

# HOUSE JOURNAL

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EIGHTY-SIXTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

FIFTY-SIXTH DAY — WEDNESDAY, MAY 1, 2019

The house met at 10:02 a.m. and was called to order by the speaker.

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

Present — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Absent, Excused — Johnson, E.

The invocation was offered by Dr. David Higgs, pastor, First Baptist Church, Henderson, as follows:

Heavenly Father, we pause today to recognize your authority in our lives. God, we are grateful for our great State of Texas and for our nation. You have blessed us in so many ways. We certainly acknowledge you as the source of those blessings and for those blessings we thank you. We ask for your continued guidance and blessings upon our state. Today, I pray for these our leaders who are gathered in this room. Lord, may you give them wisdom and guidance as they make decisions. God, many of these decisions are extremely difficult decisions, so please grant our leaders extraordinary wisdom from above. Thank you for their willingness to labor in this capacity. May you bless each one of these leaders for their service. Lord, I pray that love for another and peace would be dominant in

this place and all throughout our state. God, it is our prayer that with your mighty hand you would bless Texas and that you would meet the needs of our citizens here in this great state. In the name of your son, I pray these things. Amen.

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

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

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

E. Johnson on motion of Raymond.

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

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

#### **REGULAR ORDER OF BUSINESS SUSPENDED**

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

#### **CAPITOL PHYSICIAN**

The chair recognized Representative Ortega who presented Dr. David Palafox of El Paso as the "Doctor for the Day."

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

#### **LEAVES OF ABSENCE GRANTED**

Pursuant to a previous motion, the following members were granted leaves of absence temporarily for today to attend a meeting of the Conference Committee on **HB 1**:

Longoria on motion of Wu.

Walle on motion of Wu.

(Speaker pro tempore in the chair)

#### **HR 1397 - ADOPTED (by Goodwin)**

Representative Goodwin moved to suspend all necessary rules to take up and consider at this time **HR 1397**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1397**, In memory of Dr. Michael James Babineaux of Austin.

**HR 1397** was unanimously adopted by a rising vote.

## INTRODUCTION OF GUESTS

The chair recognized Representative Goodwin who introduced family members of Dr. Michael James Babineaux.

### **HR 1287 - ADOPTED** **(by Harris)**

Representative Harris moved to suspend all necessary rules to take up and consider at this time **HR 1287**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1287**, In memory of Bascom William Bentley IV.

The chair recognized Representative Harris who addressed the house, speaking on **HR 1235** and **HR 1287** as follows:

Judge Bascom W. Bentley III now stands with the names of legendary men from East Texas like Marshal Chris Rogers and John H. Reagan. Judge Bentley was a legend in his own time, not only for his role as judge of the 369th District Court of Texas, where he served for nearly 30 years, but mainly for his passion for our community and his family. Judge Bentley was married to his wife, Carol, and together they raised their children, Bonnie, William, Hunter, and our friend Matthew, each of whom Judge Bentley loved deeply. The judge was one of the most well-connected people I ever knew. He was personal friends with President George W. Bush, Governor Rick Perry, and countless other leaders from our great state and around the country. But he never used those connections for the betterment of himself but for the benefit of his community and for others. He was a deeply generous man, often inviting the homeless in Palestine to have Christmas dinner with him and his family. My first memory of Judge Bentley was when I was in the third grade and he came to speak to my class. I remember him inviting me to come visit him in the courtroom one day, and he said he would let me sit with him on the bench. I've always regretted never taking him up on that offer. Little did I know how much he would play a part in my being in this chamber with you today. As I assembled the first steering committee of community leaders when I decided to run for this seat, Judge Bentley sat beside me on my left with his son Matthew on my right and Bascom's closest lifelong friend, Cliff Johnson, next to him. The next day, while backing out of his driveway, Judge Bentley had a heart attack and passed away on December 11, 2017.

As Palestine continued to mourn the loss of our beloved judge and friend, tragedy struck twice when the judge's oldest son, Bascom William Bentley IV, suffered a stroke just after he told his new bride, Lizzy, that he loved her and left for work. At the young age of 37, William passed away on April 11, 2019, one year and four months to the day after his father's passing. William and Lizzy had only been married for five months. William was known for his brilliance and accomplished more in his short life than most will in a lifetime. After getting his bachelor's and law degrees from The University of Texas, he worked in Eastern

Europe for several years, where he served as vice president of TransAtlantic Petroleum. After several years traveling the world, he moved home to Texas where he started his own oil and gas companies and became very successful. But when he met and fell in love with Lizzy, he knew it was time to come home to East Texas. They had just started their life together when the unthinkable happened. Today, we are joined in the gallery by Bascom and William's family and friends, including Lizzy Bentley; Matthew Bentley and his wife, Sallie; the Honorable Cliff Johnson; and the Honorable Todd Staples. Members, please join me in mourning the loss of two great Texans, Judge Bascom W. Bentley III and his son Bascom W. Bentley IV.

**HR 1287** was unanimously adopted by a rising vote.

On motion of Representatives Kuempel, Clardy, and Ashby, the names of all the members of the house were added to **HR 1287** as signers thereof.

#### **FIVE-DAY POSTING RULE SUSPENDED**

Representative Bohac moved to suspend the five-day posting rule to allow the Committee on County Affairs to consider **SB 2315** at 9 a.m. tomorrow in E2.028.

The motion prevailed.

#### **HR 990 - ADOPTED**

**(by Button, Vo, Shaheen, Wu, and Miller)**

Representative Button moved to suspend all necessary rules to take up and consider at this time **HR 990**.

The motion prevailed.

The following resolution was laid before the house:

**HR 990**, Recognizing May 2019 as Asian American and Pacific Islander Heritage Month.

**HR 990** was adopted.

On motion of Representatives Wu and Vo, the names of all the members of the house were added to **HR 990** as signers thereof.

#### **INTRODUCTION OF GUESTS**

The chair recognized Representative Button who introduced participants of Asian American and Pacific Islander Heritage Month.

#### **HR 1258 - PREVIOUSLY ADOPTED**

**(by Anderson)**

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

**HR 1258**, Congratulating the Baylor University women's basketball team on winning the 2019 NCAA Division I national championship.

### INTRODUCTION OF GUESTS

The chair recognized Representative Anderson who introduced coaches and players of the Baylor University women's basketball team.

### REMARKS ORDERED PRINTED

Representative Price moved to print remarks by Representative Harris on **HR 1235** and **HR 1287**.

The motion prevailed.

### **HR 1395 - ADOPTED** **(by Raney and Oliverson)**

Representative Raney moved to suspend all necessary rules to take up and consider at this time **HR 1395**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1395**, Recognizing the Texas A&M University Agricultural and Natural Resources Policy Internship Program and the Public Policy Internship Program and the programs' interns for the 86th legislative session.

**HR 1395** was adopted.

On motion of Representative Lambert, the names of all the members of the house were added to **HR 1395** as signers thereof.

### INTRODUCTION OF GUEST

The chair recognized Representative Lambert who introduced Miss Texas Madison Fuller.

### **HCR 143 - ADOPTED** **(by S. Davis)**

Representative S. Davis moved to suspend all necessary rules to take up and consider at this time **HCR 143**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 143**, Designating May 1 as Texans Medical Record Checkup Day for a 10-year period beginning in 2019.

**HCR 143** was adopted by (Record 838): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel;

Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria; Walle.

Absent — Canales; Davis, Y.; Hunter; Reynolds; White.

### STATEMENT OF VOTE

When Record No. 838 was taken, I was in the house but away from my desk. I would have voted yes.

Y. Davis

### HR 1317 - ADOPTED (by Talarico)

Representative Talarico moved to suspend all necessary rules to take up and consider at this time **HR 1317**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1317**, Recognizing May 1, 2019, as Hutto Day at the State Capitol.

**HR 1317** was adopted.

On motion of Representative Bucy, the names of all the members of the house were added to **HR 1317** as signers thereof.

### INTRODUCTION OF GUESTS

The chair recognized Representative Talarico who introduced a delegation from Hutto.

### HR 940 - INTRODUCTION OF GUESTS

The chair recognized Representative Wu who introduced representatives of the Asian Real Estate Association of America.

### HR 1454 - ADOPTED (by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 1454**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1454**, Commending Rob Franke for his service as mayor of Cedar Hill.

**HR 1454** was adopted.

### **HR 1000 - INTRODUCTION OF GUESTS**

The chair recognized Representative Goldman who introduced coaches of the Texas Christian University rifle team.

### **HCR 165 - ADOPTED**

**(by Craddick)**

Representative Craddick moved to suspend all necessary rules to take up and consider at this time **HCR 165**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 165**, Congratulating Ramona Aytes Thomas of Midland on her retirement as CEO of PermianCare.

**HCR 165** was adopted.

### **HR 1291 - ADOPTED**

**(by Dutton)**

Representative S. Thompson moved to suspend all necessary rules to take up and consider at this time **HR 1291**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1291**, Congratulating Mamie Frank Lewis of Barrett Station on her 102nd birthday.

**HR 1291** was adopted.

### **EMERGENCY CALENDAR**

#### **SENATE BILLS**

#### **THIRD READING**

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

#### **SB 2 ON THIRD READING**

**(Burrows, et al. - House Sponsors)**

**SB 2**, A bill to be entitled An Act relating to ad valorem taxation; authorizing fees.

**SB 2** was passed by (Record 839): 109 Yeas, 36 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Blanco; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Coleman; Collier; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Goldman; González, J.; González, M.; Guerra; Guillen;

Gutierrez; Harless; Harris; Hefner; Hernandez; Holland; Huberty; Hunter; Johnson, J.D.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Metcalf; Meyer; Middleton; Miller; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Romero; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Anchia; Beckley; Bernal; Bowers; Bucy; Cole; Cortez; Davis, Y.; Gervin-Hawkins; Goodwin; Herrero; Hinojosa; Howard; Israel; Johnson, J.E.; King, T.; Martinez; Martinez Fischer; Meza; Minjarez; Morales; Neave; Nevárez; Ortega; Ramos; Reynolds; Rodriguez; Rose; Rosenthal; Sherman; Talarico; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria; Walle.

#### STATEMENTS OF VOTE

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

Collier

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

J. González

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

M. González

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

Gutierrez

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

J.D. Johnson

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

J.E. Johnson

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

Lopez

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

Morales

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

Wu

## **SB 2 - HOUSE SPONSOR AUTHORIZED**

Pursuant to a previous motion, Representatives Allison, Anderson, Ashby, C. Bell, K. Bell, Biedermann, Bohac, G. Bonnen, Buckley, Burns, Button, Cain, Canales, Capriglione, Clardy, Cyrier, Darby, S. Davis, Dean, Flynn, Frank, Frullo, Goldman, Guerra, Harless, Harris, Hefner, Holland, Huberty, Hunter, P. King, Klick, Krause, Lambert, Landgraf, Lang, Larson, Leach, Leman, Lozano, Metcalf, Meyer, Middleton, Miller, Morrison, Murphy, Murr, Noble, Oliverson, Paddie, Patterson, Paul, Phelan, Raney, Raymond, Sanford, Schaefer, Shaheen, Sheffield, Shine, Smith, Springer, Stickland, Stucky, Swanson, E. Thompson, Tinderholt, Toth, White, Wray, Zedler, and Zerwas were designated as co-sponsors to **SB 2**.

### **GENERAL STATE CALENDAR**

#### **SENATE BILLS**

#### **THIRD READING**

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

#### **SB 2100 ON THIRD READING**

#### **(Smithee, Geren, and Tinderholt - House Sponsors)**

**SB 2100**, A bill to be entitled An Act relating to the transfer of a retired law enforcement animal.

**SB 2100** was passed by (Record 840): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith;

Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria; Walle.

Absent — Dominguez; Reynolds; Vo.

## GENERAL STATE CALENDAR

### HOUSE BILLS

#### THIRD READING

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

#### HB 4009 ON THIRD READING

(by Toth, Wu, E. Thompson, Canales, et al.)

**HB 4009**, A bill to be entitled An Act relating to the establishment, operation, and funding of victim-offender mediation programs; authorizing fees.

**HB 4009** was passed by (Record 841): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria; Walle.

Absent — Raney; Reynolds.

**STATEMENT OF VOTE**

When Record No. 841 was taken, I was in the house but away from my desk. I would have voted yes.

Raney

**HB 4214 ON THIRD READING**

(by Capriglione, Bohac, Blanco, Shaheen, Bernal, et al.)

**HB 4214**, A bill to be entitled An Act relating to matters concerning governmental entities, including cybersecurity, governmental efficiencies, information resources, and emergency planning.

**HB 4214** was passed by (Record 842): 139 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Dominguez; Dutton; Holland.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria; Walle.

Absent — Davis, Y.; King, K.; Stickland.

**STATEMENTS OF VOTE**

When Record No. 842 was taken, I was in the house but away from my desk. I would have voted yes.

Y. Davis

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

Frullo

**HB 1528 ON THIRD READING**  
**(by Rose, Meyer, Ramos, and Anchia)**

**HB 1528**, A bill to be entitled An Act relating to the reporting of certain information involving family violence offenses.

(Walle now present)

**HB 1528** was passed by (Record 843): 100 Yeas, 46 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Button; Calanni; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Fierro; Frullo; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Landgraf; Larson; Leach; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Ortega; Pacheco; Paddie; Parker; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Stickland; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Anderson; Bell, C.; Biedermann; Bonnen; Burrows; Cain; Canales; Capriglione; Cyrier; Dean; Dominguez; Flynn; Frank; Geren; Harless; Harris; Hefner; King, P.; Klick; Krause; Kuempel; Lambert; Lang; Leman; Metcalf; Middleton; Miller; Nevárez; Noble; Oliverson; Patterson; Paul; Sanford; Schaefer; Shaheen; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Tinderholt; Toth; White; Wilson.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria.

**STATEMENTS OF VOTE**

When Record No. 843 was taken, I was shown voting no. I intended to vote yes.

Capriglione

When Record No. 843 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 843 was taken, I was shown voting no. I intended to vote yes.

Kuempel

When Record No. 843 was taken, I was shown voting yes. I intended to vote no.

Leach

**HB 2817 ON THIRD READING**  
**(by Lucio, Raney, Oliverson, and Raymond)**

**HB 2817**, A bill to be entitled An Act relating to the contractual relationship between a pharmacist or pharmacy and a health benefit plan issuer or pharmacy benefit manager.

**HB 2817** was passed by (Record 844): 139 Yeas, 3 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Klick; Tinderholt.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria.

Absent — Davis, Y.; Deshotel; Reynolds.

**STATEMENTS OF VOTE**

When Record No. 844 was taken, I was in the house but away from my desk. I would have voted yes.

Y. Davis

When Record No. 844 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

**HB 2811 ON THIRD READING****(by Price, Frank, Minjarez, S. Thompson, VanDeaver, et al.)**

**HB 2811**, A bill to be entitled An Act relating to the prescribing of controlled substances and dangerous drugs for acute pain.

**HB 2811** was passed by (Record 845): 139 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Schaefer; Sheffield; Swanson; Tinderholt.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria.

Absent — Davis, Y.; Reynolds.

**STATEMENT OF VOTE**

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

Y. Davis

**HB 97 ON THIRD READING****(by Rodriguez, Murphy, Guillen, and Zwiener)**

**HB 97**, A bill to be entitled An Act relating to the eligibility of land for appraisal for ad valorem tax purposes as qualified open-space land.

**Amendment No. 1**

Representative Springer offered the following amendment to **HB 97**:

Amend **HB 97** (second reading engrossment) by striking SECTION 4 of the bill (page 5, lines 1-6) and substituting the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. This section applies only to land that first qualified for appraisal under Subchapter D, Chapter 23, Tax Code, on the basis of its use as an ecological laboratory in the 2014, 2015, 2016, 2017, 2018, 2019, or 2020 tax year. The change in law made by this Act to Section 23.51(1), Tax Code, relating to the qualification of land as an ecological laboratory for appraisal under Subchapter D, Chapter 23, Tax Code, applies to land to which this section applies beginning with the tax year that begins January 1, 2027. For the 2021, 2022, 2023, 2024, 2025, and 2026 tax years, the qualification of land to which this section applies for appraisal under Subchapter D, Chapter 23, Tax Code, on the basis of its use as an ecological laboratory is governed by the law as it existed immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

**HB 97**, as amended, was passed by (Record 846): 140 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Canales; Stickland.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria.

Absent — Beckley; Davis, Y.; Guillen; Reynolds.

### STATEMENT OF VOTE

When Record No. 846 was taken, I was in the house but away from my desk. I would have voted yes.

Y. Davis

### HB 669 ON THIRD READING

(by K. King, Guillen, Springer, Ashby, T. King, et al.)

**HB 669**, A bill to be entitled An Act relating to the use of the universal service fund for the provision of broadband service in underserved rural areas.

**HB 669** was passed by (Record 847): 114 Yeas, 31 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Landgraf; Larson; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Ortega; Pacheco; Paddie; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Bonnen; Cain; Cyrier; Geren; Goldman; Harless; Harris; Hefner; Holland; Klick; Krause; Lang; Leach; Leman; Metcalf; Middleton; Oliverson; Parker; Patterson; Sanford; Schaefer; Shaheen; Shine; Stickland; Swanson; Thompson, E.; Tinderholt; Toth; Wilson; Zedler.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria.

Absent — Beckley.

### STATEMENTS OF VOTE

When Record No. 847 was taken, I was shown voting yes. I intended to vote no.

Button

When Record No. 847 was taken, I was shown voting no. I intended to vote yes.

Cyrier

When Record No. 847 was taken, I was shown voting no. I intended to vote yes.

Leman

When Record No. 847 was taken, I was shown voting no. I intended to vote yes.

E. Thompson

### **HB 103 ON THIRD READING**

**(by Martinez, Guillen, Canales, Muñoz, and Anchia)**

**HB 103**, A bill to be entitled An Act relating to the establishment of a public law school in the Rio Grande Valley.

**HB 103** was passed by (Record 848): 107 Yeas, 36 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Darby; Davis, S.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Parker; Perez; Phelan; Price; Ramos; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Stephenson; Stucky; Talarico; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zerwas; Zwiener.

Nays — Bell, C.; Biedermann; Bohac; Bonnen; Cain; Craddick; Cyrier; Dean; Goldman; Harless; Harris; Hefner; Holland; King, P.; Klick; Krause; Landgraf; Lang; Metcalf; Middleton; Murr; Noble; Oliverson; Paddie; Patterson; Paul; Raney; Schaefer; Smith; Smithee; Springer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria.

Absent — Davis, Y.; Reynolds; Thierry.

### **STATEMENT OF VOTE**

When Record No. 848 was taken, my vote failed to register. I would have voted yes.

Y. Davis

**HB 2384 ON THIRD READING**  
**(by Leach, Hunter, Flynn, and Clardy)**

**HB 2384.** A bill to be entitled An Act relating to judicial compensation and assignment and the contributions to, benefits from, membership in, and administration of the Judicial Retirement System of Texas Plan One and Plan Two, including related changes to the compensation and retirement benefits of certain prosecutors and other members of the elected class of the Employees Retirement System of Texas.

**Amendment No. 1**

Representative Y. Davis offered the following amendment to **HB 2384**:

Amend **HB 2384** on third reading as follows:

(1) In Section 18, delete Section 659.012(b), Government Code, and insert the following:

(b) A judge or justice for whom the amount of a state base salary is prescribed by Subsection (a) is entitled to an annual salary from the state in the amount equal to 110 percent of the state base salary paid in accordance with Subsection (a) for the judge's or justice's position.

**AMENDMENT NO. 1 - REMARKS**

REPRESENTATIVE Y. DAVIS: This amendment merely attempts to create a fairness across the board with all of our judges. I think that this bill has set up a tiered system for judicial pay that does not respect all of those who have been duly elected by the citizens of this state. They should be treated fairly, and there's no reason for us to have a system that treats judges differently. And so this amendment attempts to deal with what I think is a process that we are putting in place ourselves for no apparent reason. There's no reason for us to take and use this environment to manipulate a process that is controlled by the citizens of Texas. They say that this bill is a retention bill and that we're trying to keep or retain some judges and/or attract other judges, the talented or the most talented. I would submit to you that those judges that have been vetted by the citizens represent some of the strongest talented individuals in the State of Texas. During the testimony there was no mention or notion that in fact the judges that have been duly elected were doing less work or had less credentials. The only thing they lacked was experience, and the only way you get experience is that you run for office and get elected. And so in this bill, in our wisdom we're now saying that some judges should be treated differently than other judges, and I think that's fundamentally flawed.

And members, I would just tell you, for those of you who just got elected to the legislature and for those of you who might be coming to get elected or run for office, it would be disappointing to know that you're going to be treated differently than those of us who have been here a while. By virtue of the fact that you run for the same office, you get elected the same way by the citizens in your district, and the pay is what it is—the pay is what it is—you would be disappointed to know that we would pass a bill that would treat you differently. And that's what this bill does. It's actually taking judges who have been duly

elected for those different positions, and we are now putting a tiered system in place saying that they deserve or others deserve more than you to do the same job. So I would just tell you that as a member of the legislature, we ought not be spending our time trying to figure out how to separate us but how to make the entire environment stronger. Picking and choosing winners by virtue of when you got elected to the position is just not fair. So I wanted to offer this amendment to discuss, do we really think it's the right of the legislature to do this?

REPRESENTATIVE SMITHEE: Ms. Davis, if you could explain. The way I understand the bill, and I think you've laid this out, is the fact that it basically stair-steps up to a point judicial salaries based on longevity in office. Is that your understanding?

Y. DAVIS: That is my understanding, and that was the testimony in the committee.

SMITHEE: Okay, and then my understanding of your amendment is that you would apply, basically, a universal pay raise to the entire judiciary regardless of seniority.

Y. DAVIS: Chairman Smithee, the challenge for me is that in the testimony, we heard that we were going to pay certain judges differently by virtue of them being there. It had nothing to do with their rulings, had nothing to do with their caseloads, had nothing to do with anything other than they had been a judge longer than some of the others. And as you know, seniority in this house—we don't pay us that have been here longer more than we pay those who just came in. And so my challenge is for us to be able to justify how we create a tier system that will treat judges differently than how we should treat everyone else.

SMITHEE: My question, though—I understand your position on the amendment. My question is, we're going to take the same pool of money and spread it out to all judges equally regardless of longevity?

Y. DAVIS: Yes. Based on testimony, they say we don't pay our judges enough. So I think judges should be paid—if we want to pay judges more, I think we should treat them all the same. My amendment basically says that whatever pool of money we're going to have to do increases, we will treat judges the same way across the board. And to attempt to do that, my amendment simply says let's give everybody the same amount, whatever that amount is, because they're doing the same job and they've been elected the same way. Just as we wouldn't pay members who have been in the legislature differently than those who have just come into the legislature, it makes no sense to me that we would then do our judges that way. We shouldn't be picking and choosing who gets more money. We should be treating our judges across the board the same. And I think if they want more money, let's pay them all more money.

SMITHEE: I think we all understand your reasons for offering the amendment, but I have two questions. Number one is, will this increase the fiscal cost of the bill?

Y. DAVIS: It would appear that it would not because I'm only trying to treat them the way this bill is treating it and whatever the amount of money that is.

SMITHEE: So does it cost more or less?

Y. DAVIS: I'm not sure if it costs more or less. I would submit that I would certainly be glad to figure out a way to do a balance across the board. I don't know what the fiscal note was on this bill. I just know that from a policy standpoint it makes no sense for us to justify or attempt to justify why you would pay one differently than the other.

SMITHEE: Okay, and the second question is, will your amendment, if it goes on, affect legislators' pension or retirement?

Y. DAVIS: I'm happy to take an amendment that says that legislators will not receive this increase. I'm not trying to do an increase for legislators. I know members are a little uncomfortable with that. I'm more concerned that we have a commitment to fairness across the board to all of our judges, and how we do that is what is more important than whether or not this improves someone else's personal interests. I'm happy to discuss—let's do this so members are not going to get a raise. That's not my intent. My intent is that how can we be comfortable individually taking a judicial slot and pay them differently than another judicial slot? They're doing the same work. Now, why would we treat them differently? And that is the policy question. So the cost of it, we as a state—we've got to decide, how do we want to govern? Do we want to treat people fairly? Or do we want to govern where some are going to be treated better by virtue of the fact that they got there sooner? That's the question, and this amendment is trying to find some balance in recognizing that members here are not going to be treated differently because they came sooner or later. So how can we be in good faith doing that to our judges? And while I support giving judges an increase, I support we treat them fairly and do it across the board to all of our judges.

And with that, members, I just think that as members of a legislative body—and I know we're all zoned out so we don't have to be thinking about the votes we make and the votes that we're casting so that when we get home it becomes kind of silent in our mind—but there's some things that we should not be doing. I'm just suggesting that we need to be clearer about the policy discussion. And while I recognize I don't have the votes—I understand this is something that everybody has pretty much said we're going to do it this way—I don't want to be silent on how we're institutionalizing discrimination based on how we come in and when we come in. That's what we're doing here. We're saying that because you didn't come in eight years ago or 12 years ago or 14 or 16 years ago, you get less money. And we don't do that to members of this legislature. In fact, we'd be offended if somebody did that to us, and I don't know how you can leave here justifying that approach to how we give an increase to our judges. I would just tell you that if you're worried about you getting an increase from this, we can take that amendment so that the legislature will not receive an increase. But if you leave here voting for this bill and talking about judicial pay increase and you treat judges differently by virtue of their tenure on the bench, you're now saying to them that if you didn't run 20 years ago or

couldn't get elected 12 years ago, shame on you—you don't deserve what the others deserve. You know, I'm just saying that's the decision here, and I know my chairman has been gracious and said we're not trying to do that. But in fact, that's exactly what we're doing.

Okay, I was going to pull it down because I lost it in the committee voting on it. Because I know all of your judges have been talking about voting. They want this pay raise. They haven't had a pay raise in 12 years or 14 years or whatever. But I think it's important, so I would move to support this amendment.

REPRESENTATIVE LEACH: Members, we're going to vote up or down on this amendment. I'm not going to move to table because I actually agree with Representative Davis that the body deserves to vote on this policy discussion. But let's be very clear about what this bill does and doesn't do. I think Representative Davis in her words just said that this bill was institutionalized discrimination, and in fact, it does the exact opposite. This bill is supported by democrats new and old—or I should say new and those long-serving judges all across the state from districts rural and urban. Democrats and republicans, African Americans, Hispanics, females, males, white judges—we have received overwhelming support with respect to this bill. To be clear, over the past 18 years—18 years, members—our Texas judges have only received two pay raises. With respect to judicial pay, our judges on our high courts rank 29th in the nation. Our appellate judges rank 25th in the nation. Our district judges rank 31st in the nation. Essentially, salaries for our judges are 20 to 35 percent lower than the salaries for judges in other states. Members, more than 60 percent of our judges have been licensed attorneys for more than 25 years, yet there's no question that they make significantly less than the average salary of an experienced lawyer. According to the Texas Workforce Commission, this amount is approximately \$185,000. Adjusting for inflation, Texas judges are paid less now than they were in 1991, 28 years ago. This bill, as I mentioned last night, at the core establishes the base pay for our judges at \$140,000. This is the amount we've been appropriating toward judicial compensation since 2013. And then the compensation would increase by 10 percent every four years that they serve, up to 12 years, on a tiered pay scale.

And members, if you're interested in what your judges in your districts are going to make under this bill, I've got all the information right here—your new judges and judges who've been around four, eight, 12, 16, in some cases 30 years. And the response, the feedback that we've gotten from judges all across the state is yes, pass this bill. Because we don't want our judges across this state to have to rely on the legislature to come back here every session and debate on whether all judges should receive a pay raise. If and when this bill passes, under the terms of this bill, automatically the system will allow for and will encourage our judges to stay on the bench instead of leaving for private practice. And so if they faithfully execute their job and get reelected, at four years they're going to get a 10 percent pay raise. At eight years they're going to get a 20 percent pay raise from the base pay. At 12 years, a 30 percent pay raise. That is incredible. They don't have to rely on the legislature to come back here.

And let me make very clear what Representative Davis' amendment does do. Representative Davis' amendment, it's my understanding, raises the base pay for all judges by 10 percent. And in so doing, by voting for Representative Davis' amendment, you are voting to increase your pension. You are voting today, if you vote yes on Representative Davis' amendment, to vote to increase your pension. I, as the author of this bill, am not willing to do that. And so let me make very clear that if Representative Davis' amendment goes on—and we're going to vote on it—if it goes on, I'm going to do everything I can to kill my own bill because I do not believe that legislators this session should be even having the discussion about whether we should give ourselves any sort of pay raise. That's what her amendment does, and I'm not willing to go that route. I would encourage you to vote no on her amendment, and I'm happy to take questions.

REPRESENTATIVE KRAUSE: As we heard this bill in committee, I think this goes to the fact that when you're running for judge you know exactly what the salary's going to be. You know exactly what the commitments are going to be. So this amendment kind of cuts against that, right? I mean, we're not surprising anybody. We're not taking anything away from those who have just run in the last couple of years. They knew exactly what they were signing up for, is that correct?

LEACH: That's right, Representative Krause. Every single judge newly elected this past November knew that when they ran. If they won office, they were getting \$140,000 base pay. And I would say that under this bill, those judges can be assured that they are getting a pay raise in four years. So if they get reelected, they can be assured under this bill that they're getting a 10 percent pay raise. They don't have to wait on or worry about whether the legislature is going to come vote to approve a pay raise for all judges. Under this bill, if they faithfully execute their office and get reelected in four years, they will get a 10 percent pay raise in four years.

KRAUSE: That's right. And Chief Justice Hecht came and testified in front of our committee talking about the need to increase judicial pay because he said oftentimes after a number of years we lose these great, qualified judges to the private sector or other places. I think you said in your layout it only makes sense that we increase the pay for those who have been here eight, 12, 16 years because those are the ones we're actually seeking to retain and keep on our benches. Is that right?

LEACH: I couldn't have said it better, Representative Krause. That's absolutely correct.

KRAUSE: Okay. Well, I appreciate your work on this bill. I think it's past time that we actually have some higher salaries for our judges. You've come up with a great framework to do it that doesn't enrich us, as you just made clear. So I appreciate your support, and I'll be supporting you saying no to the amendment.

REPRESENTATIVE ROMERO: So just to help me understand, there's going to be a pay raise for all judges to \$140,000, correct?

LEACH: That's actually sort of correct. Let me explain. So right now we already pay, based on the Appropriations bills from recent sessions, we've been paying since 2013 all of our judges \$140,000 a year. That's actually not in statute. That's been in the Appropriations bills. So what this bill's going to do is put that \$140,000 that we've been paying judges in statute. So we are not increasing the base pay. We're setting the base pay in statute at \$140,000 and then basing the tier system—the four, eight, 12-year tier system—on that base pay number.

ROMERO: And within the bill there are different increments by which a judge could receive a raise if a judge has already been serving those number of years. So then your bill would in essence give those judges who have been there a longer period of time a greater increase in their pay if this bill takes effect. Is that correct?

LEACH: There are many judges across the state that are going to get very handsome—in some cases 30 percent—pay raises if and when this bill passes if they've been serving for 12 years.

ROMERO: Based upon how long they've been here. So those judges that have been serving longer are going to receive a greater increase immediately?

LEACH: Based on the bill, yes. It's based, Representative, on your years of service, on four, eight, and 12 years. So yes, if they have been serving longer, they will get a bigger pay raise, if you will.

ROMERO: Right. So yesterday when you laid it out, you said that someone that had been serving 12 years could see as much as a 30 percent increase. So therefore, those judges that have served at least 12 years could see a 30 percent increase above the base pay of \$140,000?

LEACH: That's correct. And again, if you're interested in what your judges—and I would add, members, your district attorneys because district attorneys are included in this bill as well—if you're interested in how their compensation will be impacted, I have that information here.

REPRESENTATIVE CANALES: Thank you, Representative Leach, for all your hard work on this. Let me start with that. I know you've worked all session, and I know that what you're doing is something that needs to get done. I just want to ask you a little bit about Representative Davis' amendment. I'm just kind of mulling it over in my head. Would you think that because someone's in the legislature longer that we should get paid more?

LEACH: If someone is in the legislature longer?

CANALES: If you and I, for instance—I'll give you an example. You're here three sessions, and I'm here 12. Should I be getting paid more than you because I'm here longer? Because that's what we're doing.

LEACH: Well, not really, because members don't come into this legislature to make a living. We get paid \$7,200 a year before taxes. But I will tell you that, for instance, in private practice—as you know as a lawyer, Representative Canales—that a 20-year lawyer is making much more than a one-year lawyer.

CANALES: But you're comparing apples to oranges. This is a public elected official, and these are elected positions. Compare it to another one. Should the governor get paid more because he's there longer? Should any elected officials be getting raises because they're there longer? I appreciate what Representative Davis is doing, and I think your bill has a great intent. I believe we need to give judges a raise, but I think we're setting a bad precedent. I don't think it's about raising our pensions. I think that by setting this precedent and not accepting the amendment or not voting for the amendment, we're basically saying elected officials have to get paid more the longer they're there. Here's a question: What is the difference in the workload for a judge that just got elected to a judge that's been there 10 years? There's no difference in workload. They're doing the same job.

Y. DAVIS: Again, let me just say this—I don't disagree with Chairman Leach in his quest to give judges an increase. I don't think it's anything to be proud of that our judges are number 29th and 25th in terms of salary payment that we pay them. What I think is unconscionable, though, is that we would manipulate a process that gives certain judges more money than other judges for the same job. And I think he was a bit offended that I used the word "discrimination." I don't know any other way to describe when you take two people doing the same thing, doing the same job, and you treat them differently. I don't know any way to call that. And if there's another way to say that you treat people differently that are doing the same thing and one doesn't lend itself to discriminating against the other, I'm just not aware of the word that I would use.

CANALES: Representative, is there a difference between what a judge that just got elected is doing and a judge that's been there for 12 years is doing as far as workload?

Y. DAVIS: To my knowledge there is no difference from that person that was elected recently and that person that's in the same district court or probate court. They're doing the same job.

CANALES: And they're state employees, is that correct?

Y. DAVIS: That's correct.

CANALES: So under Mr. Leach's theory, every state employee then should get these raises across the board. Every state employee should get raises across the board for tenure. Why are we treating judges—I believe they need a raise—but why are we creating this special class of elected official and/or state employee that gets more money the longer they're there? Do you know of any other office or state employee that gets raises the way that we're doing based on tenure?

Y. DAVIS: And I think that's my problem with this approach. It's that the policy—the message we're sending in this policy is that it's okay to treat people differently.

CANALES: But is there another elected official—I'm seeing Mr. Leach disagreeing—but is there another elected official that we give raises to for being there longer?

Y. DAVIS: I'm not aware of it. I know here in this body we're not paying Ms. Thompson more than we're paying any other member, and she's certainly been here. Or Speaker Craddick's not making more.

CANALES: Well, Speaker Craddick would be a millionaire if that was—well, he is a millionaire.

Y. DAVIS: The question for me is a policy issue. Are we sure we want to set a standard where we start treating people differently for the same elected positions?

CANALES: I agree with you. We need to raise their pay, but I think your amendment is great. I think the other way around we set a slippery slope. We're setting a bad precedent all the way across the board. We need to raise our judges' pay, but thank you for your amendment.

Y. DAVIS: Again, members, I'm just trying to talk about this from a policy standpoint. At some point the State of Texas has to review how we make decisions. As members of this body, it is our responsibility to look after the state and the state's welfare. And we as a body would not want to be charged with treating our judges differently because they came later.

REPRESENTATIVE RAMOS: I think this is a great amendment. I am a practicing attorney. I see the judges, whether elected yesterday or 20 years ago, doing exactly what you're saying, the same job. And if judges cannot live on the current salary—they can't do it now at \$110,000 or at \$125,000 or \$140,000—they all have the same living expenses across the board, so we should be equally uniform in their increases. I am aware that these conversations started happening—well, let me ask you this. Have there been conversations such as this in your past history where we've discussed increasing the judges' pay that's not tied to retirement in the past?

Y. DAVIS: No. And in fact, what we were trying to say is that this bill is different from any other bill because we're saying that people should be getting more for doing the same job. It's a fundamental policy discussion about whether or not we want to do that. Again, I'm not trying to increase our retirement. So take that away. We have someone drafting an amendment, if that were the case, to remove the thought that we would be increasing our own pension plan. I'm not trying to do that. This is a fundamental discussion on how we're going to make decisions in the state legislature with regard to how we treat our citizens.

RAMOS: So to be clear, you want an across-the-board increase for all of our judges, and you do not want it connected at all with the the pensions here for the legislators. Is that correct?

Y. DAVIS: That's exactly right. And let me say this—members, the chairman will tell you that I indicated early on that I support the judicial pay raise. So I don't want anybody to leave here saying I'm anti-judicial pay raise. I do support that. But I do think it's important that we don't do it in a manner that has the effect of treating people differently, number one. Number two, there is no assurance that anybody is going to get reelected. So why are we putting in these false steps because you've been there? Because you might not get reelected the next term.

That's why it's so important that we take time to look at a process that will be fair across the board. And I've had members come and say, you're not going to make us take this vote, are you? And that's fundamentally the problem with this environment. We want to ignore the policy discussions for what feels comfortable for us.

RAMOS: Well, Representative Davis, I want to thank you for this amendment. I think it's very important. As I do go into court, as I deal with individuals in our communities and families in our communities, I think it's wonderful that we have new judges—for example, what happened in Houston with the new election of the judges—to reflect their community to understand some of the circumstances that are happening in the community. I think we should value all judges and especially ones that are new to our communities and to continue to grow that expertise and that experience. And the only way we can do that is to be uniform and balanced across the board. So I thank you very much, and I think this is a great amendment.

Y. DAVIS: Members, I would ask that you at least take a minute to think about the policy here. Think about the policy as it relates to where we're going and how we're making decisions. And again, I've never been opposed to the pay raise for the judges. I think that we ought to do better, but I think that as an elected body that's getting elected the same way in every district, we need to be clear that this is an issue that we need to be addressing. And so taking a vote or not taking a vote, you ought to all individually be thinking about how this feels to you from a policy standpoint. And I don't know that we have an amendment drafted to make sure that members don't get the pay raise and the pension. Again, that's not what I was trying to do. But I think it's important that we talk about how we make decisions when we do these kinds of things. I think we've gotten so comfortable just doing stuff that I wanted to at least raise the issue—are you comfortable making decisions that create these tiers and artificially give some more than the others for the same job? So with that, I'm going to withdraw this amendment. I'm going to withdraw this amendment because I don't want members to have to go back and explain why they voted for a pay raise for some and not for others. As I talked to my judges in Dallas County, some of the old ones and the new ones, while they asked for the pay raise, they couldn't justify getting treated better than others. And I think that's the issue here.

#### **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 No. 15).

#### **HB 2384 - (consideration continued)**

Amendment No. 1 was withdrawn.

**HB 2384** was passed by (Record 849): 143 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody(C); Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Johnson, J.E.; Ramos.

Present, not voting — Mr. Speaker; Fierro.

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria.

Absent — Pacheco.

### STATEMENTS OF VOTE

When Record No. 849 was taken, I was shown voting yes. I intended to vote no.

Beckley

When Record No. 849 was taken, I was shown voting no. I intended to vote yes.

J.E. Johnson

### HB 720 ON THIRD READING (by Larson)

**HB 720**, A bill to be entitled An Act relating to appropriations of water for recharge of aquifers and use in aquifer storage and recovery projects.

**HB 720** was passed by (Record 850): 135 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Flynn; Frank; Frullo; Geren; Gervin-Hawkins;

Goldman; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Zedler; Zerwas; Zwiener.

Nays — Fierro; González, J.; Meza.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria.

Absent — Anchia; Farrar; Hernandez; Lozano; Lucio; Pacheco; Turner, C.; Wu.

#### STATEMENT OF VOTE

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

Lozano

#### HB 133 ON THIRD READING (by Canales and Ramos)

**HB 133**, A bill to be entitled An Act relating to the payment of gratuities to certain employees.

**HB 133** was passed by (Record 851): 88 Yeas, 54 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Anderson; Ashby; Bailes; Beckley; Bernal; Biedermann; Blanco; Bowers; Burrows; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Dean; Dominguez; Dutton; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; King, K.; King, T.; Klick; Krause; Kuempel; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Morales; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Sherman; Springer; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Allison; Bell, C.; Bell, K.; Bohac; Bonnen; Buckley; Burns; Button; Cain; Capriglione; Craddick; Cyrier; Darby; Flynn; Harless; Harris; Hefner; Holland; Kacal; King, P.; Lambert; Landgraf; Lang; Larson; Leach; Leman; Metcalf; Meyer; Middleton; Miller; Morrison; Murr; Noble; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Schaefer; Shaheen; Shine; Smith; Smithee; Stickland; Stucky; Swanson; Tinderholt; Toth; White; Wray; Zedler; Zerwas.

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

Absent, Excused — Johnson, E.

Absent, Excused, Committee Meeting — Longoria.

Absent — Bucy; Deshotel; Farrar; Pacheco.

### STATEMENTS OF VOTE

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

Anderson

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

Biedermann

When Record No. 851 was taken, I was in the house but away from my desk. I would have voted yes.

Bucy

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

Dean

When Record No. 851 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

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

Frank

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

Morrison

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

Oliverson

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

Springer

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

E. Thompson

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

Wilson

### POSTPONED BUSINESS

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

#### **CSHB 4306 ON SECOND READING**

**(by Biedermann, Nevárez, Cain, Miller, Murr, et al.)**

**CSHB 4306**, A bill to be entitled An Act relating to border security enhancement projects and the creation of a fund to pay for those projects; allocating the earnings on the balance of that fund and reimbursement of related expenditures.

**CSHB 4306** was read second time on April 30 and was postponed until 6 a.m. today.

Representative Biedermann moved to postpone consideration of **CSHB 4306** until 1:30 p.m. today.

The motion prevailed.

#### **HB 2748 ON SECOND READING**

**(by Perez and Shaheen)**

**HB 2748**, A bill to be entitled An Act relating to regulation of the retail sale of fireworks.

**HB 2748** was read second time on April 23, postponed until April 25, postponed until 10 a.m. April 30, postponed until 8 p.m. April 30, postponed until 8:45 p.m. April 30, and was again postponed until 8 a.m. today.

Representative Perez moved to postpone consideration of **HB 2748** until 10 a.m. Wednesday, May 8.

The motion prevailed.

#### **HB 3345 ON SECOND READING**

**(by Price, Lucio, Paul, Guillen, Lambert, et al.)**

**HB 3345**, A bill to be entitled An Act relating to health benefit coverage provided by certain health benefit plans for telemedicine medical services and telehealth services.

**HB 3345** was read second time on April 24 and was postponed until 10 a.m. today.

Representative Price moved to postpone consideration of **HB 3345** until 10 a.m. Tuesday, May 7.

The motion prevailed.

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

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

S. Davis on motion of Wu.

#### **HB 1839 ON SECOND READING**

(by **S. Thompson, Rodriguez, Allen, Morales, Farrar, et al.**)

**HB 1839**, A bill to be entitled An Act relating to the allocation of housing tax credits to developments within proximate geographical areas.

**HB 1839** was read second time on April 24 and was postponed until 10 a.m. today.

Representative S. Thompson moved to postpone consideration of **HB 1839** until 10 a.m. Tuesday, May 7.

The motion prevailed.

#### **CSSB 586 ON SECOND READING**

(**Neave - House Sponsor**)

**CSSB 586**, A bill to be entitled An Act relating to the training of peace officers for family violence and sexual assault assignments.

**CSSB 586** was considered in lieu of **CSHB 282**.

**CSSB 586** was read second time and was passed to third reading.

#### **CSHB 282 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Neave moved to lay **CSHB 282** on the table subject to call.

The motion prevailed.

#### **MAJOR STATE CALENDAR**

##### **HOUSE BILLS**

##### **SECOND READING**

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

#### **CSHB 3745 ON SECOND READING**

(by **C. Bell, Rose, Capriglione, Zerwas, E. Thompson, et al.**)

**CSHB 3745**, A bill to be entitled An Act relating to the Texas emissions reduction plan fund and account.

**CSHB 3745** was passed to engrossment.

**CSHB 4181 ON SECOND READING**  
**(by Geren)**

**CSHB 4181**, A bill to be entitled An Act relating to the organization and efficient operation of the legislative branch of state government.

Representative Geren moved to postpone consideration of **CSHB 4181** until 3 p.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR**  
**HOUSE BILLS**  
**SECOND READING**

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

**CSHB 406 ON SECOND READING**  
**(by Price, S. Thompson, Sheffield, Minjarez, Paddie, et al.)**

**CSHB 406**, A bill to be entitled An Act relating to organ donor registration information when applying for a hunting or fishing license on the Internet.

**REMARKS ORDERED PRINTED**

Representative Ramos moved to print all remarks on **HB 2384**.

The motion prevailed.

**CSHB 406 - (consideration continued)**

**CSHB 406** was passed to engrossment.

(Goldman in the chair)

**HB 1906 ON SECOND READING**  
**(by Burns and Shaheen)**

**HB 1906**, A bill to be entitled An Act relating to an exemption from or federal waiver of the annual assessment requirements for public school students with significant cognitive disabilities.

**Amendment No. 1**

Representatives Hinojosa and Burns offered the following amendment to **HB 1906**:

Amend **HB 1906** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 39.023, Education Code, is amended by adding Subsections (b-2) and (b-3) to read as follows:

(b-2) Notwithstanding Subsection (b), (b-1), or any other law, and to the extent consistent with federal law, the parent of or person standing in parental relation to a student with significant cognitive disabilities may request that the student be exempted from the administration of an alternative assessment instrument adopted or developed under Subsection (b) or (b-1). If a parent or person standing in parental relation makes a request for exemption under this subsection, the student's admission, review, and dismissal committee, in

consultation with the parent or person standing in parental relation, shall determine if the student should be exempted from administration of the alternative assessment instrument. If the student is exempted from administration of the alternative assessment instrument under this subsection, the student must be assessed in the applicable subject using the alternative assessment method developed under Subsection (b-3).

(b-3) The commissioner, in consultation with stakeholders, including parents of and persons standing in parental relation to students with significant cognitive disabilities, shall develop for each applicable subject an alternative assessment method for the assessment of students who receive an exemption from the administration of an alternative assessment instrument under Subsection (b-2). The criteria for the assessment method must include progress on the goals identified in the student's individualized education plan. The commissioner shall adopt rules necessary to implement this subsection.

SECTION 2. Subchapter C, Chapter 39, Education Code, is amended by adding Section 39.0547 to read as follows:

Sec. 39.0547. EVALUATING SPECIALIZED SUPPORT CAMPUSES. (a) In this section, "specialized support campus" means a school district campus that:

(1) has a campus identification number;

(2) serves students enrolled in any grade level at which state assessment instruments are administered; and

(3) has a student enrollment in which:

(A) at least 90 percent of students receive special education services under Subchapter A, Chapter 29; and

(B) a significant percentage of the students required to take an assessment instrument under Section 39.023:

(i) take an alternative assessment instrument under Section 39.023(b) or (b-1); and

(ii) are unable to provide an authentic academic response on that assessment instrument.

(b) The commissioner, in consultation with administrators of specialized support campuses, teachers at specialized support campuses, parents and guardians of students enrolled at specialized support campuses, and other stakeholders, by rule shall establish appropriate accountability guidelines under this chapter for use by a specialized support campus in developing an alternative accountability plan under Subsection (c) based on the specific student population served by the campus. The commissioner shall provide for public notice and comment in adopting rules under this subsection.

(c) A specialized support campus may develop and submit to the commissioner for approval an alternative accountability plan tailored to the student population served by the campus, based on the guidelines established under Subsection (b). The commissioner may approve the alternative accountability plan only if the plan:

(1) follows the guidelines established under Subsection (b); and

(2) complies with applicable federal law.

(d) Notwithstanding any other provision of this code, if the commissioner approves an alternative accountability plan developed by a specialized support campus under Subsection (c), the commissioner shall determine, report, and consider the performance of students enrolled at the campus using that plan.

(e) Not later than December 1, 2022, the commissioner shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over public education a report on the effectiveness of this section in evaluating specialized support campuses and any recommendations for legislative or other action.

(f) This section expires September 1, 2023.

SECTION 3. Not later than January 1, 2020, the Texas Education Agency shall apply to the United States Department of Education for a waiver of the annual alternate assessment of students with significant cognitive disabilities required under the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.) and the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

SECTION 4. This Act applies beginning with the 2019-2020 school year.

SECTION 5. 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, 2019.

Amendment No. 1 was adopted.

**HB 1906**, as amended, was passed to engrossment.

**CSHB 3950 ON SECOND READING**  
(by Frank, Minjarez, and Klick)

**CSHB 3950**, A bill to be entitled An Act relating to the establishment of the child welfare task force and provision of services in the child welfare system.

Representative Frank moved to postpone consideration of **CSHB 3950** until 10 a.m. Friday, May 3.

The motion prevailed.

**HB 351 ON SECOND READING**  
(by Blanco, Capriglione, Dean, and Minjarez)

**HB 351**, A bill to be entitled An Act relating to emergency management for cyber attacks against this state.

**HB 351** was passed to engrossment.

**HB 882 ON SECOND READING**  
(by C. Bell)

**HB 882**, A bill to be entitled An Act relating to the duration of a bingo occasion.

**HB 882** was passed to engrossment.

**HB 354 ON SECOND READING**  
**(by Herrero and Wu)**

**HB 354**, A bill to be entitled An Act relating to exemption of certain firefighters and police officers from jury service.

Representative Wu moved to postpone consideration of **HB 354** until 4 p.m. today.

The motion prevailed.

**CSHB 2481 ON SECOND READING**  
**(by Metcalf, Ramos, and Guillen)**

**CSHB 2481**, A bill to be entitled An Act relating to the administration of a veterans treatment court program.

**CSHB 2481** was passed to engrossment.

**HB 399 ON SECOND READING**  
**(by Hernandez and Ramos)**

**HB 399**, A bill to be entitled An Act relating to the period during which an employee may file a claim for unpaid wages with the Texas Workforce Commission.

A record vote was requested by Representative Stickland.

**HB 399** was passed to engrossment by (Record 852): 81 Yeas, 61 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Beckley; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Button; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harris; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; King, T.; Krause; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Stephenson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zerwas; Zwiener.

Nays — Anderson; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Burns; Burrows; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Harless; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Kuempel; Lambert; Landgraf; Lang; Larson; Metcalf; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Schaefer; Shaheen; Shine; Smith; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler.

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

Absent, Excused — Johnson, E.

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

Absent — Cain; Sanford; Smithee.

### STATEMENTS OF VOTE

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

Allison

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

Ashby

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

Buckley

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

Button

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

Harris

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

Leman

### CSHB 1243 ON SECOND READING (by Ashby, Price, et al.)

**CSHB 1243**, A bill to be entitled An Act relating to the allocation of certain revenue from mixed beverage gross receipts and sales taxes.

**CSHB 1243** was passed to engrossment.

### CSHB 441 ON SECOND READING (by Bernal, Romero, Anchia, Stucky, S. Thompson, et al.)

**CSHB 441**, A bill to be entitled An Act relating to requiring the Texas Workforce Commission to pay the cost of taking a high school equivalency examination for certain individuals.

A record vote was requested by Representative Sanford.

**CSHB 441** was passed to engrossment by (Record 853): 76 Yeas, 63 Nays, 3 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero;

Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; King, K.; King, T.; Lambert; Larson; Lopez; Lozano; Lucio; Martinez Fischer; Meza; Minjarez; Moody; Morales; Morrison; Muñoz; Neave; Nevárez; Ortega; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wu; Zerwas; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Clardy; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Harless; Harris; Hefner; Holland; Huberty; Hunter; King, P.; Klick; Krause; Kuempel; Landgraf; Lang; Leman; Metcalf; Meyer; Middleton; Miller; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Phelan; Price; Sanford; Schaefer; Shaheen; Sheffield; Shine; Smith; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; Toth; Wilson; Wray; Zedler.

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

Absent, Excused — Johnson, E.

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

Absent — Kacal; Martinez; Pacheco; Paddie; Smithee.

#### STATEMENTS OF VOTE

When Record No. 853 was taken, I was shown voting no. I intended to vote yes.

Allison

When Record No. 853 was taken, I was shown voting no. I intended to vote yes.

Ashby

When Record No. 853 was taken, I was shown voting no. I intended to vote yes.

Huberty

When Record No. 853 was taken, I was shown voting no. I intended to vote yes.

Meyer

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

Paddie

When Record No. 853 was taken, I was shown voting no. I intended to vote yes.

Sheffield

When Record No. 853 was taken, I was shown voting no. I intended to vote yes.

Toth

**CSHB 2050 ON SECOND READING**  
**(by Paddie and Price)**

**CSHB 2050**, A bill to be entitled An Act relating to consent requirements for the prescription of certain psychoactive medications to residents of nursing facilities and related institutions.

**Amendment No. 1**

Representative Paddie offered the following amendment to **CSHB 2050**:

Amend **CSHB 2050** (house committee printing) as follows:

(1) On page 1, line 7, strike "Subsection (c-1)" and substitute "Subsections (c-1) and (c-2)".

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

(2) the person prescribing the medication, ~~or~~ that person's designee, or the facility's medical director provided the following information, in a standard

(3) On page 2, line 18, strike "department" and substitute "commission".

(4) On page 2, between lines 19 and 20, insert the following:

(c-2) Written consent provided by a resident or the resident's legally authorized representative on the form described by Subsection (c-1) is presumed to satisfy the consent requirements of Subsection (c) and the disclosure requirements established by the Texas Medical Disclosure Panel in Sections 74.103 and 74.105, Civil Practice and Remedies Code.

SECTION 2. As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human Services Commission shall develop the form required by Section 242.505(c-1), Health and Safety Code, as added by this Act. In developing the form, the commission shall consult with the Texas Medical Disclosure Panel.

(5) On page 2, line 20, strike "SECTION 2" and substitute "SECTION 3".

Amendment No. 1 was adopted.

**CSHB 2050 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE ISRAEL: Thank you for your bill, Mr. Paddie. I think it's a great bill. I just wanted to clarify, your intent is to make sure these antipsychotic drugs are the drug of last resort, is that correct?

REPRESENTATIVE PADDIE: That is correct.

**CSHB 2050**, as amended, was passed to engrossment.

**HB 2303 ON SECOND READING**  
**(by Moody, P. King, S. Thompson, Guillen, Kuempel, et al.)**

**HB 2303**, A bill to be entitled An Act relating to the definition of a bet for purposes of gambling criminal offenses.

**Amendment No. 1**

Representative Nevárez offered the following amendment to **HB 2303**:

Amend **HB 2303** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subtitle B, Title 13, Occupations Code, is amended by adding Chapter 2053 to read as follows:

CHAPTER 2053. INDIAN TRIBE OFFERING FANTASY OR SIMULATED  
GAMES OR CONTESTS

Sec. 2053.001. DEFINITION. In this chapter, "fantasy or simulated game or contest" has the meaning assigned by Section 47.01, Penal Code.

Sec. 2053.002. INDIAN TRIBE OFFERING FANTASY OR SIMULATED GAMES OR CONTESTS. (a) Any federally recognized Indian tribe in this state subject to the federal Indian Gaming Regulatory Act (Pub. L. No. 100-497) may offer fantasy or simulated games or contests on its Indian lands on execution of a model agreement by the tribe and with approval of the United States Secretary of the Interior pursuant to federal law.

(b) A model agreement described by Subsection (a) may only include the following:

(1) authorization for the Indian tribe to offer fantasy or simulated games or contests on its Indian lands;

(2) a requirement that the fantasy or simulated games or contests be offered in compliance with rules adopted by the tribe that must include, at a minimum, consumer protection provisions;

(3) a requirement that the fantasy or simulated games or contests be regulated pursuant to a tribal gaming ordinance in accordance with federal law; and

(4) a requirement that the fantasy or simulated games or contests comply with all applicable federal law and regulations.

**Amendment No. 1 - Point of Order**

Representative Moody raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on Amendment No. 1 to House Bill 2303

Announced in the House on May 1, 2019

(Goldman in the chair)

Representative Moody raises a point of order against further consideration of the Nevárez Amendment to **HB 2303** under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

The subject of **HB 2303** is exempting certain conduct relating to participation in a fantasy or simulated game or contest from the application of existing criminal penalties. The subject of the Nevárez Amendment is the express authorization of certain federally recognized Indian tribes to offer fantasy or simulated games or contests if federal approval is obtained.

In the opinion of the Chair, the amendment is not on the same subject as the bill.

Accordingly, the point of order is well-taken and sustained.

The ruling precluded further consideration of Amendment No. 1.

A record vote was requested by Representative Middleton.

**HB 2303** was passed to engrossment by (Record 854): 116 Yeas, 27 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bowers; Buckley; Bucy; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Neave; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Perez; Phelan; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sherman; Shine; Smith; Stephenson; Stickland; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Allison; Anderson; Ashby; Bonnen; Burns; Burrows; Cain; Cyrier; Harris; Hefner; King, K.; Lambert; Lang; Leman; Metcalf; Middleton; Murphy; Murr; Nevárez; Noble; Paul; Price; Shaheen; Sheffield; Springer; Stucky; Thompson, E.

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

Absent, Excused — Johnson, E.

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

Absent — Sanford; Smithee.

#### STATEMENTS OF VOTE

When Record No. 854 was taken, I was shown voting no. I intended to vote yes.

Lambert

When Record No. 854 was taken, I was shown voting yes. I intended to vote no.

Wilson

**CSHB 2726 ON SECOND READING**  
**(by Kuempel)**

**CSHB 2726**, A bill to be entitled An Act relating to the commencement of construction of a project following the issuance of a draft permit for a permit amendment to an air quality permit.

**Amendment No. 1**

Representative Zedler offered the following amendment to **CSHB 2726**:

Amend **CSHB 2726** (house committee printing) as follows:

(1) On page 1, line 10, strike "law and notwithstanding Section 382.0518" and substitute "law, ~~and~~ notwithstanding Section 382.0518, and except as provided by Subsection (c)".

(2) On page 1, between lines 19 and 20, insert the following:

(c) A person may not begin construction under this section if the facility that is the subject of the permit amendment is a concrete batch plant located within 880 yards of a property that is used as a residence.

(3) On page 1, line 20, strike "(c)" and substitute "(d)".

(Speaker in the chair)

Representative Kuempel moved to table Amendment No. 1.

The motion to table was lost.

Amendment No. 1 was adopted.

Representative Kuempel moved to postpone consideration of **CSHB 2726** until 10 a.m. Monday, May 6.

The motion prevailed.

**POSTPONED BUSINESS**

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

**CSHB 4306 ON SECOND READING**  
**(by Biedermann, Nevárez, Cain, Miller, Murr, et al.)**

**CSHB 4306**, A bill to be entitled An Act relating to border security enhancement projects and the creation of a fund to pay for those projects; allocating the earnings on the balance of that fund and reimbursement of related expenditures.

**CSHB 4306** was read second time on April 30, postponed until 6 a.m. today, and was again postponed until this time.

**Amendment No. 1**

Representative Biedermann offered the following amendment to **CSHB 4306**:

Amend **CSHB 4306** (house committee printing) as follows:

(1) On page 1, lines 12 through 13, strike "a special fund in the state treasury outside" and substitute "an account in".

(2) On page 2, line 9, strike "nonindigenous plants" and substitute "plants of one or more species identified by the governor".

(3) On page 2, strike lines 10 through 20 and substitute the following:  
Sec. 421.105. POWERS OF THE GOVERNOR. The governor may enter into contracts and agreements as necessary to carry out this subchapter.

(4) On page 2, line 25, strike "nonindigenous".

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative Gutierrez offered the following amendment to **CSHB 4306**:

Amend **CSHB 4306** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) In this section:

(1) "Board" means the Texas Water Development Board.

(2) "Commission" means the Texas Commission on Environmental Quality.

(3) "Water retention infrastructure" means infrastructure located within one mile of the Rio Grande River related to the retention of water.

(b) The board and the commission jointly shall:

(1) conduct a study concerning the effects the construction of water retention infrastructure would have on storm drainage, water quality, and environmental contamination matters in this state; and

(2) develop recommendations for actions that may prevent or mitigate any negative effects on storm drainage, water quality, or environmental contamination matters resulting from the construction of water retention infrastructure.

(c) The study must investigate:

(1) whether and to what extent the construction of water retention infrastructure would cause or contribute to flood management or other storm drainage problems in this state;

(2) whether and to what extent the construction of water retention infrastructure would cause or contribute to negative environmental contamination or other environmental effects in this state;

(3) whether certain designs or methods of construction of water retention infrastructure would prevent or mitigate any negative effects identified under Subdivision (1) or (2) of this subsection;

(4) any economic effects expected to result from any negative effects identified under Subdivision (1) or (2) of this subsection; and

(5) what actions by the state would best prevent or mitigate any negative effects identified under Subdivision (1) or (2) of this subsection.

(d) Not later than March 1, 2020, the board and the commission shall submit to the governor, the lieutenant governor, and each standing committee of the legislature having primary jurisdiction over water development and environmental matters:

(1) a report of the findings of the study conducted under this section;  
and

(2) recommendations for actions that may prevent or mitigate any negative storm drainage, water quality, or environmental contamination effects resulting from the construction of water retention infrastructure.

(e) This section expires January 1, 2021.

Amendment No. 2 was adopted.

### Amendment No. 3

Representative Nevárez offered the following amendment to **CSHB 4306**:

Amend **CSHB 4306** (house committee printing) as follows:

(1) On page 1, line 8, between "SECURITY" and "ENHANCEMENT", insert "INFRASTRUCTURE".

(2) On page 1, line 10, between "security" and "enhancement", insert "infrastructure".

(3) On page 1, line 11, between "SECURITY" and "ENHANCEMENT", insert "INFRASTRUCTURE".

(4) On page 1, line 12, between "security" and "enhancement", insert "infrastructure".

(5) On page 1, line 20, between "security" and "enhancement", insert "infrastructure".

(6) Strike page 1, line 22 through page 3, line 2, and substitute the following:

Sec. 421.104. USE OF FUND. The governor may use money in the fund only for activities described by this section undertaken for the purposes of preventing human trafficking and entry into the United States of contraband, including but not limited to narcotics and other controlled substances. The governor's use of the money in the fund is including and limited to the activities described in the pilot program developed and implemented under Section 2 of the Act enacting this subchapter.

(7) On page 3, strike lines 10 through 19.

(8) On page 4, between lines 3 and 4, insert the following:

(1) a county located on an international border with a population of more than 14,000 but not more than 15,000;

(9) On page 4, line 4, strike "(1)" and substitute "(2)".

(10) On page 4, line 6, strike "(2)" and substitute "(3)".

(11) On page 4, between line 13 and 14, insert the following:

(1) plan, design, construct, or maintain along this state's international border:

(A) water infrastructure, limited to a bulkhead in a county located on an international border with a population of more than 240,000 but not more than 252,000;

(B) transportation infrastructure, limited to Farm-to-Market Road 1021, Farm-to-Market Road 1472, and the road popularly referred to as El Indio Highway and Old Mines Road;

(C) detection technology to combat human smuggling and contraband, including but not limited to narcotics and other controlled substances; and

(D) commercial vehicle inspection infrastructure at ports of entry and designated state highway inspection stations; and

(2) clear nonindigenous plants; and

(12) On page 4, line 14, strike "(1)" and substitute "(3)".

(13) On page 4, line 19, strike "(2)" and substitute "(4)".

(14) On page 4, lines 20-21, strike "on main roads that run parallel to this state's international border".

(15) On page 4, line 23, strike "(3)" and substitute "(5)".

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

SECTION \_\_\_\_\_. (a) The Sunset Advisory Commission shall review the actions of the governor under this Act as if the authority provided by this Act were provided to a state agency subject to review under Chapter 325, Government Code (Texas Sunset Act).

(b) The review must assess the effectiveness of the governor's actions in fulfilling the purposes of this Act.

(c) Not later than September 1, 2025, the Sunset Advisory Commission shall complete the review and deliver a report of its findings and recommendations to the legislature.

Amendment No. 3 was adopted.

### **CSHB 4306 - POINT OF ORDER**

Representative Y. Davis raised a point of order against further consideration of **CSHB 4306** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is vague and misleading.

The point of order was withdrawn.

**CSHB 4306**, as amended, was passed to engrossment.

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

### **HB 2734 ON SECOND READING (by Burrows)**

**HB 2734**. A bill to be entitled An Act relating to an anatomical gift on behalf of a resident in a state supported living center.

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

Representative Burrows offered the following amendment to **HB 2734**:

Amend **HB 2734** (house committee report) on page 1 as follows:

(1) On line 9, strike "to authorize the center to make an anatomical gift".

(2) On line 12, strike "and predeceases the resident".

(3) On line 13, strike "successor".

Amendment No. 1 was adopted.

**HB 2734**, as amended, was passed to engrossment.

**CSHB 2983 ON SECOND READING**  
**(by Huberty)**

**CSHB 2983**, A bill to be entitled An Act relating to the administration to public school students in certain grades of state-administered assessment instruments.

**CSHB 2983** was passed to engrossment.

**HB 741 ON SECOND READING**  
**(by Y. Davis and Ramos)**

**HB 741**, A bill to be entitled An Act relating to the notice of rights provided to an injured employee under the Texas workers' compensation system.

**Amendment No. 1**

Representatives Bailes and Kacal offered the following amendment to **HB 741**:

Amend **HB 741** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 408.183(b-1), Labor Code, is amended to read as follows:

(b-1) Notwithstanding Subsection (b), an eligible spouse who remarried is eligible for death benefits for life if the employee was a first responder, as defined by Section 504.055, or an individual described by Section 615.003(1), Government Code, or Section 501.001(5)(F) of this code, who suffered death in the course and scope of employment or while providing services as a volunteer. This subsection applies regardless of the date on which the death of the first responder or other individual occurred.

SECTION \_\_\_\_\_. The change in law made by this Act to Section 408.183(b-1), Labor Code, applies only to an eligible spouse who remarries on or after the effective date of this Act. An eligible spouse who remarried before that date is governed by the law as it existed immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

**HB 741**, as amended, was passed to engrossment. (Hunter recorded voting no.)

**HB 3542 ON SECOND READING**  
**(by Phelan)**

**HB 3542**, A bill to be entitled An Act relating to the valuation of a retail public utility or its facilities as part of a voluntary acquisition.

**Amendment No. 1**

Representative Metcalf offered the following amendment to **HB 3542**:

Amend **HB 3542** (house committee printing) on page 1, line 9, between "Class A" and "utility" by inserting "or Class B".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Springer offered the following amendment to **HB 3542**:

Amend **HB 3542** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter E, Chapter 13, Water Code, is amended by adding Section 13.150 to read as follows:

Sec. 13.150. REPORTS REQUIRED FOR WATER AND SEWER UTILITIES. (a) This section applies only to a utility that provides retail water or sewer utility service through fewer than 10,000 taps or connections.

(b) Except as provided by Subsection (c), a utility shall deliver to the utility commission a report of the utility's financial, managerial, and technical capacity to provide continuous and adequate service to its customers not later than the third anniversary of the date that the utility violates a final order of the commission by failing to:

(1) provide system capacity that is greater than the required raw water or groundwater production rate or the anticipated daily demand of the system;

(2) provide a minimum pressure of 35 pounds per square inch throughout the distribution system under normal operating conditions; or

(3) maintain accurate or properly calibrated testing equipment or other means of monitoring the effectiveness of a chemical treatment or pathogen inactivation or removal process.

(c) A utility that has an existing obligation to deliver a report under Subsection (b) is not required to deliver another report as a result of the occurrence of an event described by Subsection (b) if the event occurs before the date that the utility delivers the report required by Subsection (b).

(d) On receiving notice that a utility has violated an order described by Subsection (b), the commission shall provide written notice of the violation to the utility commission.

(e) The utility commission shall deliver a copy of a report received under Subsection (b) to:

(1) each state senator representing a district that contains a portion of the service area of the utility that submitted the report; and

(2) each state representative representing a district that contains a portion of the service area of the utility that submitted the report.

(f) If a utility fails to deliver a report in accordance with Subsection (b), the utility commission shall report the failure to:

(1) the commission;

(2) each state senator representing a district that contains a portion of the utility's service area; and

(3) each state representative representing a district that contains a portion of the utility's service area.

SECTION \_\_\_\_\_. Section 13.4132(a), Water Code, is amended to read as follows:

(a) The utility commission or the commission, after providing to the utility notice and an opportunity to be heard by the commissioners at a utility commission or commission meeting, may authorize a willing person to temporarily manage and operate a utility if the utility:

(1) has discontinued or abandoned operations or the provision of services; ~~or~~

(2) has been or is being referred to the attorney general for the appointment of a receiver under Section 13.412; or

(3) provides retail water or sewer utility service through fewer than 10,000 taps or connections and violates a final order of the commission by failing to:

(A) provide system capacity that is greater than the required raw water or groundwater production rate or the anticipated daily demand of the system;

(B) provide a minimum pressure of 35 pounds per square inch throughout the distribution system under normal operating conditions; or

(C) maintain accurate or properly calibrated testing equipment or other means of monitoring the effectiveness of a chemical treatment or pathogen inactivation or removal process.

SECTION \_\_\_\_\_. (a) Except as provided by Subsection (b) of this section, a utility that provides retail water or sewer utility service through fewer than 10,000 taps or connections and that, not more than three years before the effective date of this Act, violated an order described by Section 13.150(b), Water Code, as added by this Act, shall submit a report described by Section 13.150(b), Water Code, as added by this Act, not later than the fifth anniversary of the event.

(b) A utility that provides retail water or sewer utility service through fewer than 10,000 taps or connections and that has an existing obligation to deliver a report under Subsection (a) of this section is not required to deliver another report as a result of the occurrence of an event described by Section 13.150(b), Water Code, as added by this Act, if the event occurs before the date that the utility delivers the report required by Subsection (a) of this section.

Amendment No. 2 was adopted.

**HB 3542**, as amended, was passed to engrossment.

### **CSHB 2048 ON SECOND READING**

**(by Zerwas, Darby, Krause, S. Davis, Howard, et al.)**

**CSHB 2048**, A bill to be entitled An Act relating to the repeal of the driver responsibility program and the amount and allocation of state traffic fine funds; eliminating program surcharges; authorizing and increasing criminal fines; increasing a fee.

**Amendment No. 1**

Representative Zerwas offered the following amendment to **CSHB 2048**:

Amend **CSHB 2048** (house committee report) on page 5, line 8, between "Transportation Code," and "and" by inserting "under Section 10, Article 4413(37), Revised Statutes,".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Krause offered the following amendment to **CSHB 2048**:

Amend **CSHB 2048** (house committee report) as follows:

(1) On page 5, line 26, between "fund" and the underlined semicolon, insert ", to be used only for criminal justice purposes".

(2) On page 6, line 2, between "Health and Safety Code" and the period, insert ", to be used only for the criminal justice purpose of providing trauma care and emergency medical services to victims of traffic offenses".

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Howard offered the following amendment to **CSHB 2048**:

Amend **CSHB 2048** (house committee printing) as follows:

(1) On page 10, line 12, strike "In addition to" and substitute "Except as provided by Subsection (c), in addition to".

(2) On page 10, between lines 24 and 25, insert the following:

(c) The judge of the convicting court shall waive all or part of the fine required by Subsection (b) if the judge determines that the person is indigent or unable to pay all or part of the fine required by that subsection without undue hardship.

(d) For the purposes of Subsection (c), there is a rebuttable presumption that the person is indigent and qualifies for a full waiver if the judge determines that the person's net income is 125 percent of the federal poverty level or less.

(e) For the purposes of Subsection (c), there is a rebuttable presumption that the person qualifies for a partial waiver if the person's net income is greater than 125 percent of the federal poverty level but less than 300 percent of the federal poverty level.

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Krause offered the following amendment to **CSHB 2048**:

Amend **CSHB 2048** (house committee report) as follows:

(1) On page 12, line 1, between "fund" and the underlined semicolon, insert ", to be used only for criminal justice purposes".

(2) On page 12, line 4, between "Health and Safety Code" and the underlined period, insert ", to be used only for the criminal justice purpose of providing trauma care and emergency medical services to victims of traffic offenses".

Amendment No. 4 was adopted.

#### **Amendment No. 5**

Representative Darby offered the following amendment to **CSHB 2048**:

Amend **CSHB 2048** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 780.004(c), (d), and (e), Health and Safety Code, are amended to read as follows:

(c) In any fiscal year, the commissioner shall use at least 94 [~~96~~] percent of the money appropriated from the account, after any amount the commissioner is required by Subsection (b) to reserve is deducted, to fund a portion of the uncompensated trauma care provided at facilities designated as state trauma facilities by the department or an undesignated facility in active pursuit of designation. Funds may be disbursed under this subsection based on a proportionate share of uncompensated trauma care provided in the state and may be used to fund innovative projects to enhance the delivery of patient care in the overall emergency medical services and trauma care system.

(d) In any fiscal year, the commissioner shall use three [~~not more than two~~] percent of the money appropriated from the account, after any amount the commissioner is required by Subsection (b) to reserve is deducted, to fund, in connection with an effort to provide coordination with the appropriate trauma service area, the cost of supplies, operational expenses, education and training, equipment, vehicles, and communications systems for local emergency medical services. The money shall be distributed on behalf of eligible recipients in each county to the trauma service area regional advisory council for that county. To receive a distribution under this subsection, the regional advisory council must be incorporated as an entity that is exempt from federal income tax under Section 501(a), Internal Revenue Code of 1986, and its subsequent amendments, by being listed as an exempt organization under Section 501(c)(3) of that code. The share of the money allocated to the eligible recipients in a county's geographic area shall be based on the relative geographic size and population of the county and on the relative number of emergency or trauma care runs performed by eligible recipients in the county. Money that is not disbursed by a regional advisory council to eligible recipients for approved functions by the end of the fiscal year in which the funds were disbursed may be retained by the regional advisory council for use in the following fiscal year in accordance with this subsection. Money that is not disbursed by the regional advisory council in that following fiscal year shall be returned to the department to be used in accordance with Subsection (c).

(e) In any fiscal year, the commissioner shall ~~may~~ use two ~~not more than one~~ percent of the money appropriated from the account, after any amount the commissioner is required by Subsection (b) to reserve is deducted, for operation of the 22 trauma service areas and for equipment, communications, and education and training for the areas. Money distributed under this subsection shall be distributed on behalf of eligible recipients in each county to the trauma service area regional advisory council for that county. To receive a distribution under this subsection, the regional advisory council must be incorporated as an entity that is exempt from federal income tax under Section 501(a), Internal Revenue Code of 1986, and its subsequent amendments, by being listed as an exempt organization under Section 501(c)(3) of that code. A regional advisory council's share of money distributed under this section shall be based on the relative geographic size and population of each trauma service area and on the relative amount of trauma care provided. Money that is not disbursed by a regional advisory council to eligible recipients for approved functions by the end of the fiscal year in which the funds were disbursed may be retained by the regional advisory council for use in the following fiscal year in accordance with this subsection. Money that is not disbursed by the regional advisory council in that following fiscal year shall be returned to the department to be used in accordance with Subsection (c).

Amendment No. 5 was adopted.

A record vote was requested by Representative Stickland.

**CSHB 2048**, as amended, was passed to engrossment by (Record 855): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

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

Absent — Klick; Schaefer.

### STATEMENT OF VOTE

When Record No. 855 was taken, I was in the house but away from my desk. I would have voted yes.

Schaefer

### HB 1191 ON SECOND READING (by J.D. Johnson, Wu, Ramos, and Morales)

**HB 1191**, A bill to be entitled An Act relating to an annual report concerning the number of inmates who have been in the conservatorship of a state agency responsible for providing child protective services.

**HB 1191** was passed to engrossment.

### LEAVE OF ABSENCE GRANTED

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

G. Bonnen on motion of Wu.

### GENERAL STATE CALENDAR (consideration continued)

### CSHB 3582 ON SECOND READING (by Murr, Moody, White, Wray, and Wu)

**CSHB 3582**, A bill to be entitled An Act relating to the punishment for certain intoxication offenses and the eligibility for deferred adjudication community supervision of defendants who committed certain intoxication offenses; enhancing a criminal penalty.

### Amendment No. 1

Representative Smith offered the following amendment to **CSHB 3582**:

Amend **CSHB 3582** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Article 17.441(a), Code of Criminal Procedure, is amended to read as follows:

(a) Except as provided by Subsection (b), a magistrate shall require on release that a defendant charged with a subsequent offense under Section 49.04, 49.05, or 49.06 [~~Sections 49.04-49.06~~], Penal Code, or an offense under Section 49.045, 49.07, or 49.08 of that code:

(1) have installed on the motor vehicle owned by the defendant or on the vehicle most regularly driven by the defendant, a device that uses a deep-lung breath analysis mechanism to make impractical the operation of a motor vehicle if ethyl alcohol is detected in the breath of the operator; and

(2) not operate any motor vehicle unless the vehicle is equipped with that device.

SECTION \_\_\_\_\_. The change in law made by this Act to Article 17.441, Code of Criminal Procedure, applies to a defendant released on bond on or after the effective date of this Act, regardless of whether the offense for which the person was arrested occurred before, on, or after that date.

Amendment No. 1 was adopted.

**CSHB 3582**, as amended, was passed to engrossment.

**CSHB 1895 ON SECOND READING**  
**(by Nevárez and Fierro)**

**CSHB 1895**, A bill to be entitled An Act relating to the investigation of municipal fire fighters.

Representative Nevárez moved to postpone consideration of **CSHB 1895** until 3:30 p.m. today.

The motion prevailed.

**CSHB 1868 ON SECOND READING**  
**(by Lozano, Anderson, Zwiener, and Stephenson)**

**CSHB 1868**, A bill to be entitled An Act relating to the creation of the Texas Rural Water Advisory Council.

**Amendment No. 1**

Representative Lozano offered the following amendment to **CSHB 1868**:

Amend **CSHB 1868** (house committee report) as follows:

(1) On page 2, line 15, strike "landowners" and substitute "users of groundwater".

(2) On page 3, line 5, strike "board" and substitute "council".

Amendment No. 1 was adopted.

**CSHB 1868**, as amended, was passed to engrossment.

**CSHB 2747 ON SECOND READING**  
**(by Ortega, Landgraf, S. Thompson, Harless, and Ramos)**

**CSHB 2747**, A bill to be entitled An Act relating to the licensing and regulation of massage therapy.

**CSHB 2747** was passed to engrossment.

**CSHB 2025 ON SECOND READING**  
**(by E. Thompson)**

**CSHB 2025**, A bill to be entitled An Act relating to legislative oversight of the issuance of driver's licenses and certain other forms of identification in this state.

**CSHB 2025** was passed to engrossment.

**CSHB 2945 ON SECOND READING****(by Perez, S. Thompson, Longoria, Price, Goldman, et al.)**

**CSHB 2945**, A bill to be entitled An Act relating to payment card skimmers on motor fuel dispensers and to creating a payment fraud fusion center; imposing civil penalties; creating criminal offenses.

**CSHB 2945** was passed to engrossment.

**HB 1548 ON SECOND READING****(by Springer and Middleton)**

**HB 1548**, A bill to be entitled An Act relating to the operation of golf carts, neighborhood electric vehicles, and off-highway vehicles; authorizing fees.

**Amendment No. 1**

Representative Springer offered the following amendment to **HB 1548**:

Amend **HB 1548** (house committee printing) on page 37 as follows:

- (1) On line 6, strike the last "and".
- (2) Strike line 7 and substitute the following:
  - (4) the heading to Section 663.037, Transportation Code; and
  - (5) the heading to Chapter 663, Transportation Code.

Amendment No. 1 was adopted.

**HB 1548**, as amended, was passed to engrossment.

**HB 3231 ON SECOND READING****(by Clardy, Krause, Hefner, Ashby, et al.)**

**HB 3231**, A bill to be entitled An Act relating to the regulation of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories by a county or municipality.

**Amendment No. 1**

Representative Moody offered the following amendment to **HB 3231**:

Amend **HB 3231** (house committee printing) as follows:

- (1) On page 1, line 8, strike "and (h)" and substitute "(h) and (i)".
- (2) On page 5, between lines 16 and 17, insert the following:
  - (i) This section does not limit the enforceability of any state or federal law.

A record vote was requested by Representative Stickland.

Amendment No. 1 was adopted by (Record 856): 113 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Calanni; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Farrar; Flynn; Frank; Frullo; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.E.; Kacal; King, K.; King, P.; Kuempel; Lambert;

Landgraf; Larson; Leman; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Ortega; Pacheco; Paddie; Parker; Perez; Phelan; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Sherman; Shine; Smith; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wilson; Wu; Zerwas; Zwiener.

Nays — Cain; Cyrier; Dutton; Klick; Krause; Lang; Middleton; Patterson; Paul; Price; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson, E.

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

Absent — Bell, C.; Bell, K.; Biedermann; Button; Coleman; Fierro; Geren; Johnson, J.D.; King, T.; Leach; Meza; Oliverson; Smithee; Springer; Wray; Zedler.

### STATEMENTS OF VOTE

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

K. Bell

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

Harris

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

Hefner

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

Metcalf

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

Wilson

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

Wray

### Amendment No. 2

Representative Cain offered the following amendment to **HB 3231**:

Amend **HB 3231** (house committee printing) as follows:

(1) On page 1, line 12, between "possession," and "carrying," insert "wearing,".

(2) On page 6, line 1, between "possession," and "carrying", insert "wearing".

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Toth offered the following amendment to **HB 3231**:

Amend **HB 3231** (house committee printing) as follows:

(1) On page 5, line 24, strike "and (a-4)" and substitute "(a-4), and (a-5)".

(2) On page 5, line 25, between "law" and the comma, insert "and except as provided by Subsection (a-5)".

(3) On page 7, between lines 10 and 11, insert the following:

(a-5) Notwithstanding any other law, a county may adopt a regulation that authorizes a person to carry a concealed or holstered handgun regardless of whether the person holds a license under Subchapter H, Chapter 411, Government Code, within the county if the person is not prohibited from possessing a firearm under Section 46.04, Penal Code, 18 U.S.C. Section 922, or other law. A county may not adopt a regulation under this subsection that is more restrictive than state law. Section 46.02, Penal Code, does not apply to a person who carries a handgun in accordance with a county regulation adopted under this subsection.

### **Amendment No. 3 - Point of Order**

Representative Israel raised a point of order against further consideration of Amendment No. 3 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane to the bill.

(Goldman in the chair)

The point of order was withdrawn.

Amendment No. 3 was withdrawn.

(Speaker in the chair)

**HB 3231**, as amended, was passed to engrossment.

### **POSTPONED BUSINESS**

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

#### **CSHB 4181 ON SECOND READING**

(by Geren)

**CSHB 4181**, A bill to be entitled An Act relating to the organization and efficient operation of the legislative branch of state government.

**CSHB 4181** was read second time earlier today and was postponed until this time.

Representative Clardy moved to postpone consideration of **CSHB 4181** until 4 p.m. today.

The motion prevailed.

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

**HB 1883 ON SECOND READING**  
**(by G. Bonnen, Guillen, et al.)**

**HB 1883**, A bill to be entitled An Act relating to deferred payment of ad valorem taxes for certain persons serving in the United States armed forces.

**HB 1883** was passed to engrossment.

**CSHB 3012 ON SECOND READING**  
**(by Talarico, Bernal, Ramos, and Meyer)**

**CSHB 3012**, A bill to be entitled An Act relating to requiring the provision of course work to public school students subject to in-school or out-of-school suspension.

**Amendment No. 1**

Representative Stickland offered the following amendment to **CSHB 3012**:

Amend **CSHB 3012** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 37.011(b), Education Code, is amended to read as follows:

(b) If a student admitted into the public schools of a school district under Section 25.001(b) is expelled from school for conduct for which expulsion is required under Section 37.007(a), (d), or (e), or for conduct that contains the elements of the offense of terroristic threat under Section 22.07, Penal Code, the juvenile court, the juvenile board, or the juvenile board's designee, as appropriate, shall:

(1) if the student is placed on probation under Section 54.04, Family Code, order the student to attend the juvenile justice alternative education program in the county in which the student resides from the date of disposition as a condition of probation, unless the child is placed in a post-adjudication treatment facility;

(2) if the student is placed on deferred prosecution under Section 53.03, Family Code, by the court, prosecutor, or probation department, require the student to immediately attend the juvenile justice alternative education program in the county in which the student resides for a period not to exceed six months as a condition of the deferred prosecution;

(3) in determining the conditions of the deferred prosecution or court-ordered probation, consider the length of the school district's expulsion order for the student; and

(4) provide timely educational services to the student in the juvenile justice alternative education program in the county in which the student resides, regardless of the student's age or whether the juvenile court has jurisdiction over the student.

Amendment No. 1 was adopted.

**CSHB 3012**, as amended, was passed to engrossment.

**LEAVE OF ABSENCE GRANTED**

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

Gervin-Hawkins on motion of Minjarez.

**POSTPONED BUSINESS**

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

**CSHB 1895 ON SECOND READING  
(by Nevárez and Fierro)**

**CSHB 1895**, A bill to be entitled An Act relating to the investigation of municipal fire fighters.

**CSHB 1895** was read second time earlier today and was postponed until this time.

Representative Nevárez moved to postpone consideration of **CSHB 1895** until 10 a.m. Tuesday, September 1, 2020.

The motion prevailed.

(Speaker pro tempore in the chair)

**GENERAL STATE CALENDAR  
(consideration continued)****HB 888 ON SECOND READING  
(by Landgraf, Phelan, Cyrier, Burns, Dean, et al.)**

**HB 888**, A bill to be entitled An Act relating to creating the criminal offense of misrepresenting a child as a family member at a port of entry.

**Amendment No. 1**

Representatives Rodriguez and Hernandez offered the following amendment to **HB 888**:

Amend **HB 888** (house committee printing), on page 1, line 19, by striking "deceive" and substituting the following:

"engage in trafficking of persons (as defined by Texas Penal Code 20A.02)".

Amendment No. 1 was adopted.

(Longoria now present)

**HB 888**, as amended, was passed to engrossment.

**HB 3124 ON SECOND READING  
(by Wilson)**

**HB 3124**, A bill to be entitled An Act relating to tuition and fees charged by The Texas A&M University System for certain national laboratory or national laboratory operator employees and dependents.

A record vote was requested by Representative Stickland.

**HB 3124** was passed to engrossment by (Record 857): 124 Yeas, 14 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Biedermann; Cain; Hefner; Holland; King, P.; Krause; Lang; Noble; Patterson; Shaheen; Stickland; Swanson; Tinderholt; Toth.

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

Absent, Excused — Gervin-Hawkins; Johnson, E.

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

Absent — Bailes; Beckley; Meza; Middleton; Pacheco; Raney.

#### STATEMENTS OF VOTE

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

Bailes

When Record No. 857 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 857 was taken, I was shown voting no. I intended to vote yes.

Cain

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

Middleton

When Record No. 857 was taken, I was shown voting no. I intended to vote yes.

Patterson

When Record No. 857 was taken, my vote failed to register. I would have voted yes.

Raney

**MESSAGE FROM THE SENATE**

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

**GENERAL STATE CALENDAR  
(consideration continued)**

**HB 3045 ON SECOND READING  
(by Nevárez)**

**HB 3045**, A bill to be entitled An Act relating to the provision of solid waste disposal services in the extraterritorial jurisdiction of certain municipalities.

**HB 3045** was passed to engrossment.

**CSHB 2041 ON SECOND READING  
(by Oliverson, Phelan, Wray, Zerwas, et al.)**

**CSHB 2041**, A bill to be entitled An Act relating to the regulation of freestanding emergency medical care facilities.

**Amendment No. 1**

Representative Oliverson offered the following amendment to **CSHB 2041**:

Amend **CSHB 2041** (house committee report) as follows:

(1) On page 2, lines 15-16, strike "and provide the disclosure statement required by that section".

(2) On page 7, line 12, strike "any" and substitute "all".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Oliverson offered the following amendment to **CSHB 2041**:

Amend **CSHB 2041** (house committee report) by striking page 6, line 25, through page 7, line 3, and substituting the following:

(i) A facility complies with the requirements of Subsections (a)(1) and (d)(3) if the facility posts on the facility's Internet website in a manner that is easily accessible and readable:

(1) the facility's standard charges, including the fees described by those subsections; and

(2) updates to the standard charges at least annually or more frequently as appropriate to reflect the facility's current charges.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representatives S. Davis and Oliverson offered the following amendment to **CSHB 2041**:

Amend **CSHB 2041** (house committee report) as follows:

(1) On page 4, line 18, strike "254.156 and 254.157" and substitute "254.156, 254.157, and 254.158".

(2) On page 7, between lines 16 and 17, insert the following:

Sec. 254.158. REMOVAL OF SIGNS. A facility that closes or for which a license issued under this chapter expires or is suspended or revoked shall immediately remove or cause to be removed any signs within view of the general public indicating that the facility is in operation.

SECTION 7. Sections 254.203(a) and (b), Health and Safety Code, are amended to read as follows:

(a) The department may petition a district court for a temporary restraining order to restrain a continuing violation of the standards or licensing requirements provided under this chapter or of Section 254.158 if the department finds that the violation creates an immediate threat to the health and safety of the patients of a facility or of the public.

(b) A district court, on petition of the department and on a finding by the court that a person is violating the standards or licensing requirements provided under this chapter or is violating Section 254.158, may by injunction:

(1) prohibit a person from continuing the ~~[a]~~ violation ~~[of the standards or licensing requirements provided under this chapter]~~;

(2) restrain or prevent the establishment or operation of a facility without a license issued under this chapter; or

(3) grant any other injunctive relief warranted by the facts.

(3) Renumber the SECTIONS of the bill accordingly.

Amendment No. 3 was adopted.

A record vote was requested by Representative Beckley.

**CSHB 2041**, as amended, was passed to engrossment by (Record 858): 131 Yeas, 5 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer;

Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Beckley; Biedermann; Cain; Stickland; White.

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

Absent, Excused — Gervin-Hawkins; Johnson, E.

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

Absent — Coleman; Herrero; Martinez Fischer; Nevárez; Pacheco; Rodriguez; Wilson.

### STATEMENTS OF VOTE

When Record No. 858 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 858 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

### POSTPONED BUSINESS

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

#### HB 354 ON SECOND READING

(by Herrero and Wu)

**HB 354**, A bill to be entitled An Act relating to exemption of certain firefighters and police officers from jury service.

**HB 354** was read second time earlier today and was postponed until this time.

**HB 354** was passed to engrossment.

#### CSHB 4181 ON SECOND READING

(by Geren)

**CSHB 4181**, A bill to be entitled An Act relating to the organization and efficient operation of the legislative branch of state government.

**CSHB 4181** was read second time earlier today, postponed until 3 p.m. today, and was again postponed until this time.

Representative Geren moved to postpone consideration of **CSHB 4181** until 9 a.m. tomorrow.

The motion prevailed.

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

**HB 3650 ON SECOND READING**  
**(by C. Turner, Ramos, and Howard)**

**HB 3650**, A bill to be entitled An Act relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

**HB 3650** was passed to engrossment.

**HB 3118 ON SECOND READING**  
**(by Schaefer, Springer, Paddie, and Frank)**

**HB 3118**, A bill to be entitled An Act relating to the titling of certain off-highway vehicles purchased outside this state.

A record vote was requested by Representative Stickland.

**HB 3118** was passed to engrossment by (Record 859): 138 Yeas, 2 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Stickland; Wilson.

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

Absent, Excused — Gervin-Hawkins; Johnson, E.

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

Absent — Bernal; Biedermann; Thierry.

**STATEMENTS OF VOTE**

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

Toth

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

Wilson

**CSHB 3911 ON SECOND READING**  
**(by Vo)**

**CSHB 3911**, A bill to be entitled An Act relating to the examination by the commissioner of insurance of certain insurers' network quality and adequacy.

A record vote was requested by Representative Beckley.

**CSHB 3911** was passed to engrossment by (Record 860): 110 Yeas, 27 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bowers; Buckley; Bucy; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Meyer; Meza; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Shaheen; Sheffield; Sherman; Shine; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; Vo; Wray; Wu; Zerwas; Zwiener.

Nays — Bell, C.; Burns; Cain; Dean; Geren; Goldman; Harless; Harris; Hefner; Klick; Krause; Landgraf; Lang; Leman; Metcalf; Murr; Patterson; Raney; Smith; Springer; Stickland; Swanson; Tinderholt; VanDeaver; White; Wilson; Zedler.

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

Absent, Excused — Gervin-Hawkins; Johnson, E.

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

Absent — Coleman; Herrero; Johnson, J.D.; Martinez Fischer; Middleton; Schaefer; Walle.

**STATEMENTS OF VOTE**

When Record No. 860 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 860 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 860 was taken, I was shown voting yes. I intended to vote no.

P. King

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

Martinez Fischer

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

Middleton

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

Schaefer

**CSHB 2402 ON SECOND READING**  
**(by Geren, Goldman, and Krause)**

**CSHB 2402**, A bill to be entitled An Act relating to the eligibility of certain events to receive funding through the Major Events Reimbursement Program.

**Amendment No. 1**

Representative Krause offered the following amendment to **CSHB 2402**:

Amend **CSHB 2402** (house committee printing) as follows:

(1) On page 1, line 16, between "championship game," and "the National", insert "a Big 12 Championship Game,".

(2) On page 2, line 5, between "championship," and "the Breeders'", insert "a World Wrestling Entertainment event,".

(3) On page 2, line 9, between "(NASCAR)," and "the Academy", insert "the AAA Texas National Hot Rod Association (NHRA) Fall Nationals,".

(4) On page 2, line 22, between "Association," and "the National", insert "the Big 12 Conference,".

(5) On page 2, line 27, between "(NASCAR)," and "Dorna", insert "the National Hot Rod Association (NHRA),".

(6) On page 3, line 15, strike "or" and substitute "[~~or~~"]".

(7) On page 3, line 16, between "(I)" and "~~[(G)]~~", insert the following:

World Wrestling Entertainment; or

(J)

Amendment No. 1 failed of adoption.

A record vote was requested by Representative Stickland.

**CSHB 2402** was passed to engrossment by (Record 861): 111 Yeas, 31 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Clardy; Cole; Collier; Cortez; Craddick;

Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Frullo; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Morales; Morrison; Muñoz; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zedler; Zwiener.

Nays — Ashby; Cain; Capriglione; Cyrier; Flynn; Frank; Goldman; Harris; Hefner; Holland; King, P.; Krause; Landgraf; Lang; Leach; Leman; Metcalf; Middleton; Murphy; Murr; Noble; Patterson; Sanford; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Toth; White; Wilson.

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

Absent, Excused — Gervin-Hawkins; Johnson, E.

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

Absent — Coleman; Zerwas.

**STATEMENTS OF VOTE**

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

Biedermann

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

Cyrier

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

Goldman

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

Krause

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

Patterson

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

Sanford

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

Zedler

**HB 2416 ON SECOND READING**  
**(by Frullo, Longoria, and Blanco)**

**HB 2416**, A bill to be entitled An Act relating to the administration by the Texas Workforce Commission of a workforce diploma pilot program.

Representative Frullo moved to postpone consideration of **HB 2416** until 10 a.m. Monday, May 6.

The motion prevailed.

**HB 3300 ON SECOND READING**  
**(by Murr, Wray, Meyer, Smith, Oliverson, et al.)**

**HB 3300**, A bill to be entitled An Act relating to an award of costs and attorney's fees in a motion to dismiss for certain actions that have no basis in law or fact.

**HB 3300** was passed to engrossment.

**CSHB 4116 ON SECOND READING**  
**(by Zwiener)**

**CSHB 4116**, A bill to be entitled An Act relating to a voluntary financial assurance program for permit holders under the Texas Pollutant Discharge Elimination System.

**CSHB 4116** was passed to engrossment.

**CSHB 2321 ON SECOND READING**  
**(by Morrison)**

**CSHB 2321**, A bill to be entitled An Act relating to the regulation of oyster harvesting; increasing a criminal penalty.

**CSHB 2321** was passed to engrossment.

(G. Bonnen now present)

**CSHB 3167 ON SECOND READING**  
**(by Oliverson, Goldman, and Thierry)**

**CSHB 3167**, A bill to be entitled An Act relating to county and municipal approval procedure for land development applications.

**Amendment No. 1**

Representative Oliverson offered the following amendment to **CSHB 3167**:

Amend **CSHB 3167** (house committee printing) as follows:

(1) On page 1, lines 9-11, strike "preliminary plat, preliminary subdivision plan, subdivision construction plan, site development plan, and final plat" and substitute "subdivision plan, subdivision construction plan, site plan, land development application, and site development plan".

(2) On page 1, line 12, between "a" and "replat", insert "preliminary plat, general plan, final plat, and".

(3) On page 1, lines 23-24, strike "Sections 212.009(a), (b), (c), and (d), Local Government Code, are amended" and substitute "Section 212.009, Local Government Code, is amended by amending Subsections (a), (b), (c), and (d) and adding Subsections (b-1) and (b-2)".

(4) On page 2, line 2, between "approve" and "or", insert ", approve with conditions,".

(5) On page 2, strike "~~[plat]~~" each time it appears (lines 2, 3, 6, 9, 10, 11, 14, 15, 22, 24, and 25) and substitute "or plat".

(6) On page 2, strike "considered" each time it appears (lines 3, 10, and 12) and substitute "~~[considered]~~".

(7) On page 2, line 8, between "approve" and "or", insert ", approve with conditions,".

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

(b-1) Notwithstanding Subsection (a) or (b), if a groundwater availability certification is required under Section 212.0101, the 30-day period described by those subsections begins on the date the applicant submits the groundwater availability certification to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable.

(b-2) Notwithstanding Subsection (a) or (b), the parties may extend the 30-day period described by those subsections for a period not to exceed 30 days if:

(1) the applicant requests the extension in writing to the municipal authority responsible for approving plats or the governing body of the municipality, as applicable; and

(2) the municipal authority or governing body, as applicable, approves the extension request.

(9) On page 2, line 22, between "approve" and "or", insert ", approve with conditions,".

(10) On page 2, line 23, between "on" and "request", insert "the applicant's".

(11) On page 3, line 2, immediately after "212.0095,", add "212.0096,".

(12) On page 3, line 4, between the underlined colon and "DISAPPROVAL", insert "CONDITIONAL APPROVAL OR".

(13) On page 3, line 5, immediately after "that", add "conditionally approves or".

(14) In SECTION 5 of the bill, immediately after each time "plan" appears, insert "or plat" as follows:

(A) page 3, lines 6, 19, and 21;

(B) page 4, lines 2, 5, 8, 13, 15, and 20; and

(C) page 5, line 2.

(15) On page 3, line 7, between "the" and "reasons", insert "conditions for the conditional approval or".

(16) On page 3, line 8, between "specific" and "reason", insert "condition for the conditional approval or".

(17) On page 3, line 9, between "Each" and "reason", insert "condition or".

(18) On page 3, line 14, immediately after "the", insert "conditional approval or".

(19) On page 3, lines 16-17, strike "or intended to delay approval".

(20) On page 3, line 18, immediately after "TO", insert "CONDITIONAL APPROVAL OR".

(21) On page 3, line 19, between "the" and "disapproval", insert "conditional approval or".

(22) On page 3, line 21, between "that" and "disapproved", insert "conditionally approved or".

(23) On page 3, line 22, immediately before "remedies", insert "satisfies each condition for the conditional approval or".

(24) On page 4, line 1, between "previously" and "disapproved", insert "conditionally approved or".

(25) On page 4, line 4, immediately after "that", insert "conditionally approves or".

(26) On page 4, line 8, between "specific" and "reason", insert "condition or".

(27) On page 4, line 9, strike "for the original plan".

(28) On page 4, line 12, immediately after "previously", add "conditionally approved or".

(29) On page 4, line 13, between "each" and "reason", insert "condition of the conditional approval or each".

(30) On page 4, line 15, between "previously" and "disapproved", insert "conditionally approved or".

(31) On page 4, line 15, strike "considered".

(32) On page 4, between lines 22 and 23, insert the following:

Sec. 212.0096. APPROVAL PROCEDURE: ALTERNATIVE APPROVAL PROCESS. (a) Notwithstanding Sections 212.009, 212.0091, 212.0093, and 212.0095, an applicant may elect at any time to seek approval for a plan or plat under an alternative approval process adopted by a municipality if the process allows for a shorter approval period than the approval process described by Sections 212.009, 212.0091, 212.0093, and 212.0095.

(b) An applicant that elects to seek approval under the alternative approval process described by Subsection (a) is not:

(1) required to satisfy the requirements of Sections 212.009, 212.0091, 212.0093, and 212.0095 before bringing an action challenging a disapproval of a plan or plat under this subchapter; and

(2) prejudiced in any manner in bringing the action described by Subdivision (1), including satisfying a requirement to exhaust any and all remedies.

(33) On page 4, line 24, strike "plans" and substitute "plats".

(34) Strike page 5, line 7, through page 7, line 27.

(35) On page 8, line 2, strike "Sections 232.0005 and" and substitute "Section".

(36) On page 8, strike lines 4-7.

(37) On page 8, line 8, strike "plan" and substitute "plat".

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

SECTION \_\_\_\_\_. The heading to Section 232.0025, Local Government Code, is amended to read as follows:

Sec. 232.0025. APPROVAL PROCEDURE: TIMELY APPROVAL OF PLATS AND PLANS.

(39) On page 8, line 14, between "is amended" and "to read" insert "by amending Subsections (d), (f), (g), (h), and (i), and adding Subsection (d-1)".

(40) Strike page 8, line 15, through page 9, line 12.

(41) On page 9, line 15, and page 10, line 13, strike "plan [~~plat~~]" and substitute "plat".

(42) On page 9, line 14, between "approve" and "or", insert ", approve with conditions,".

(43) On page 9, line 19, strike "considered".

(44) On page 9, strike lines 22-24 and substitute the following:

(d-1) Notwithstanding Subsection (d), if a groundwater availability certification is required under Section 232.0032, the 30-day period described by that subsection begins on the date the applicant submits the groundwater availability certification to the commissioners court or the court's designee, as applicable.

(45) On page 10, line 6, strike "plan [~~a plat~~]" and substitute "[a] plat".

(46) On page 10, line 11, strike "(f)(2)" and substitute "(f)(1) [~~(f)(2)~~]".

(47) On page 10, line 16, strike "request or compel" and substitute "require [~~compel~~]".

(48) On page 10, line 16, strike "any other".

(49) On page 10, line 19, between "approve" and "or", insert ", approve with conditions,".

(50) On page 10, line 19, and page 11, line 3, strike "plan" and substitute "plat".

(51) On page 11, line 5, immediately after "232.0028," insert "232.00285,".

(52) On page 11, line 7, between the underlined colon and "DISAPPROVAL", insert "CONDITIONAL APPROVAL OR".

(53) On page 11, line 8, immediately following "designee that", add "conditionally approves or".

(54) In SECTION 9 of the bill, strike "plan" each time it appears and substitute "plat" as follows:

(A) page 11, lines 9 and 23;

(B) page 12, lines 5, 9, 17, and 19; and

(C) page 13, line 1.

(55) On page 11, line 10, strike "specific" and substitute "conditions for the conditional approval or the".

(56) On page 11, line 11, between "specific" and "reason", insert "condition for conditional approval or".

(57) On page 11, line 13, between "Each" and "reason", insert "condition or".

(58) On page 11, line 18, between "the" and "disapproval", insert "conditional approval or".

(59) On page 11, lines 20-21, strike "or intended to delay approval".

(60) On page 11, line 22, immediately after "TO", insert "CONDITIONAL APPROVAL OR".

(61) On page 11, line 23, between "the" and "disapproval", insert "conditional approval or".

(62) On page 11, line 25, between "that" and "disapproved", insert "conditionally approved or".

(63) On page 11, line 26, between "that" and "remedies", insert "satisfies each condition for the conditional approval or".

(64) On page 12, line 5, between "previously" and "disapproved", insert "conditionally approved or".

(65) On page 12, line 8, between "that" and "disapproves", insert "conditionally approves or".

(66) On page 12, line 12, immediately following "specific", add "condition or".

(67) On page 12, line 16, immediately after "previously", insert "conditionally approved or".

(68) On page 12, line 18, between "addresses" and "each", insert "each condition for the conditional approval or".

(69) On page 12, line 19, between "previously" and "disapproved", insert "conditionally approved or".

(70) On page 12, line 19, strike "considered".

(71) On page 12, between lines 26 and 27, insert the following:

Sec. 232.00285. DEVELOPMENT PLAN REVIEW. (a) In this section, "development plan" includes a preliminary plat, preliminary subdivision plan, subdivision construction plan, site plan, general plan, land development application, or site development plan.

(b) Unless explicitly authorized by another law of this state, a county may not require a person to submit a development plan during the plat approval process required by this subchapter. If a county is authorized under another law of this state to require approval of a development plan, the county must comply with the approval procedures under this subchapter during the approval process.

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

SECTION \_\_\_\_\_. Section 232.0025(e), Local Government Code, is repealed.

(73) On page 13, line 7, strike "development or plan" and substitute "plat".

(74) Renumber SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

**CSHB 3167**, as amended, was passed to engrossment.

**HB 3753 ON SECOND READING****(by Harless)**

**HB 3753**, A bill to be entitled An Act relating to the authority of a county fire marshal to provide fire-related training programs for first responders.

**HB 3753** was passed to engrossment.

**CSHB 1848 ON SECOND READING****(by Klick, Sheffield, and Guerra)**

**CSHB 1848**, A bill to be entitled An Act relating to prevention of communicable diseases in certain long-term care facilities.

A record vote was requested by Representative Beckley.

**CSHB 1848** was passed to engrossment by (Record 862): 142 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Beckley; Stickland.

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

Absent, Excused — Gervin-Hawkins; Johnson, E.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Sanford.

**STATEMENT OF VOTE**

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

Sanford

**CSHB 3529 ON SECOND READING**  
**(by Gutierrez)**

**CSHB 3529**, A bill to be entitled An Act relating to the creation of a family violence pretrial diversion pilot program in Bexar County.

**Amendment No. 1**

Representative Gutierrez offered the following amendment to **CSHB 3529**:

Amend **CSHB 3529** (house committee printing) as follows:

- (1) On page 1, line 5, following "Chapter", strike "493" and substitute "509".
- (2) On page 1, line 6, following "Section", strike "493.032" and substitute "509.018".
- (3) On page 1, line 7, strike "Sec. 493.032" and substitute "Sec. 509.018".
- (4) On page 1, line 11, strike "executive director" and substitute "division".
- (5) On page 2, line 8, strike "department" and substitute "division".

Amendment No. 1 was adopted.

**CSHB 3529**, as amended, was passed to engrossment.

**CSHB 2454 ON SECOND READING**  
**(by Price, Sheffield, Minjarez, S. Thompson, VanDeaver, et al.)**

**CSHB 2454**, A bill to be entitled An Act relating to continuing education requirements for certain health professionals regarding pain management and the prescribing of opioids.

**CSHB 2454** was passed to engrossment.

**CSHB 3980 ON SECOND READING**  
**(by Hunter)**

**CSHB 3980**, A bill to be entitled An Act relating to a requirement that the Statewide Behavioral Health Coordinating Council prepare a report regarding suicide rates in this state and state efforts to prevent suicides.

**CSHB 3980** was passed to engrossment.

**HB 2245 ON SECOND READING**  
**(by Wray)**

**HB 2245**, A bill to be entitled An Act relating to trusts.

**HB 2245** was passed to engrossment.

**HB 2246 ON SECOND READING**  
**(by Wray)**

**HB 2246**, A bill to be entitled An Act relating to the fiduciary status of a directed trust advisor.

**HB 2246** was passed to engrossment.

**HB 1131 ON SECOND READING**  
**(by Cole, Ashby, Minjarez, Allen, Guillen, et al.)**

**HB 1131**, A bill to be entitled An Act relating to the creation of a state financing program administered by the Texas Public Finance Authority to assist school districts with certain expenses; granting authority to issue bonds or other obligations.

**Amendment No. 1**

Representative Cole offered the following amendment to **HB 1131**:

Amend **HB 1131** (house committee report) as follows:

(1) On page 2, between lines 17 and 18, insert the following appropriately numbered SECTION and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 45.057(b), Education Code, is amended to read as follows:

(b) The guarantee is not effective unless the attorney general approves the bonds under Section 45.005 or 53.40 of this code or Section 1232.1031, Government Code, as applicable.

(2) On page 3, line 26, following the underlined semicolon, insert "or".

(3) On page 3, line 27, between "valorem" and "tax", insert "maintenance".

(4) On page 4, strike lines 1-7, and substitute the following:  
authorized by law.

(c) A school district that secures payment of an obligation or agreement issued or executed under Subsection (a) through imposing an ad valorem maintenance tax must include the obligation or agreement in the district's total maintenance tax debt service when submitting public securities for review to the attorney general under Chapter 1202, Government Code.

(5) On page 4, line 21, between "with" and "maintenance," insert "improvement of existing instructional facilities, limited to the".

(6) On page 4, between lines 26 and 27, insert the following appropriately lettered subsection:

(\_\_\_\_) Vehicles, equipment, and appliances are considered furnishings of instructional facilities for purposes of Section 5(d), Article VII, Texas Constitution.

(7) On page 5, line 11, between "section" and "with", insert "only".

(8) On page 6, between lines 24 and 25, insert the following appropriately lettered subsections:

(\_\_\_\_) An obligation issued under this section is not a debt of the state or any state agency, political corporation, or political subdivision of the state and is not a pledge of the faith and credit of any of those entities. The obligation may only be payable from all or part of the amounts on deposit in the school district equipment and improvement fund established under Subsection (e).

(\_\_\_\_) An obligation issued under this section must contain on the obligation's face a statement to the effect that:

(1) neither the state nor a state agency, political corporation, or political subdivision of the state is obligated to pay the principal of or interest on the obligation except as provided by this section; and

(2) neither the faith and credit nor the taxing power of the state or any state agency, political corporation, or political subdivision of the state is pledged to the payment of the principal of or interest on the obligation.

( ) The authority may not issue an obligation under this section until the Bond Review Board has approved the issuance under Chapter 1231, Government Code.

( ) In submitting an obligation for review under Chapter 1202 or 1371, as applicable, the authority shall demonstrate to the attorney general the ability of the eligible school district to repay the loan or other financing agreement executed with the authority.

(9) Reletter subsections of added Section 1232.1031, Government Code, and cross-references to those subsections as necessary.

Amendment No. 1 was adopted.

## **Amendment No. 2**

Representative Cole offered the following amendment to **HB 1131**:

Amend **HB 1131** (house committee report) as follows:

(1) On page 6, line 3, strike "outstanding at any one time".

(2) On page 6, line 4, following the underlined period, insert the following:

An issuance of obligations to refund outstanding obligations is not included in determining the maximum aggregate amount under this subsection if the principal amount of the refunding obligations does not exceed the principal amount of the refunded obligations. If the principal amount of the refunding obligations exceeds the principal amount of the refunded obligations, the excess amount of the refunding obligations is included in determining the maximum aggregate amount.

Amendment No. 2 was adopted.

A record vote was requested by Representative Cain.

**HB 1131**, as amended, was passed to engrossment by (Record 863): 82 Yeas, 60 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Farrar; Fierro; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, J.E.; King, K.; King, T.; Kuempel; Lambert; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Morales; Morrison; Muñoz; Neave; Nevárez; Ortega; Pacheco; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Stucky; Talarico; Thierry; Thompson, E.; Turner, C.; Turner, J.; Vo; Walle; White; Wray; Wu; Zwiener.

Nays — Bell, C.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Goldman; Harris; Hefner; Holland; Hunter; Kacal; Klick; Krause; Landgraf; Lang; Larson; Leach; Leman; Metcalf; Middleton; Miller; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Sanford; Schaefer; Shaheen; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Swanson; Thompson, S.; Tinderholt; Toth; VanDeaver; Wilson; Zedler; Zerwas.

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

Absent, Excused — Gervin-Hawkins; Johnson, E.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Dutton; Johnson, J.D.; King, P.

### STATEMENTS OF VOTE

When Record No. 863 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 863 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 863 was taken, I was temporarily out of the house chamber in the governor's office. I would have voted no.

P. King

When Record No. 863 was taken, I was shown voting yes. I intended to vote no.

E. Thompson

When Record No. 863 was taken, I was shown voting no. I intended to vote yes.

S. Thompson

When Record No. 863 was taken, I was shown voting yes. I intended to vote no.

Wray

### CSHB 72 ON SECOND READING (by White, Howard, Wu, Meza, et al.)

**CSHB 72**, A bill to be entitled An Act relating to the provision of Medicaid benefits to certain children formerly in the conservatorship of the Department of Family and Protective Services.

**CSHB 72** was passed to engrossment.

**CSHB 2363 ON SECOND READING**  
**(by Harris, Noble, Hefner, Longoria, Canales, et al.)**

**CSHB 2363**, A bill to be entitled An Act relating to permitting certain foster homes to store firearms and ammunition in the same locked location.

**Amendment No. 1**

Representative Meza offered the following amendment to **CSHB 2363**:

Amend **CSHB 2363** (house committee printing) on page 1, line 13, between "location" and "[locations]", by inserting "if the locked location is only accessible using a biometric identifier or a numeric code".

(Speaker in the chair)

Representative Harris moved to table Amendment No. 1.

A record vote was requested by Representative Sanford.

The motion to table prevailed by (Record 864): 82 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Geren; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Sanford; Schaefer; Shaheen; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Talarico; Thompson, S.; Turner, C.; Turner, J.; Vo; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gervin-Hawkins; Johnson, E.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Johnson, J.D.; Nevárez; Walle.

**CSHB 2363** was passed to engrossment.

**HB 4671 ON SECOND READING**  
**(by Goodwin and Bucy)**

**HB 4671**, A bill to be entitled An Act relating to the powers and duties of the Ranch at Cypress Creek Municipal Utility District No. 1.

**HB 4671** was passed to engrossment.

**CSHB 2763 ON SECOND READING**  
**(by Flynn, Murphy, Paul, Gervin-Hawkins, and Middleton)**

**CSHB 2763**, A bill to be entitled An Act relating to the police pension fund in certain municipalities.

**CSHB 2763** was passed to engrossment.

**CSHB 2625 ON SECOND READING**  
**(by Perez, Longoria, Moody, and Goldman)**

**CSHB 2625**, A bill to be entitled An Act relating to creating the criminal offense of mass fraudulent use or possession of credit card or debit card information.

**Amendment No. 1**

Representative Perez offered the following amendment to **CSHB 2625**:

Amend **CSHB 2625** (house committee printing) as follows:

(1) On page 1, line 7, strike "MASS".

(2) On page 2, strike lines 9-16 and substitute the following:

(1) a counterfeit credit card or debit card;

(2) the number and expiration date of a credit card or debit card without the consent of the account holder; or

(3) the data stored on the digital imprint of a credit card or debit card without the consent of the account holder.

(3) On page 2, between lines 25 and 26, insert the following:

(1) a state jail felony if the number of items obtained, possessed, transferred, or used is less than five;

(4) On page 2, line 26, strike "(1)" and substitute "(2)".

(5) On page 3, line 2, strike "(2)" and substitute "(3)".

(6) On page 3, line 5, strike "(3)" and substitute "(4)".

(7) On page 3, line 8, strike "or (2)" and substitute ", (2), or (3)".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Wu offered the following amendment to **CSHB 2625**:

Amend **CSHB 2625** (house committee printing) by striking page 3, lines 7-11, and relettering subsequent subsections of added Section 32.315, Penal Code, accordingly.

Amendment No. 2 was adopted.

**CSHB 2625**, as amended, was passed to engrossment.

**CSHB 1063 ON SECOND READING**

(by Price, Sheffield, Rose, Ashby, M. González, et al.)

**CSHB 1063**, A bill to be entitled An Act relating to telemedicine medical, telehealth, and home telemonitoring services under Medicaid.

**CSHB 1063** was passed to engrossment.

**CSHB 2826 ON SECOND READING**

(by G. Bonnen, Leach, Goldman, Gervin-Hawkins, Longoria, et al.)

**CSHB 2826**, A bill to be entitled An Act relating to procurement of a contingent fee contract for legal services by certain governmental entities.

(S. Davis now present)

**Amendment No. 1**

Representative Huberty offered the following amendment to **CSHB 2826**:

Amend **CSHB 2826** as follows:

- (1) On page 1, line 10, strike "(a) and (b)" and insert "(a), (b), and (c)".
- (2) On page 1, insert the following between lines 20 and 21:
- (c) This subchapter does not apply to a contract:
  - (1) with a state agency to collect an obligation under Section 2107.003(b), (c), or (c-1); ~~[or]~~
  - (2) for legal services entered into by an institution of higher education under Section 153.006, Education Code; or
  - (3) for legal services provided to a school district under Subchapter M, Chapter 403.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Clardy offered the following amendment to **CSHB 2826**:

Amend **CSHB 2826** as follows:

- (1) On page 1, line 22, strike "33.41" and insert "6.30".
- (2) On page 1, line 22, insert "Article 103.003I, Texas Code of Criminal Procedure" between the comma and "or".
- (3) On page 3, line 11, delete "governing body of the".
- (4) Delete lines 25 through 27 on page 3 and replace them with the following:
 

"the reasons the legal services cannot be adequately performed by the attorneys and supporting personnel of the political subdivision;"
- (5) On page 4, line 9, delete the colon and replace with "the matters listed in Subsection (a)(1)."
- (6) Delete lines 10 through 15 on page 4.
- (7) On page 4, at the end of line 23, insert "and".
- (8) On page 5, line 3, delete "; and" and insert "":
- (9) Delete lines 4 through 7 on page 5.
- (10) Delete lines 21 and 22 on page 5 and renumber the following paragraphs accordingly.

- (11) On page 5, line 25, insert "and".
- (12) On page 5, line 27, delete "; and" and insert "·".
- (13) Delete lines 1 and 2 on page 6.
- (14) On page 9, line 12, insert:

"A contract that is submitted to and approved by the attorney general under Section 2254.1038 cannot later be declared void under this section."

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Lucio offered the following amendment to **CSHB 2826**:

Amend **CSHB 2826** as follows:

(1) On page 6, delete lines 3 through 13 and replace them with the following:

(b) Within 90 days after receiving a contract from a political subdivision, the attorney general may:

(1) approve the contract;

(2) refuse to approve the contract because the requirements of this subchapter were not fulfilled; or

(3) refuse to approve the contract because:

(A) the legal matter that is the subject of the contract presents one or more questions of law or fact that are in common with a matter the state has already addressed or is pursuing; and

(B) pursuit of the matter by the political subdivision will not promote the just and efficient resolution of the matter.

(2) On page 6, between lines 19 and 20, insert the following and renumber the remaining subsections accordingly:

(d) If the attorney general refuses to approve a contract under Subsection (b)(2), the attorney general shall specifically identify the provisions of this subchapter with which the contract fails to comply or the political subdivision failed to comply. Nothing in this section prohibits a political subdivision from correcting a failure to comply with this subchapter.

(e) If the attorney general refuses to approve a contract under Subsection (b)(3), the attorney general shall inform the political subdivision of the factual and legal basis for the decision.

(f) A political subdivision may contest the attorney general's refusal to approve the contract under Subsection (b)(3) in the manner provided for contested cases under Chapter 2001.

(g) The state office of administrative hearings shall establish procedures to govern a contest to the attorney general's refusal to approve a contract under Subsection (b)(3) and for in camera review and protection from disclosure of information excepted from disclosure under Chapter 552 in a contested case under this subsection.

(h) The refusal to approve a contract under Subsection (b)(3) is subject to substantial evidence judicial review as provided in Subchapter G, Chapter 2001.

Amendment No. 3 was adopted.

**CSHB 2826**, as amended, was passed to engrossment. (Collier recorded voting present, not voting.)

**CSHB 4296 ON SECOND READING**  
**(by Schaefer, Guillen, Phelan, Morrison, P. King, et al.)**

CSHB 4296, A bill to be entitled An Act relating to the regulation of plumbing, including the requirements to obtain a tradesman plumber-limited license.

**CSHB 4296 - POINT OF ORDER**

Representative C. Turner raised a point of order against further consideration of CSHB 4296 under Rule 4, Section 32(b)(4), of the House Rules on the grounds that the date on the committee report is incorrect.

The point of order was withdrawn.

**Amendment No. 1**

Representative Schaefer offered the following amendment to CSHB 4296:

Amend CSHB 4296 (house committee printing) as follows:

(1) On page 2, line 8, following the underlined period, insert the following:  
The board may not require the person to register as a plumber's apprentice, pay any fee, or comply with Section 1301.354 or any other requirement of this chapter that applies to a person's eligibility to apply for and take the examination.

(2) On page 2, line 12, between "with" and "any", insert "Section 1301.354 or".

Amendment No. 1 was adopted.

CSHB 4296, as amended, was passed to engrossment.

**HB 2780 ON SECOND READING**  
**(by Wray)**

HB 2780, A bill to be entitled An Act relating to obsolete references to the Texas Probate Code.

HB 2780 was passed to engrossment.

**CSHB 3809 ON SECOND READING**  
**(by Goldman, Meyer, et al.)**

CSHB 3809, A bill to be entitled An Act relating to the accrual of and limitations periods for personal injury claims that arise from certain offenses involving child sexual abuse.

**Amendment No. 1**

Representative Goldman offered the following amendment to CSHB 3809:

Amend CSHB 3809 (house committee printing) on page 2, lines 8 and 9, by striking "a person or persons" and substituting "an individual or individuals".

Amendment No. 1 was adopted.

CSHB 3809, as amended, was passed to engrossment.

**HB 332 ON SECOND READING**  
**(by Nevárez)**

**HB 332**, A bill to be entitled An Act relating to the eligibility of a retired or former judge for assignment in certain proceedings.

**Amendment No. 1**

Representative Nevárez offered the following amendment to **HB 332**:

Amend **HB 332** (house committee report) as follows:

(1) On page 1, lines 9 and 10, strike "four terms of office [~~96 months~~]" and substitute "96 months".

(2) On page 1, line 21, between "duties" and the semicolon, insert "provided the judge served as an active judge for at least four terms of office".

(3) On page 1, line 22, strike "and" and substitute "or".

Amendment No. 1 was adopted.

**HB 332**, as amended, was passed to engrossment. (Flynn and Kuempel recorded voting no.)

**CSHB 300 ON SECOND READING**  
**(by Murr and Lang)**

**CSHB 300**, A bill to be entitled An Act relating to inquest summary reports and the preservation of evidence collected in the course of an inquest.

**CSHB 300** was passed to engrossment.

**HB 642 ON SECOND READING**  
**(by Raney)**

**HB 642**, A bill to be entitled An Act relating to authorizing an optional county fee on vehicle registration in certain counties to be used for transportation projects.

A record vote was requested by Representative Stickland.

**HB 642** was passed to engrossment by (Record 865): 104 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bowers; Bucy; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frullo; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Lambert; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Parker; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Sheffield; Sherman; Shine; Smithee; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zerwas; Zwiener.

Nays — Bell, C.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Cain; Cyrier; Dean; Frank; Harris; Hefner; Holland; Klick; Krause; Kuempel; Landgraf; Leach; Metcalf; Middleton; Miller; Murr; Noble; Oliverson; Paddie; Patterson; Paul; Phelan; Price; Schaefer; Shaheen; Smith; Springer; Stickland; Stucky; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gervin-Hawkins; Johnson, E.

Absent — Lang; Toth.

### STATEMENTS OF VOTE

When Record No. 865 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 865 was taken, I was shown voting yes. I intended to vote no.

Sanford

When Record No. 865 was taken, I was in the house but away from my desk. I would have voted no.

Toth

When Record No. 865 was taken, I was shown voting yes. I intended to vote no.

Wray

### REMARKS ORDERED PRINTED

Representative Israel moved to print remarks between Representative Paddie and Representative Israel on **CSHB 2050**.

The motion prevailed.

### CSHB 2737 ON SECOND READING

(by Wu, Dutton, White, Leach, Frank, et al.)

**CSHB 2737**, A bill to be entitled An Act relating to judicial guidance related to child protective services cases and juvenile cases.

#### Amendment No. 1

Representative Wu offered the following amendment to **CSHB 2737**:

Amend **CSHB 2737** (house committee report) on page 1, line 8, between "supreme court" and "annually", by inserting ", in conjunction with the Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families,".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative White offered the following amendment to **CSHB 2737**:

Amend **CSHB 2737** (house committee report) as follows:

(1) On page 1, line 24, strike "and".

(2) On page 2, line 1, between "(D)" and "commitment", insert the following:

a child's appearance before a court in a judicial proceeding, including the use of a restraint on the child and the clothing worn by the child during the proceeding;  
and

(E)

Amendment No. 2 was adopted.

**CSHB 2737**, as amended, was passed to engrossment.

**CSHB 788 ON SECOND READING**  
**(by S. Davis and White)**

**CSHB 788**, A bill to be entitled An Act relating to a study on the assessments used by the Board of Pardons and Paroles to make parole decisions.

**CSHB 788** was passed to engrossment.

**CSHB 918 ON SECOND READING**  
**(by White, et al.)**

**CSHB 918**, A bill to be entitled An Act relating to providing discharged or released inmates with certain documents, including documents to assist the inmate in obtaining employment.

**CSHB 918** was passed to engrossment.

**HB 1059 ON SECOND READING**  
**(by Lucio)**

**HB 1059**, A bill to be entitled An Act relating to a biennial report on stormwater infrastructure in this state.

**HB 1059** was passed to engrossment.

**CSHB 963 ON SECOND READING**  
**(by C. Bell, Bernal, Howard, and J.D. Johnson)**

**CSHB 963**, A bill to be entitled An Act relating to a review by the State Board of Education of the essential knowledge and skills of the career and technology and technology applications curriculums.

**CSHB 963** was passed to engrossment.

**CSHB 1273 ON SECOND READING**  
**(by Zedler)**

**CSHB 1273**, A bill to be entitled An Act relating to denial of payment for preauthorized health care services.

**Amendment No. 1**

Representative Zedler offered the following amendment to **CSHB 1273**:

Amend **CSHB 1273** (house committee report) as follows:

(1) On page 1, line 8, between "HEALTH CARE" and "SERVICES", insert "OR DENTAL CARE".

(2) On page 1, line 12, between "HEALTH CARE" and "SERVICES", insert "OR DENTAL CARE".

(3) Strike "health care services" each place the phrase appears and substitute "health care or dental care services" (page 1, lines 13 and 18-20).

(4) Strike "physician or health care provider" each place the phrase appears and substitute "physician, dentist, or health care provider" (page 1, lines 14, 15 and 16, 17 and 18, and 22 and page 2, line 8).

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Zedler offered the following amendment to **CSHB 1273**:

Amend **CSHB 1273** (house committee report) as follows:

(1) On page 1, between lines 4 and 5, insert the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. Section 843.348, Insurance Code, is amended by adding Subsection (g-1) to read as follows:

(g-1) Nothing in Subsection (g) may be construed to:

(1) authorize a provider to provide health care services outside of the scope of the provider's practice as defined by applicable state law; or

(2) require the health maintenance organization to pay for a health care service provided outside of the scope of a provider's practice as defined by applicable state law.

(2) On page 1, lines 13-14, strike "to be performed by a physician or health care provider".

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

(d) Nothing in Subsection (a) may be construed to:

(1) authorize a health care provider to provide health care services outside of the scope of the health care provider's practice as defined by applicable state law; or

(2) require the health benefit plan issuer to pay for a health care service provided outside of the scope of a health care provider's practice as defined by applicable state law.

(4) Add the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. Section 1301.135, Insurance Code, is amended by adding Subsection (f-1) to read as follows:

(f-1) Nothing in Subsection (f) may be construed to:

(1) authorize a health care provider to provide medical care or health care services outside of the scope of the health care provider's practice as defined by applicable state law; or

(2) require the insurer to pay for a medical care or health care service provided outside of the scope of a health care provider's practice as defined by applicable state law.

(5) Renumber the SECTIONS of the bill accordingly.

Amendment No. 2 was adopted.

**CSHB 1273**, as amended, was passed to engrossment.

**HB 3852 ON SECOND READING**  
**(by Longoria)**

**HB 3852**, A bill to be entitled An Act relating to purchasing and contracting by governmental entities; authorizing fees.

Representative Longoria moved to postpone consideration of **HB 3852** until 10 a.m. Tuesday, May 7.

The motion prevailed.

**CSHB 1353 ON SECOND READING**  
**(by Oliverson)**

**CSHB 1353**, A bill to be entitled An Act relating to liability of volunteer health care providers and health care institutions for care, assistance, or advice provided in relation to a disaster.

Representative Oliverson moved to postpone consideration of **CSHB 1353** until 10 a.m. Friday, May 3.

The motion prevailed.

**CSHB 1362 ON SECOND READING**  
**(by Wu, Frank, Hinojosa, Miller, and Walle)**

**CSHB 1362**, A bill to be entitled An Act relating to the caseloads of child protective services caseworkers.

**CSHB 1362** was passed to engrossment.

**CSHB 1532 ON SECOND READING**  
**(by Meyer)**

**CSHB 1532**, A bill to be entitled An Act relating to the regulation of certain health organizations certified by the Texas Medical Board; providing an administrative penalty; authorizing a fee.

A record vote was requested by Representative Beckley.

**CSHB 1532** was passed to engrossment by (Record 866): 144 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless;

Harris; Hefner; Hernandez; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Beckley; Biedermann.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gervin-Hawkins; Johnson, E.

Absent — Herrero.

### STATEMENT OF VOTE

When Record No. 866 was taken, I was shown voting yes. I intended to vote no.

Tinderholt

### CSHB 3041 ON SECOND READING (by C. Turner)

**CSHB 3041**, A bill to be entitled An Act relating to the renewal of a preauthorization for a medical or health care service.

#### Amendment No. 1

Representative C. Turner offered the following amendment to **CSHB 3041**:

Amend **CSHB 3041** (house committee report) as follows:

- (1) On page 3, line 9, following the underlined semicolon, add "and".
- (2) On page 3, line 11, strike the underlined semicolon and substitute an underlined period.
- (3) On page 3, strike lines 12-15.

Amendment No. 1 was adopted.

A record vote was requested by Representative Schaefer.

**CSHB 3041**, as amended, was passed to engrossment by (Record 867): 79 Yeas, 58 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bowers; Bucy; Burrows; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.D.; Johnson, J.E.; King, T.; Lambert; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez;

Meza; Minjarez; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Paddie; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Sheffield; Sherman; Shine; Talarico; Thierry; Toth; Turner, C.; Turner, J.; Vo; Walle; Wu; Zerwas; Zwiener.

Nays — Allison; Anderson; Biedermann; Bohac; Bonnen; Buckley; Burns; Cain; Capriglione; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Goldman; Harless; Harris; Hefner; Holland; Huberty; Hunter; King, P.; Klick; Krause; Kuempel; Landgraf; Lang; Leman; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Phelan; Price; Sanford; Schaefer; Shaheen; Smith; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; White; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gervin-Hawkins; Johnson, E.

Absent — Bell, C.; Flynn; Kacal; King, K.; Martinez Fischer; Moody; Rose; Stephenson; Thompson, S.; Wilson.

#### STATEMENTS OF VOTE

When Record No. 867 was taken, my vote failed to register. I would have voted no.

Flynn

When Record No. 867 was taken, I was shown voting no. I intended to vote yes.

Frullo

When Record No. 867 was taken, I was in the house but away from my desk. I would have voted yes.

Kacal

When Record No. 867 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 867 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

When Record No. 867 was taken, I was shown voting no. I intended to vote yes.

Murr

When Record No. 867 was taken, I was shown voting no. I intended to vote yes.

Oliverson

When Record No. 867 was taken, I was shown voting yes. I intended to vote no.

Paddie

When Record No. 867 was taken, I was in the house but away from my desk. I would have voted no.

Wilson

When Record No. 867 was taken, I was shown voting no. I intended to vote yes.

Wray

**HB 1649 ON SECOND READING**  
(by Kuempel)

**HB 1649**, A bill to be entitled An Act relating to vehicle eligibility for the light-duty motor vehicle purchase or lease incentive program.

**Amendment No. 1**

Representative Springer offered the following amendment to **HB 1649**:

Amend **HB 1649** (house committee report) as follows:

(1) On page 1, strike lines 5 and 6 and substitute the following:

SECTION 1. Section 386.154, Health and Safety Code, is amended by amending Subsection (d) and adding Subsection (f) to read as follows:

(2) On page 2, between lines 3 and 4, insert the following:

(f) A person that receives the incentive described by Subsection (d) shall remit \$750 to the comptroller to deposit to the credit of the state highway fund.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Murphy offered the following amendment to **HB 1649**:

Amend **HB 1649** (house committee report) as follows:

(1) On page 1, line 23, strike "and" and substitute "~~and~~".

(2) On page 2, line 3, between "resale" and the period, insert:

; and

(7) is not a motor-assisted scooter, pocket bike, or minimotorbike as those terms are defined by Section 551.351, Transportation Code

Amendment No. 2 was adopted.

A record vote was requested by Representative Stickland.

**HB 1649**, as amended, was passed to engrossment by (Record 868): 99 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Cole; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Farrar; Fierro; Flynn; Frullo; Geren; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Howard;

Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Ortega; Pacheco; Paddie; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu.

Nays — Anchia; Ashby; Bohac; Bonnen; Cain; Capriglione; Clardy; Craddick; Cyrier; Dominguez; Frank; Goldman; Harris; Hefner; Holland; King, P.; Klick; Krause; Lang; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Sanford; Shaheen; Smithee; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gervin-Hawkins; Johnson, E.

Absent — Bell, C.; Biedermann; Deshotel; King, T.; Nevárez; Perez; Schaefer; Thompson, S.; Wray; Zerwas; Zwiener.

**STATEMENTS OF VOTE**

When Record No. 868 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 868 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 868 was taken, I was in the house but away from my desk. I would have voted yes.

T. King

When Record No. 868 was taken, I was shown voting yes. I intended to vote no.

Landgraf

When Record No. 868 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 868 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 868 was taken, I was shown voting yes. I intended to vote no.

Toth

When Record No. 868 was taken, I was in the house but away from my desk. I would have voted yes.

Zwiener

**HB 1568 ON SECOND READING  
(by Hernandez)**

**HB 1568**, A bill to be entitled An Act relating to the authority of certain municipal employees to request the removal and storage of certain abandoned or illegally parked or operated vehicles.

**HB 1568** was passed to engrossment.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Juvenile Justice and Family Issues, scheduled to meet upon final adjournment or during bill referral, if permission granted, today, will convene at 7 p.m. in the posted location.

**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).

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

State Affairs, scheduled to reconvene today upon adjournment or during bill referral, if permission granted, will convene at 7:30 p.m. in the posted location.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Phelan moved to suspend the five-day posting rule to allow the Committee on Transportation to consider **HB 4762** at 2 p.m. or upon adjournment or during bill referral, if permission granted, today in E2.030.

The motion prevailed.

**COMMITTEES GRANTED PERMISSION TO MEET**

Representative Canales moved that the house grant permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings or recess motions.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Business and Industry, upon final adjournment or during bill referral, if permission granted, today, 1W.14, for a formal meeting, to consider pending business.

Resolutions Calendars, upon final adjournment or during bill referral, if permission granted, today, 1W.14, for a formal meeting, to consider a calendar.

### PROVIDING FOR ADJOURNMENT

At 6:37 p.m., Representative Goodwin moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in memory of Dr. Michael James Babineaux of Austin.

The motion prevailed.

### BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES CORRECTIONS IN REFERRAL

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Pursuant to Rule 1, Section 4, of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

(K. Bell in the chair)

### ADJOURNMENT

In accordance with a previous motion, the house, at 6:43 p.m., adjourned until 10 a.m. tomorrow.

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### ADDENDUM

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### REFERRED TO COMMITTEES

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

#### List No. 1

**SB 1038** to Land and Resource Management.

**SB 1720** to County Affairs.

**SB 1793** to State Affairs.

**SB 1794** to Judiciary and Civil Jurisprudence.

**SB 1856** to Ways and Means.

**SB 1879** to Homeland Security and Public Safety.

**SB 1959** to Transportation.

**SB 2135** to Public Education.

**SB 2505** to County Affairs.

**SB 2517** to Land and Resource Management.

**SB 2527** to Land and Resource Management.

**List No. 2**

- SB 11** to Public Education.
- SB 58** to Ways and Means.
- SB 437** to Insurance.
- SB 446** to State Affairs.
- SB 1029** to Ways and Means.
- SB 1056** to Public Health.
- SB 1129** to Urban Affairs.
- SB 1336** to Business and Industry.
- SB 1386** to Natural Resources.
- SB 1500** to Judiciary and Civil Jurisprudence.
- SB 1525** to Ways and Means.
- SB 1584** to Insurance.
- SB 1742** to Insurance.
- SB 1755** to Judiciary and Civil Jurisprudence.
- SB 1803** to Criminal Jurisprudence.
- SB 1805** to Agriculture and Livestock.
- SB 1824** to Ways and Means.
- SB 1845** to Business and Industry.
- SB 1918** to Urban Affairs.
- SB 1928** to Judiciary and Civil Jurisprudence.
- SB 1940** to Insurance.
- SB 2040** to Human Services.
- SB 2156** to Transportation.
- SB 2245** to County Affairs.
- SB 2270** to Pensions, Investments, and Financial Services.
- SB 2449** to Land and Resource Management.
- SB 2469** to Land and Resource Management.
- SB 2481** to Land and Resource Management.
- SB 2521** to Land and Resource Management.
- SB 2524** to Land and Resource Management.
- SB 2525** to Land and Resource Management.
- SB 2526** to Land and Resource Management.
- SB 2534** to Land and Resource Management.

Pursuant to Rule 1, Section 4, of the House Rules, the chair corrects the referral of the following bills and resolutions:

**SB 1207** to Insurance.

**SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

**Senate List No. 15**

**SB 325, SB 872**

**MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

**Message No. 1**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, May 1, 2019

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 374** Allen SPONSOR: Miles  
Relating to meetings or visits between a defendant on community supervision and a supervision officer.  
(Committee Substitute)

**HB 1311** Thompson, Senfronia SPONSOR: Watson  
Relating to the continuation and functions of the Texas Board of Professional Geoscientists.

**HB 1595** Paddie SPONSOR: Hughes  
Relating to the deployment of advanced metering and meter information networks in certain areas outside of ERCOT.

**HCR 163** Kacal SPONSOR: Birdwell  
Commemorating the 30th anniversary of the Allergan company's Waco Manufacturing Facility.

**SB 711** Hinojosa  
Relating to allowing safety recall information to be included in a vehicle inspection report.

**SB 958** Johnson

Relating to a right of first refusal applicable to the sale of housing developments that have received certain financial assistance administered by the Texas Department of Housing and Community Affairs.

**SB 1130** West

Relating to the establishment of a task force on father engagement in this state.

**SB 1133** Bettencourt

Relating to prohibiting public schools from owning, leasing, or having a business interest in certain entities and real property associated with those entities.

**SB 1331** Hinojosa

Relating to the regulation of individuals and entities that conduct forensic analyses, examinations, and tests.

**SB 1783** Zaffirini

Relating to guardianships, alternatives to guardianship, and supports and services for incapacitated persons.

**SB 2143** Flores

Relating to the authority of the Kickapoo Traditional Tribe of Texas to commission peace officers.

Respectfully,

Patsy Spaw

Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, May 1, 2019 - 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 723** Larson SPONSOR: Perry

Relating to a requirement that the Texas Commission on Environmental Quality obtain or develop updated water availability models for certain river basins.

(Committee Substitute)

**SB 535** Campbell

Relating to the carrying of a handgun by a license holder on the premises of certain places of religious worship.

**SB 708** Zaffirini

Relating to collection and use of child safety data for licensed day-care centers.

**SB 1105** Kolkhorst  
Relating to the administration and operation of Medicaid, including Medicaid managed care.

**SB 1180** Menéndez  
Relating to reporting regarding veterans treatment court programs.

**SB 1818** Zaffirini  
Relating to a competitive and integrated employment initiative for certain Medicaid recipients.

**SB 1991** Buckingham  
Relating to claims and overpayment recoupment processes imposed on health care providers under Medicaid.

**SB 2272** Nichols  
Relating to the procedure for amending or revoking certificates of public convenience and necessity issued to certain water utilities.

**SB 2293** Fallon  
Relating to the applicability of certain laws to open-enrollment charter schools.

**SB 2318** Campbell  
Relating to the authority of a county to require a person to obtain a building permit from the county for certain portable structures.

**SCR 59** Birdwell  
Urging the president to designate a state funeral for the last surviving Medal of Honor recipient from World War II.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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## APPENDIX

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### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

**April 30**

Business and Industry - **HB 733, HB 2302**

Corrections - **HB 4104**

County Affairs - **HB 1356, HB 2467, HB 3001, HB 4075, HB 4117, HB 4468, HB 4693, HB 4752, SB 790**

Criminal Jurisprudence - **HB 37, HB 442, HB 760, HB 934, HB 1445, HB 2342, HB 2360, HB 2361, HB 2518, HB 2524, HB 2894, HB 2906, HB 3091, HB 3177, HB 3490, HB 3849, HB 4202, HJR 62**

Elections - **HB 2898, HB 3964, HB 4130**

Homeland Security and Public Safety - **HB 838, HB 2478**

House Administration - **HB 3040**

Human Services - **HB 342, HB 475, HB 1647, HB 2062, HB 2368, HB 2392, HB 2409, HB 2866, HB 3170, HB 3541, HB 3803, HB 3991, HB 4543**

Insurance - **HB 670, HB 2601, HB 2893, HB 3064, HB 3984**

International Relations and Economic Development - **HB 2279** (corrected)

Judiciary and Civil Jurisprudence - **HB 1359, HB 1737, HB 2247, HB 2782, HB 3081, HB 3305, HB 4085, HB 4441, HB 4633, HB 4716, SB 41, SB 230, SB 416, SB 489, SB 667**

Public Education - **HB 307, HB 662, HB 1416, HB 2609, HB 2621, HB 3000, HB 3008, HB 3026, HB 3155, HB 3452, HB 3683, HB 3861, HB 4131, HB 4324, HB 4414**

Public Health - **HB 562, HB 1782, HB 2057, HB 2108, HB 2250, HB 2410, HB 2618, HB 2783, HB 3017, HB 3284, HB 3285, HB 3304, HB 3538, HB 3703, HB 4097, HB 4455, SB 932, SB 1238, SB 1283, SB 2200**

State Affairs - **HB 318, HB 4132, SB 494, SB 944, SB 988, SB 1358**

Transportation - **HB 737, HB 1951**

Urban Affairs - **HB 4744**

Ways and Means - **HB 948, HB 983, HB 1201, HB 2257, HB 2770, HB 2993, HB 3356, HB 3823, HB 3844, HB 4152, HB 4158, HB 4228, HB 4367, HJR 139**

### ENGROSSED

**April 30 - HB 63, HB 70, HB 808, HB 823, HB 914, HB 985, HB 1111, HB 1139, HB 1307, HB 1542, HB 1543, HB 1619, HB 1806, HB 1865, HB 2100, HB 2169, HB 2188, HB 2282, HB 2387, HB 2439, HB 2611, HB 2623, HB 2668, HB 2730, HB 2845, HB 2899, HB 3006, HB 3106, HB 3143, HB 3224, HB 3842, HB 4429**

### ENROLLED

**April 30 - HCR 155**

### RECOMMENDATIONS FILED WITH THE SPEAKER

**April 30 - HB 4662, HB 4667, HB 4668, HB 4669, HB 4670, HB 4671, HB 4672, HB 4673, HB 4674, HB 4675, HB 4676, HB 4677, HB 4678, HB 4679, HB 4685, HB 4686, HB 4687, HB 4688**