez
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.
- HB 970** Cortez SPONSOR: Uresti
Relating to the establishment of a state plan for *Streptococcus pneumoniae* education and prevention.
- HB 1083** Perez SPONSOR: Rodríguez
Relating to authorizing a regulatory authority to establish reduced water utility rates funded by donations for the benefit of certain elderly customers.
- HB 1178** Kuempel SPONSOR: Hinojosa
Relating to the punishment for burglary and theft involving controlled substances.
(Committee Substitute)
- HB 1442** Wu SPONSOR: Burton
Relating to the release of certain defendants pending a motion for new trial or an appeal from a misdemeanor conviction.
- HB 1780** Dale SPONSOR: Birdwell
Relating to requirements for membership in the reserve officer corps of the Department of Public Safety of the State of Texas.
- HB 1891** Nevárez SPONSOR: Uresti
Relating to a documented member of the Kickapoo Traditional Tribe of Texas hunting certain deer.
(Committee Substitute)
- HB 2950** Burkett SPONSOR: Hinojosa
Relating to the continuation and functions of the Texas Board of Nursing and to the regulation of the practice of nursing.
(Committee Substitute/Amended)
- HB 3051** King, Phil SPONSOR: Hinojosa
Relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.
- HB 3078** Thompson, Senfronia SPONSOR: Schwertner

Relating to sunset review of the Texas Commission of Licensing and Regulation and the Texas Department of Licensing and Regulation and the transfer of the regulation of podiatry to the Texas Department of Licensing and Regulation; authorizing a reduction in fees.

(Committee Substitute/Amended)

HB 3177 Lucio III SPONSOR: Estes
Relating to the delegation of matters to the executive director of the Texas Commission on Environmental Quality.
(Committee Substitute)

HB 3227 King, Tracy O. SPONSOR: Lucio
Relating to the administration and enforcement of produce safety standards by the Department of Agriculture; authorizing an administrative penalty.

HB 3237 Moody SPONSOR: Whitmire
Relating to the return of executed search warrants and the public availability of search warrant affidavits.

HJR 37 Johnson, Eric SPONSOR: Hancock
Proposing a constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 19, 2017 - 4

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 561 Murphy SPONSOR: Kolkhorst
Relating to the operation of certain vehicles used for package delivery; authorizing a fee.

HB 1291 Geren SPONSOR: Campbell
Relating to the instructional material list and supplemental instructional materials and the inclusion of American principles in those materials and the public school curriculum.
(Committee Substitute/Amended)

HB 1355 Wray SPONSOR: Birdwell
Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.

HB 1570 Burns SPONSOR: Birdwell
Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.

HB 1860 Cyrier SPONSOR: Menéndez
Relating to access to criminal history record information by the adjutant general.

HB 2115 Klick SPONSOR: Hancock
Relating to the issuance of specialty license plates for persons who serve or have served in the Third United States Infantry Regiment as a guard for the Tomb of the Unknown Soldier.
(Amended)

HB 2504 Hernandez SPONSOR: Garcia
Relating to the compensation provided to the governing body of certain special districts.

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 533
Senate Conferees: Nelson - Chair/Hinojosa/Huffman/Nichols/Schwertner
Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 18

Business and Industry - **SB 1215**

County Affairs - **SB 692**

Criminal Jurisprudence - **SB 323, SB 413, SB 631, SB 1250, SB 1253, SB 1322, SB 1649, SB 1790, SB 1913, SB 2238**

Defense and Veterans' Affairs - **SB 49, SB 102, SB 441, SB 544, SB 588, SB 591, SB 805, SB 1371, SB 1677, SB 1698, SB 1843, SB 1936, SCR 51**

Environmental Regulation - **SB 546**

General Investigating and Ethics - **SB 73**

Government Transparency and Operation - **SB 79, SB 564**

Higher Education - **SB 50, SB 249, SB 331, SB 491, SB 537, SB 719, SB 810, SB 1066, SB 2048**

Homeland Security and Public Safety - **SB 263, SB 349, SB 838, SB 840, SB 848, SB 1024, SB 1805, SB 1807, SB 1975**

Human Services - **SB 738, SB 932, SB 933, SB 948, SB 1208, SB 1314, SB 1444, SB 1764, SB 1922, SCR 33**

Insurance - **SB 1449, SB 1450**

Judiciary and Civil Jurisprudence - **SB 39, SB 43**

Natural Resources - **SB 1842**

Pensions - **SB 55, SB 1663, SB 1664, SB 1665, SB 1735**

Public Education - **SB 490, SB 1784, SB 1873, SB 2039, SB 2078, SB 2188, SB 2270**

Public Health - **SB 1326, SB 1520**

Special Purpose Districts - **SB 320, SB 321, SB 554, SB 625, SB 905, SB 914, SB 1489, SB 2263, SB 2267, SB 2271, SB 2273, SB 2274, SB 2275, SB 2277, SB 2284, SB 2285, SB 2286, SB 2287, SB 2290**

State Affairs - **SB 1910, SJR 34**

Transportation - **SB 364, SB 365, SB 399, SB 1062, SB 1131, SB 1251, SB 1834, SCR 37**

Urban Affairs - **SB 744, SB 1015, SB 1656**

Ways and Means - **SB 669**

ENROLLED

May 18 - HB 999, HB 1101, HB 1501, HB 1586, HB 1619, HB 1774, HB 2126

SENT TO THE GOVERNOR

May 18 - HB 88, HB 100, HB 216, HB 256, HB 263, HB 294, HB 544, HB 635, HB 728, HB 873, HB 886, HB 979, HB 1073, HB 1116, HB 1197, HB 1221, HB 1227, HB 1345, HB 1406, HB 1428, HB 1432, HB 1433, HB 1456, HB 1555, HB 1584, HB 1655, HB 1701, HB 1709, HB 1790, HB 1793, HB 2027, HB 2056, HB 2060, HB 2061, HB 2065, HB 2113, HB 2299, HB 2579, HB 2580, HB 2582, HB 2823, HB 2968, HB 3536, HB 4156, HCR 31

SIGNED BY THE GOVERNOR

May 18 - HB 217, HB 1791, HB 1982, HCR 141

FILED WITHOUT THE GOVERNOR'S SIGNATURE

May 18 - HB 1331, HB 1439, HB 1440, HB 1445, HB 1448, HB 1664, HB 1962, HB 2134, HB 4300