

# HOUSE JOURNAL

---

---

EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

---

---

## PROCEEDINGS

THIRTY-SIXTH DAY — THURSDAY, APRIL 29, 2021

The house met at 10:16 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 520).

Present — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Absent, Excused — Huberty.

Absent — Patterson.

The invocation was offered by Representative White as follows:

Father God almighty, in the name of Jesus, we come to you fallen. And because of this, Father God almighty, we just ask you to instill upon us humility and wisdom. The people that we serve back home, they first belong to you. And with that, we need the humility and wisdom to know that these people are first yours, and we need the wisdom to be able to lead them and guide them. Father God, thank you for all these members that are on the floor. Continue to bless the safety of their families here and back home. And Father God almighty, we just want to thank you for blessing us to live in a great state in a great country. In the name of your son and the Holy Spirit, amen.

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

### 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).

### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 12 and Senate List No. 7).

### COMMITTEE GRANTED PERMISSION TO MEET

Representative Bonnen requested permission for the Conference Committee on **SB 1** to meet while the house is in session for the remainder of the session.

Permission to meet was granted.

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for the remainder of the session, as needed, to attend meetings of the Conference Committee on **SB 1**:

Bonnen on motion of Goldman.

Capriglione on motion of Goldman.

M. González on motion of Goldman.

Walle on motion of Goldman.

Wilson on motion of Goldman.

### CSHB 1485 - VOTE RECONSIDERED

Representative Lambert moved to reconsider the vote by which **CSHB 1485**, as amended, failed to pass to engrossment by Record No. 513.

A record vote was requested by Representative Slaton.

The motion to reconsider prevailed by (Record 521): 73 Yeas, 63 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bailes; Beckley; Bell, K.; Bernal; Bucy; Burrows; Campos; Canales; Clardy; Cole; Coleman; Collier; Cortez; Crockett; Darby; Davis; Dean; Dominguez; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; King, K.; King, T.; Kuempel; Lambert; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Stucky; Talarico; Thierry; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu.

Nays — Allison; Anderson; Ashby; Bell, C.; Biedermann; Bonnen; Buckley; Burns; Button; Cain; Capriglione; Cason; Cook; Craddick; Cyrier; Ellzey; Frank; Frullo; Gates; Goldman; Harless; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, P.; Klick; Krause; Landgraf; Larson; Leach; Leman; Lozano;

Metcalf; Meyer; Middleton; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Slaton; Smith; Smithee; Spiller; Stephenson; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

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

Absent, Excused — Huberty.

Absent — Bowers; Deshotel; Goodwin; Johnson, J.D.; Morrison; Pacheco; Patterson; Shaheen; Slawson; Thompson, S.; Zwiener.

### STATEMENTS OF VOTE

When Record No. 521 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 521 was taken, I was in the house but away from my desk. I would have voted yes.

Goodwin

When Record No. 521 was taken, I was shown voting no. I intended to vote yes.

Hunter

When Record No. 521 was taken, I was in the house but away from my desk. I would have voted no.

Slawson

(Patterson now present)

### CSHB 1485 ON SECOND READING (by C. Turner)

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

**CSHB 1485**, A bill to be entitled An Act relating to the regulation of elevator mechanics, elevator apprentices, and contractors; requiring an occupational registration.

**CSHB 1485** was read second time on April 28 and failed to pass to engrossment, as amended, by Record No. 513.

A record vote was requested by Representative Slaton.

The vote of the house was taken on passage to engrossment of **CSHB 1485** and the vote was announced yeas 71, nays 74.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 522): 70 Yeas, 74 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Coleman; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Dutton; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Lambert; Larson; Longoria; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Thierry; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Cook; Craddock; Cyrier; Dean; Ellzey; Frank; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty.

Absent — Clardy; Lopez; Talarico; Vo.

The chair stated that **CSHB 1485**, as amended, failed to pass to engrossment by the above vote.

### STATEMENTS OF VOTE

When Record No. 522 was taken, I was in the house but away from my desk. I would have voted yes.

Lopez

When Record No. 522 was taken, I was in the house but away from my desk. I would have voted yes.

Talarico

### GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

#### **SB 1438 ON THIRD READING** **(Meyer - House Sponsor)**

**SB 1438**, A bill to be entitled An Act relating to the effect of a disaster on the calculation of certain tax rates and the procedure for adoption of a tax rate by a taxing unit.

**SB 1438** was passed by (Record 523): 103 Yeas, 43 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Deshotel; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Martinez; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, E.; Morrison; Murphy; Murr; Neave; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Raymond; Rogers; Romero; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Cole; Coleman; Collier; Crockett; Dominguez; Dutton; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez Fischer; Meza; Morales, C.; Muñoz; Ordaz Perez; Ortega; Ramos; Reynolds; Rodriguez; Rose; Rosenthal; Sherman; Talarico; Thierry; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty.

Absent — Morales Shaw; Vo.

#### STATEMENTS OF VOTE

When Record No. 523 was taken, I was shown voting yes. I intended to vote no.

Deshotel

When Record No. 523 was taken, I was shown voting no. I intended to vote yes.

Dominguez

When Record No. 523 was taken, I was in the house but away from my desk. I would have voted no.

Morales Shaw

When Record No. 523 was taken, I was shown voting no. I intended to vote yes.

Muñoz

#### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

**HB 1981 ON THIRD READING**  
(by Craddick)

**HB 1981**, A bill to be entitled An Act relating to the release by the comptroller of unclaimed property to certain persons.

**HB 1981** was passed by (Record 524): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty.

Absent — Hunter; Slawson; Vo.

**STATEMENTS OF VOTE**

When Record No. 524 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

When Record No. 524 was taken, I was in the house but away from my desk. I would have voted yes.

Slawson

**HB 570 ON THIRD READING**  
(by Paddie, Button, Harris, Burrows, Guillen, et al.)

**HB 570**, A bill to be entitled An Act relating to small business recovery funds and insurance tax credits for certain investments in those funds; imposing a monetary penalty; authorizing fees.

**HB 570** was passed by (Record 525): 134 Yeas, 13 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Hefner; Hinojosa; Martinez Fischer; Middleton; Morales, C.; Schaefer; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty.

Absent — Vo.

### **HB 548 ON THIRD READING**

**(by Frank, Lozano, Guillen, Buckley, E. Morales, et al.)**

**HB 548**, A bill to be entitled An Act relating to the licensing of certain military veterans as health care providers to practice in underserved areas.

**HB 548** was passed by (Record 526): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith;

Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty.

Absent — Morales Shaw; Vo.

### STATEMENT OF VOTE

When Record No. 526 was taken, I was in the house but away from my desk. I would have voted yes.

Morales Shaw

### HB 859 ON THIRD READING (by Collier, Sherman, Moody, et al.)

**HB 859**, A bill to be entitled An Act relating to the expunction of all records and files related to arrests for certain decriminalized misdemeanor offenses.

**HB 859** was passed by (Record 527): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Huberty.

Absent — Cain; Schofield; Vo.

### HB 2283 ON THIRD READING (by P. King, Paul, Cain, Patterson, Schofield, et al.)

**HB 2283**, A bill to be entitled An Act relating to the prohibition of certain contributions and donations for the administration of elections.

**Amendment No. 1**

Representative Collier offered the following amendment to **HB 2283**:

Amend **HB 2283** on third reading as follows:

(1) In SECTION 1 of the bill, in added Section 31.126(c), Election Code, strike Subdivision (2) and substitute the following:

(2) any state or federal funds administered or distributed by the secretary of state, including funds administered and distributed under Section 31.009, or other state or federal funds made available to political subdivisions to perform a function related to elections.

(2) In SECTION 2 of the bill, in added Section 81.032(c), Local Government Code, strike Subdivision (2) and substitute the following:

(2) any state or federal funds administered or distributed by the secretary of state, including funds administered and distributed under Section 31.009, or other state or federal funds made available to political subdivisions to perform a function related to elections.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representatives Bucy and Romero offered the following amendment to **HB 2283**:

Amend **HB 2283** (second reading engrossment) on third reading as follows:

(1) On page 2, line 2, strike "or".

(2) On page 2, line 5, strike the underlined period and substitute "; or".

(3) On page 2, between lines 5 and 6, insert the following:

(3) an offer for use, without charge or for a reduced fee, of a public or private building or a portion of a building for the purposes of conducting an election, including for use as a polling place designated under Chapter 43.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Anchia offered the following amendment to **HB 2283**:

Amend **HB 2283** on third reading by adding the following SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 31, Election Code, is amended by adding Section 31.017 to read as follows:

Sec. 31.017. PROHIBITED CONTRIBUTIONS. (a) The secretary of state may not:

(1) accept a contribution of \$1,000 or more, including the value of in-kind donations, offered by:

(A) a private individual;

(B) a business entity, including a:

(i) corporation;

(ii) partnership; or

(iii) trust; or

(C) another third party; or

(2) use a contribution described by Subdivision (1) to perform a function related to elections.

(b) This section does not prohibit the acceptance of:

(1) an in-kind contribution of food or beverage for election workers during the administration of an election; or

(2) any state or federal funds administered or distributed by the secretary of state, including funds administered and distributed under Section 31.009.

A record vote was requested by Representative Slaton.

Amendment No. 3 failed of adoption by (Record 528): 66 Yeas, 80 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schofield; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty.

Absent — Larson; Vo.

### STATEMENT OF VOTE

When Record No. 528 was taken, I was shown voting no. I intended to vote yes.

Gates

**HB 2283**, as amended, was passed by (Record 529): 89 Yeas, 52 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Collier; Cook; Craddick; Cyrier; Darby; Davis; Dean; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter;

Jetton; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Rose; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Canales; Cole; Coleman; Cortez; Crockett; Deshotel; Dominguez; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Ramos; Raymond; Reynolds; Rodriguez; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty.

Absent — Bucy; Campos; Morales Shaw; Perez; Romero; Rosenthal; Vo.

#### STATEMENTS OF VOTE

When Record No. 529 was taken, I was in the house but away from my desk. I would have voted no.

Campos

When Record No. 529 was taken, I was shown voting yes. I intended to vote no.

J.D. Johnson

When Record No. 529 was taken, my vote failed to register. I would have voted no.

Morales Shaw

When Record No. 529 was taken, my vote failed to register. I would have voted no.

Romero

When Record No. 529 was taken, I was shown voting yes. I intended to vote no.

Rose

When Record No. 529 was taken, I was in the house but away from my desk. I would have voted no.

Rosenthal

### LEAVE OF ABSENCE GRANTED

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

Vo on motion of Bernal.

### HB 2201 ON THIRD READING (by Ashby and Guillen)

**HB 2201**, A bill to be entitled An Act relating to the location of pits used in the production of oil and gas.

**HB 2201** was passed by (Record 530): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

### HB 1492 ON THIRD READING (by Herrero)

**HB 1492**, A bill to be entitled An Act relating to the administration of navigation districts.

**HB 1492** was passed by (Record 531): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra;

Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Nays — Slaton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Lopez; Rosenthal.

### **HB 624 ON THIRD READING** **(by Shine)**

**HB 624**, A bill to be entitled An Act relating to increasing the criminal penalty for certain offenses committed in retaliation for or on account of a person's service or status as a public servant.

**HB 624** was passed by (Record 532): 130 Yeas, 15 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Sanford; Schaefer; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wu; Zwiener.

Nays — Cain; Canales; Cason; Hefner; Leman; Metcalf; Middleton; Patterson; Ramos; Schofield; Shaheen; Slaton; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Klick; Rosenthal.

### STATEMENTS OF VOTE

When Record No. 532 was taken, I was shown voting yes. I intended to vote no.

Gates

When Record No. 532 was taken, I was in the house but away from my desk. I would have voted yes.

Klick

When Record No. 532 was taken, I was shown voting no. I intended to vote yes.

Leman

When Record No. 532 was taken, I was in the house but away from my desk. I would have voted yes.

Rosenthal

### HB 4436 ON THIRD READING

(by Cyrier)

**HB 4436**, A bill to be entitled An Act relating to the operation of aircraft in or on protected freshwater areas.

**HB 4436** was passed by (Record 533): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Klick; Larson; Paddie; Rosenthal.

### STATEMENT OF VOTE

When Record No. 533 was taken, I was in the house but away from my desk. I would have voted yes.

Klick

### HB 1709 ON THIRD READING

(by Neave, White, Moody, Crockett, and Ramos)

**HB 1709**, A bill to be entitled An Act relating to status offenses committed by a child, including the repeal of the status offense of a child voluntarily running away from home.

**HB 1709** was passed by (Record 534): 145 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Nays — Johnson, A.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Klick.

### STATEMENTS OF VOTE

When Record No. 534 was taken, I was shown voting no. I intended to vote yes.

A. Johnson

When Record No. 534 was taken, I was in the house but away from my desk. I would have voted yes.

Klick

### **HB 1535 ON THIRD READING**

**(by Klick, Dean, Price, Oliverson, Howard, et al.)**

**HB 1535**, A bill to be entitled An Act relating to the medical use of low-THC cannabis by patients with certain medical conditions and the establishment of compassionate-use institutional review boards to evaluate and approve proposed research programs to study the medical use of low-THC cannabis in the treatment of certain patients.

### **HB 1535 - REMARKS**

**REPRESENTATIVE MOODY:** First of all, I want to thank you for the work that you've done on this, and it's not just this session. This goes back to 2015 and the enormous amount of work you put into this program. I believe since we left the session last time, this program has grown by nearly 500 percent, and I think this bill does a good job in moving us forward. I want to go back and be very clear, though. In the legislation that created this program, there was an instruction to DPS to license not less than three dispensing organizations. Is that correct?

**REPRESENTATIVE KLICK:** That's correct.

**MOODY:** And is it your intent that they license only three?

**KLICK:** No, that was a minimum beginning by a certain date because we wanted to speed the program ahead.

**MOODY:** So the intent was that was a floor not a ceiling?

**KLICK:** Absolutely.

**MOODY:** Okay. And I think, as the program continues, you would agree with me that there are other entities out there that are qualified and could seek licenses?

**KLICK:** That is true. Currently, the patient population is still very small. It's about 5,000 patients.

**MOODY:** True, and while that is the case, like I said, there was a 500 percent increase in the last couple of years. And I assume that as we continue to move forward, my hope is that DPS understands that the floor is not a cap and that we need to make sure that if the program is going to operate, that it operates in a way that people can access the medical cannabis that this program affords them.

**KLICK:** Correct.

**MOODY:** Is it your hope that DPS issues more licenses?

**KLICK:** As the program and the demand increases, yes. We were never intending to restrict the number of licenses.

**REMARKS ORDERED PRINTED**

Representative Moody moved to print remarks between Representative Klick and Representative Moody on **HB 1535**.

The motion prevailed.

**HB 1535** was passed by (Record 535): 134 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wu; Zwiener.

Nays — Bell, C.; Burrows; Craddick; Ellzey; Hefner; Leman; Metcalf; Murr; Noble; Paul; Sanford; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Thierry.

**HB 1693 ON THIRD READING**

**(by Shaheen, Paul, Harless, J.D. Johnson, and Murphy)**

**HB 1693**, A bill to be entitled An Act relating to access to the financial responsibility verification program by justice and municipal courts.

**HB 1693** was passed by (Record 536): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause;

Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Gates; Geren; González, M.; Klick; Murphy.

**HB 1919 ON THIRD READING**  
**(by Harris, et al.)**

**HB 1919**, A bill to be entitled An Act relating to certain prohibited practices for certain health benefit plan issuers and pharmacy benefit managers.

**HB 1919** was passed by (Record 537): 128 Yeas, 16 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, K.; King, T.; Klick; Krause; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wu; Zwiener.

Nays — Anderson; Beckley; Biedermann; Cain; Cason; Cook; Craddick; Cyrier; Hefner; Kacal; King, P.; Ramos; Slaton; Spiller; Vasut; Wilson.

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

Absent, Excused — Huberty; Vo.

Absent — González, M.; Kuempel.

**STATEMENTS OF VOTE**

When Record No. 537 was taken, I was shown voting no. I intended to vote yes.

Anderson

When Record No. 537 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 537 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 537 was taken, I was shown voting no. I intended to vote yes.

Hefner

When Record No. 537 was taken, I was shown voting yes. I intended to vote no.

Romero

When Record No. 537 was taken, I was shown voting yes. I intended to vote no.

Shaheen

When Record No. 537 was taken, I was shown voting no. I intended to vote yes.

Wilson

**HB 1757 ON THIRD READING  
(by Krause, Sherman, and Ramos)**

**HB 1757**, A bill to be entitled An Act relating to recordings of peace officer performance of official duties and interactions with the public; creating a criminal offense.

**HB 1757** was passed by (Record 538): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.;

Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

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

Absent, Excused — Huberty; Vo.

Absent — Anderson.

### STATEMENT OF VOTE

When Record No. 538 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

### HB 2030 ON THIRD READING (by C. Turner and Button)

**HB 2030**, A bill to be entitled An Act relating to the establishment by the Texas Higher Education Coordinating Board of a grant program for regional postsecondary education collaboratives.

**HB 2030** was passed by (Record 539): 99 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Ashby; Bailes; Beckley; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smithee; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Bell, C.; Bell, K.; Biedermann; Cain; Cason; Cook; Cyrier; Ellzey; Frank; Gates; Goldman; Harless; Hefner; Holland; Hull; Jetton; King, P.; Klick; Krause; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Patterson; Paul; Price; Rogers; Sanford; Schaefer; Shaheen; Slaton; Slawson; Smith; Spiller; Stephenson; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

**HB 1752 ON THIRD READING**  
**(by Oliverson and Thierry)**

**HB 1752**, A bill to be entitled An Act relating to benefit review conferences under the Texas workers' compensation system.

**HB 1752** was passed by (Record 540): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Craddick; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddock; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Raney; Thompson, S.

**STATEMENTS OF VOTE**

When Record No. 540 was taken, I was temporarily out of the house chamber. I would have voted yes.

Raney

When Record No. 540 was taken, my vote failed to register. I would have voted yes.

S. Thompson

**HB 1777 ON THIRD READING**  
**(by Oliverson)**

**HB 1777**, A bill to be entitled An Act relating to disclosures and standards required for certain annuity transactions and benefits under certain annuity contracts.

**HB 1777** was passed by (Record 541): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Nays — Cason.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Bernal; Holland.

### STATEMENT OF VOTE

When Record No. 541 was taken, I was in the house but away from my desk. I would have voted yes.

Holland

### HB 2205 ON THIRD READING (by Romero, Holland, and Toth)

**HB 2205**, A bill to be entitled An Act relating to applicability of the International Swimming Pool and Spa Code to certain pools, spas, and other swimming areas.

**HB 2205** was passed by (Record 542): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer;

Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Anchia; Jetton; Johnson, J.D.

### **HB 781 ON THIRD READING**

**(by Sanford, Noble, Patterson, Guillen, Shaheen, et al.)**

**HB 781**, A bill to be entitled An Act relating to the carrying and possession of a handgun by a public junior college school marshal.

**HB 781** was passed by (Record 543): 104 Yeas, 43 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Coleman; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, M.; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Middleton; Minjarez; Moody; Morales, E.; Morales Shaw; Morrison; Murphy; Murr; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Cole; Collier; Crockett; Deshotel; Fierro; González, J.; Goodwin; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Longoria; Lopez; Meza; Morales, C.; Muñoz; Neave; Ordaz Perez; Ortega; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

### **STATEMENTS OF VOTE**

When Record No. 543 was taken, I was shown voting yes. I intended to vote no.

Campos

When Record No. 543 was taken, I was shown voting yes. I intended to vote no.

Davis

When Record No. 543 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 543 was taken, I was shown voting yes. I intended to vote no.

Martinez Fischer

**HB 3111 ON THIRD READING**  
**(by Meyer, Hunter, and A. Johnson)**

**HB 3111**, A bill to be entitled An Act relating to the criminal offense of online solicitation relating to a minor; creating a criminal offense; changing eligibility for community supervision.

**HB 3111** was passed by (Record 544): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Klick.

**STATEMENT OF VOTE**

When Record No. 544 was taken, I was in the house but away from my desk. I would have voted yes.

Klick

**HB 3360 ON THIRD READING****(by Murr)**

**HB 3360**, A bill to be entitled An Act relating to civil actions by a civilly committed individual.

**HB 3360** was passed by (Record 545): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

**HB 2112 ON THIRD READING****(by Metcalf, Schaefer, White, C. Bell, and E. Morales)**

**HB 2112**, A bill to be entitled An Act relating to the carrying of holstered handguns by handgun license holders.

**HB 2112** was passed by (Record 546): 135 Yeas, 11 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Murphy; Murr; Neave; Noble;

Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; White; Wilson; Wu; Zwiener.

Nays — Beckley; Cole; Collier; Fierro; González, J.; Johnson, A.; Muñoz; Ordaz Perez; Ramos; Sherman; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Coleman.

### STATEMENTS OF VOTE

When Record No. 546 was taken, I was shown voting no. I intended to vote yes.

A. Johnson

When Record No. 546 was taken, I was shown voting no. I intended to vote yes.

Muñoz

When Record No. 546 was taken, I was shown voting no. I intended to vote yes.

Ordaz Perez

### HB 3973 ON THIRD READING (by Walle)

**HB 3973**, A bill to be entitled An Act relating to the composition and use of money in the oil and gas regulation and cleanup fund.

**HB 3973** was passed by (Record 547): 108 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Cook; Gates; Harless; Harris; Hefner; Holland; Hull; Jetton; King, P.; Klick; Krause; Landgraf; Leach; Metcalf; Middleton; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Sanford; Schaefer; Shaheen; Slaton; Slawson; Stephenson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Clardy; Morales, C.

### STATEMENTS OF VOTE

When Record No. 547 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 547 was taken, I was in the house but away from my desk. I would have voted no.

Clardy

When Record No. 547 was taken, I was in the house but away from my desk. I would have voted yes.

C. Morales

When Record No. 547 was taken, I was shown voting no. I intended to vote yes.

E. Thompson

### HB 332 ON THIRD READING (by Talarico, Bernal, and Buckley)

**HB 332**, A bill to be entitled An Act relating to the use of the compensatory education allotment for programs that build certain social and emotional skills.

**HB 332** was passed by (Record 548): 89 Yeas, 56 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bernal; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dominguez; Fierro; Frank; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Anderson; Bell, C.; Bell, K.; Biedermann; Bonnen; Burns; Cain; Cason; Clardy; Cook; Craddick; Cyrier; Dean; Ellzey; Frullo; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Jetton; King, P.; Klick; Krause; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Dutton; King, T.

### STATEMENT OF VOTE

When Record No. 548 was taken, I was shown voting yes. I intended to vote no.

Morrison

### HB 2893 ON THIRD READING (by Herrero)

**HB 2893**, A bill to be entitled An Act relating to the establishment by the Texas Department of Housing and Community Affairs of colonia self-help centers in certain counties and to the representation of those counties on the Colonia Resident Advisory Committee.

**HB 2893** was passed by (Record 549): 94 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Beckley; Bernal; Bowers; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smithee; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Cain; Cason; Cook; Cyrier; Darby; Ellzey; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; King, P.; Klick; Krause; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Paul; Raney; Sanford; Schaefer; Shaheen; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Huberty; Vo.

Absent — Dean.

### STATEMENTS OF VOTE

When Record No. 549 was taken, I was shown voting yes. I intended to vote no.

Allison

When Record No. 549 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 549 was taken, I was shown voting present, not voting. I intended to vote yes.

Capriglione

When Record No. 549 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 549 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 549 was taken, I was shown voting yes. I intended to vote no.

Meyer

### HB 3643 ON THIRD READING

(by K. King and K. Bell)

**HB 3643**, A bill to be entitled An Act relating to the creation of the Texas Commission on Virtual Education.

**HB 3643** was passed by (Record 550): 103 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bowers; Buckley; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Coleman; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dutton; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Kuempel; Lambert; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smithee; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; Wu; Zwiener.

Nays — Bonnen; Burns; Cain; Cason; Cook; Craddick; Cyrier; Dean; Ellzey; Frank; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Klick; Krause; Landgraf; Leman; Metcalf; Middleton; Murr; Noble; Patterson; Paul; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Spiller; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Capriglione; Dominguez; González, M.

### STATEMENTS OF VOTE

When Record No. 550 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 550 was taken, I was shown voting yes. I intended to vote no.

C. Bell

When Record No. 550 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 550 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 550 was taken, I was shown voting no. I intended to vote yes.

Ellzey

When Record No. 550 was taken, I was shown voting no. I intended to vote yes.

Goldman

When Record No. 550 was taken, I was shown voting no. I intended to vote yes.

Krause

When Record No. 550 was taken, I was shown voting no. I intended to vote yes.

Landgraf

When Record No. 550 was taken, I was shown voting no. I intended to vote yes.

Metcalf

When Record No. 550 was taken, I was shown voting no. I intended to vote yes.

Murr

**HB 3039 ON THIRD READING**  
(by Ellzey)

**HB 3039**, A bill to be entitled An Act relating to the electronic transmission of certain notices provided by the Railroad Commission of Texas.

**HB 3039** was passed by (Record 551): 141 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Nays — Anchia; Beckley; Bell, C.

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

Absent, Excused — Huberty; Vo.

Absent — Raney; Rose.

**STATEMENTS OF VOTE**

When Record No. 551 was taken, I was shown voting no. I intended to vote yes.

C. Bell

When Record No. 551 was taken, I was shown voting present, not voting. I intended to vote yes.

Oliverson

When Record No. 551 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

**HB 3394 ON THIRD READING**  
**(by Metcalf)**

**HB 3394**, A bill to be entitled An Act relating to determining the incapacity of a guardian.

**HB 3394** was passed by (Record 552): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Anderson; Moody.

**HB 2499 ON THIRD READING**  
**(by Stucky)**

**HB 2499**, A bill to be entitled An Act relating to the wearing of a personal flotation device while being towed behind a motorboat or while engaged in water sports in or on the wake of a motorboat; creating a criminal offense.

**HB 2499** was passed by (Record 553): 78 Yeas, 66 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Beckley; Bell, K.; Bernal; Bowers; Bucy; Burrows; Button; Campos; Cole; Coleman; Collier; Cortez; Crockett; Darby; Davis; Deshotel; Dutton; Fierro; Frullo; Gervin-Hawkins; González, J.; González, M.; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Ordaz Perez; Ortega;

Pacheco; Parker; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Anchia; Anderson; Ashby; Bailes; Bell, C.; Biedermann; Bonnen; Buckley; Burns; Cain; Canales; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Dean; Dominguez; Ellzey; Frank; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Jetton; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Leach; Leman; Lopez; Metcalf; Meyer; Middleton; Morrison; Murr; Noble; Oliverson; Paddie; Patterson; Paul; Price; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Geren; Goodwin; King, K.

### STATEMENTS OF VOTE

When Record No. 553 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 553 was taken, I was in the house but away from my desk. I would have voted yes.

K. King

When Record No. 553 was taken, I was shown voting yes. I intended to vote no.

Ramos

### HB 3476 ON THIRD READING (by Schofield)

**HB 3476**, A bill to be entitled An Act relating to certificates of public convenience and necessity issued to water utilities inside the boundaries or extraterritorial jurisdiction of certain municipalities.

**HB 3476** was passed by (Record 554): 142 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez

Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Zwiener.

Nays — Beckley; Noble; Ramos; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Wu.

### STATEMENTS OF VOTE

When Record No. 554 was taken, I was shown voting yes. I intended to vote no.

Rose

When Record No. 554 was taken, I was shown voting no. I intended to vote yes.

Toth

### HB 3746 ON THIRD READING (by Capriglione)

**HB 3746**, A bill to be entitled An Act relating to certain notifications required following a breach of security of computerized data.

**HB 3746** was passed by (Record 555): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee;

Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Dutton; González, M.

**HB 1382 ON THIRD READING**  
**(by Bucy, Morales Shaw, Ortega, et al.)**

**HB 1382**, A bill to be entitled An Act relating to the availability of certain information regarding early voting.

**HB 1382** was passed by (Record 556): 142 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Nays — Harless; Middleton; Raney.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Jetton; Johnson, J.D.

**STATEMENT OF VOTE**

When Record No. 556 was taken, I was shown voting no. I intended to vote yes.

Middleton

**HB 1938 ON THIRD READING**  
(by Jetton, Sherman, Sanford, et al.)

**HB 1938**, A bill to be entitled An Act relating to a grant program for law enforcement agencies to defray the cost of data storage for recordings created with body worn cameras.

**HB 1938** was passed by (Record 557): 145 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Nays — Cason; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

**STATEMENT OF VOTE**

When Record No. 557 was taken, I was shown voting no. I intended to vote yes.

Toth

**HB 2086 ON THIRD READING**  
(by E. Morales)

**HB 2086**, A bill to be entitled An Act relating to appeals from an interlocutory order denying a motion for summary judgment by certain contractors.

**HB 2086** was passed by (Record 558): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman;

Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; White; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Hinojosa.

### **POSTPONED BUSINESS**

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

#### **HB 1002 ON SECOND READING**

**(by Lucio, J.D. Johnson, Canales, and Anchia)**

**HB 1002**, A bill to be entitled An Act relating to the use of hypnotically induced testimony in a criminal trial.

**HB 1002** was read second time on April 21 and was postponed until 10 a.m. today.

**HB 1002** was passed to engrossment.

#### **CSHB 3813 ON SECOND READING**

**(by Harris and Clardy)**

**CSHB 3813**, A bill to be entitled An Act relating to the authority of certain municipalities to impose regulations on amplified sound from certain venues.

**CSHB 3813** was read second time on April 27 and was postponed until 10 a.m. today.

Representative Harris moved to postpone consideration of **CSHB 3813** until 10 a.m. Tuesday, May 4.

The motion prevailed.

**RULES SUSPENDED  
FLOOR PRIVILEGES**

Representative Cyrier moved to suspend Rule 5, Section 11, of the House Rules to entitle necessary staff from the Sunset Advisory Commission and the office of the chair of the Sunset Advisory Commission to privileges of the floor of the house during the consideration of **HB 1545** and **HB 1560**.

The motion prevailed.

**MAJOR STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**CSHB 1560 ON SECOND READING  
(by Goldman)**

**CSHB 1560**, A bill to be entitled An Act relating to the continuation and functions of the Texas Department of Licensing and Regulation.

**Amendment No. 1**

Representative Slaton offered the following amendment to **CSHB 1560**:

Amend **CSHB 1560** (house committee printing) by adding the following appropriately numbered SECTION to Article 1 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION \_\_\_\_\_. Section 51.203, Occupations Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) Before the commission may adopt a new rule related to a program regulated by the department, the commission must repeal two existing rules related to any program regulated by the department.

(d) The department shall prominently display on the department's Internet website the number of rules adopted and repealed in accordance with Subsection (c).

A record vote was requested by Representative Goldman.

Amendment No. 1 failed of adoption by (Record 559): 18 Yeas, 124 Nays, 1 Present, not voting.

Yeas — Ashby; Bell, C.; Biedermann; Cain; Cason; Guerra; Johnson, J.D.; Krause; Landgraf; Middleton; Muñoz; Sanford; Schaefer; Slaton; Swanson; Tinderholt; Vasut; White.

Nays — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guillen; Harless; Harris; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Larson; Leach; Leman; Longoria;

Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Geren; Herrero; Murphy; Pacheco; Schofield.

### STATEMENTS OF VOTE

When Record No. 559 was taken, I was shown voting yes. I intended to vote no.

Guerra

When Record No. 559 was taken, I was shown voting no. I intended to vote yes.

Guillen

When Record No. 559 was taken, I was shown voting yes. I intended to vote no.

J.D. Johnson

When Record No. 559 was taken, I was shown voting no. I intended to vote yes.

Patterson

When Record No. 559 was taken, I was shown voting no. I intended to vote yes.

Slawson

When Record No. 559 was taken, I was shown voting no. I intended to vote yes.

Toth

**CSHB 1560** was passed to engrossment.

### **CSHB 1545 ON SECOND READING** **(by Cyrier)**

**CSHB 1545**, A bill to be entitled An Act relating to the continuation and functions of the Commission on Jail Standards.

**CSHB 1545** was passed to engrossment.

**CSHB 19 ON SECOND READING****(by Leach, Ashby, Meyer, et al.)**

**CSHB 19**, A bill to be entitled An Act relating to civil liability of a commercial motor vehicle owner or operator.

**CSHB 19 - POINT OF ORDER**

Representative Dutton raised a point of order against further consideration of **CSHB 19** under Rule 4, Section 32(c)(5), of the House Rules on the grounds that the comparison section of the bill analysis is substantially misleading. The point of order was withdrawn.

Representative Leach moved to postpone consideration of **CSHB 19** until 1:30 p.m. today.

The motion prevailed.

**CSHB 1900 ON SECOND READING****(by Goldman, Metcalf, Bonnen, Raymond, Button, et al.)**

**CSHB 1900**, A bill to be entitled An Act relating to municipalities that adopt budgets that defund municipal police departments.

(Paddie in the chair)

**CSHB 1900 - POINT OF ORDER**

Representative Reynolds raised a point of order against further consideration of **CSHB 1900** under Rule 8, Section 1(b), of the House Rules on the grounds that the bill failed to include a statement at the end of its title or caption indicating the general effect of the bill on a tax, assessment, surcharge, or fee. The point of order was withdrawn.

**Amendment No. 1**

Representative Goldman offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee report) as follows:

(1) On page 2, line 7, between "EXCEPTIONS:" and "A", insert "(a)".

(2) On page 2, between lines 22 and 23, insert the following:

(b) For purposes of making a determination of whether a municipality is a defunding municipality under this chapter, a municipality's appropriation to the municipality's police department does not include any grant money received by the municipality during any fiscal year.

(3) On page 7, between lines 13 and 14, insert the following:

(d) For purposes of Subsection (a)(2), the amount of money appropriated for public safety and the amount of money spent by the municipality for public safety does not include any grant money received by the municipality during any fiscal year.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Rodriguez offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee report) by striking page 1, lines 11-13, and renumbering subsequent sections of added Chapter 109, Local Government Code, accordingly.

A record vote was requested by Representative Rodriguez.

Amendment No. 2 failed of adoption by (Record 560): 66 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Canales; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hefner; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Cyprier; Darby; Dean; Dominguez; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Harless; Harris; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Thompson, E.; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Huberty; Vo.

Absent — Craddick; Muñoz; Stephenson.

**STATEMENTS OF VOTE**

When Record No. 560 was taken, I was shown voting no. I intended to vote yes.

C. Bell

When Record No. 560 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 560 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

When Record No. 560 was taken, I was shown voting no. I intended to vote yes.

Slaton

### Amendment No. 3

Representative Dutton offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee report) on page 1, lines 12 through 13, by striking "municipality with a population of more than 250,000", and substituting the following:

municipality:

(1) with a population of more than 250,000; and

(2) in which 35 percent or more of the police officers employed by the municipality reside

Amendment No. 3 failed of adoption.

### Amendment No. 4

Representative Rodriguez offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee printing) as follows:

(1) On page 2, line 13, strike "or".

(2) On page 2, line 14, between "(2)" and "before", insert the following: the municipality decreases its police department budget after voters do not approve an increase of the municipality's tax rate for the purpose of increasing the police department budget in an election held by the municipality for that purpose; or

(3)

(3) On page 3, line 9, strike "109.004(2)" and substitute "109.004(3)".

Amendment No. 4 failed of adoption.

### Amendment No. 5

Representative J.D. Johnson offered the following amendment to **CSHB 1900**:

Amend **CSHB 1900** (house committee report) as follows:

(1) On page 2, line 13, strike "or".

(2) On page 2, line 14, between "(2)" and "before", insert the following: the municipality reassigns civilian services to other departments or agencies, if those services do not require a public safety response from a police officer, firefighter, or emergency medical services; or

(3)

(3) On page 3, line 9, strike "109.004(2)" and substitute "109.004(3)".

### CSHB 1900 - POINT OF ORDER

Representative C. Turner raised a point of order against further consideration of **CSHB 1900** under Rule 8, Section 1(a)(1), of the House Rules on the grounds that the bill caption fails to give reasonable notice. The point of order was withdrawn.

Amendment No. 5 was withdrawn.

**CSHB 1900 - RECOMMITTED**

Representative Goldman moved to recommit **CSHB 1900** to the Committee on State Affairs.

The motion prevailed.

**POSTPONED BUSINESS**

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

**CSHB 19 ON SECOND READING**

**(by Leach, Ashby, Meyer, et al.)**

**CSHB 19**, A bill to be entitled An Act relating to civil liability of a commercial motor vehicle owner or operator.

**CSHB 19** was read second time earlier today and was postponed until this time.

Representative Leach moved to postpone consideration of **CSHB 19** until 3:15 p.m. today.

The motion prevailed.

**MAJOR STATE CALENDAR**

**(consideration continued)**

**CSHB 2622 ON SECOND READING**

**(by Holland, Paddie, Canales, White, Metcalf, et al.)**

**CSHB 2622**, A bill to be entitled An Act relating to the enforcement of certain federal laws regulating firearms, firearm accessories, and firearm ammunition within the State of Texas.

**CSHB 2622 - REMARKS**

REPRESENTATIVE HOLLAND: **CSHB 2622** will protect the current rights of law-abiding gun owners in the State of Texas. Any federal statute, order, rule, or regulation that does not exist under the current laws of the State of Texas will not be enforced by Texas law enforcement resources. I believe we have some amendments.

**Amendment No. 1**

Representative J. Turner offered the following amendment to **CSHB 2622**:

Amend **CSHB 2622** (house committee printing) by striking page 2, lines 16 through 18, and relettering subsequent paragraphs of added Section 1.10(b)(2), Penal Code, accordingly.

REPRESENTATIVE J. TURNER: According to a *Dallas Morning News*/University of Texas at Tyler poll in 2020, 86 percent of registered voters in Texas support background checks on all gun sales, including at gun shows and for private sales. If you are one of those 86 percent of Texans, then you should support this amendment because this amendment removes universal background checks from being one of the new potential federal laws that our state and local authorities would be prohibited under this bill from helping to enforce. Now, this

is not, by the way, just an abstract concept, members, because the U.S. House, with bipartisan support, has recently passed the Bipartisan Background Checks Act of 2021. And that bill, if it were to pass the senate and be signed by the president, would close large existing loopholes in our background checks system and would require background checks for private sales, with a narrow list of exceptions.

Now, I personally happen to be among the 86 percent of Texans according to that poll who supports that idea. Even if you happen to not be, it's one more big step to say that if that federal bill passes the U.S. Senate and is signed by the president, that we're going to prohibit our local governments and police from assisting in any manner and enforcing that law if it becomes law. As I read it, that would mean, for example, that our city police might be made aware of an active venue for illegal gun sales, but they'd be prohibited from informing federal authorities about it. It would mean the district attorneys who uncover violations of the law, if it became law, in the course of their other investigations could not refer the matter to a federal prosecutor, which is something they do regularly, of course, for many federal laws. And it would also complicate, I believe, the many joint federal and state law enforcement and prosecutorial task forces that we have related to crimes that include gun offenses. I actually have something like that in my district. It's a very successful program called Project Safe Neighborhoods.

Members, one last thing. I would say that even if you're among the 14 percent of Texans according to that poll who do not support universal background checks, the best avenue is to simply advocate against the passage of that measure in Congress. If that or other similar legislation does pass the U.S. Congress, for as long as it's in effect we should respect it as a law that was passed for the United States of America by the elected representatives of the American people. We should not make it a law that we prohibit our local police from helping to enforce.

REPRESENTATIVE WU: My understanding of background checks is not that great, but would it be fair to say that a background check would include someone's criminal history?

J. TURNER: That's my understanding.

WU: And would it be reasonable to interpret the legislation that's before us today to say if there was a federal background check that was required and law enforcement added to someone's criminal background—they provided records for a criminal background or they provided a search for a criminal background—that could be considered assisting in a background search?

J. TURNER: Well, Representative Wu, that's an interesting question. I tried to determine that myself in the time that I had to review this bill. I couldn't be sure of the answer, but it seems like it's a legitimate question to ask. Now, the bill by its terms involves new federal laws that might pass. So it basically grandfathers in existing federal background check law, but we might well see universal background checks that cover private sales. And if that's the case, it raises the question, I think, at least, that you raise, which is if state enforcement authorities

are assisting in providing information that is used in such a background check, is that assisting in the enforcement of that new federal statute? I think it's a fair question.

WU: Absolutely, and my reading of it is it doesn't carve out any exemptions for law enforcement to provide that type of assistance in background checks. It just says any action, any type of cooperation, even if it is merely providing and adding to someone's criminal history.

J. TURNER: Well, the language is pretty broad, Representative. It says basically that neither a state agency nor "a political subdivision of this state, or a law enforcement officer or other person employed by an agency of this state or a political subdivision of this state" and then . . . may in any "manner provide assistance to a federal agency or official with respect—"

WU: Any manner?

J. TURNER: Any manner.

WU: This says "any manner"?

J. TURNER: Correct.

WU: And your amendment would essentially nullify that and take care of that problem, that ambiguity of what does "any manner" mean in terms of background checks.

J. TURNER: Well, it would with respect to the background checks for a private sale or transfer of a firearm because that's the provision that this amendment would remove.

REPRESENTATIVE SCHAEFER: Thank you, Mr. Turner, for your eloquent comments on this amendment. But members, I would submit to you that the question is not before you as to whether you agree or disagree with background checks. The question before you is who decides—who decides. Right now, we have background checks at stores where you go to buy a gun, and that applies to probably 99 percent of all the purchases in the State of Texas. This bill doesn't change that whatsoever. But what he is talking about is potential changes from the Biden administration and democrats who control Washington so that Texans will have only one option to obtain a firearm legally and that's to walk through a door that is completely controlled by people in Washington.

Members, the question is who decides. Will we allow Washington to close the doors that are available to Texans, to law-abiding Texans, today? Or would we allow, by future action of the Biden administration, the people in Washington to close the door? And so then the only way that you can legally purchase a gun is to come through the door that is controlled by people who we have not voted for—by administrators and bureaucrats at the ATF and the FBI that we have never voted for—to set the rules on who and what and where? The question is, are we going to let Washington decide what the rules of the road are for background checks or are we going to let Texans decide? And ultimately, this bill is about that, and this amendment takes that away from us. This amendment, if passed, says we're going to transfer that decision-making to Washington and not

leave it in the hands of law-abiding Texans and the members of the legislature and the governor and the duly elected people of the State of Texas. So I'm going to urge you to vote against this amendment in order to keep that decision-making in Texas and not transfer it to Washington.

REPRESENTATIVE C. TURNER: Representative Turner's amendment makes a very small modification to the bill, does it not? It simply says that this bill won't apply to a new background check law if, in fact, Congress passes it. So my question is, why are you opposed to that when 86 percent of the American people support closing the background check loopholes, including—as far as I know, he still supports it—Lieutenant Governor Dan Patrick? He was quoted as saying that following the tragedies in El Paso and Midland-Odessa in 2019: We need to do something about background checks. This is something we can affirmatively do in this house today on background checks to say that if there is a new background check law passed, we will do our part to see that guns don't fall into the wrong hands. Why would you oppose that?

SCHAEFER: I think Texans should be the ones to decide, not people in Washington that we've never voted for.

C. TURNER: This is our opportunity to decide, isn't it?

SCHAEFER: The power to determine the fate of background checks lies with the legislature and the duly elected representatives in the State of Texas. It should not lie in Washington.

C. TURNER: Are the representatives in Washington not duly elected, Mr. Schaefer?

SCHAEFER: I know what the Biden administration is thinking about doing. I know what the democrats who control Washington are talking about doing. And so, Representative Turner, I do oppose this in order to keep the power here in the State of Texas.

C. TURNER: Are you suggesting representatives in the U.S. Capitol are not duly elected?

SCHAEFER: They're a lot of people up there that are not elected by Texans.

C. TURNER: Well, of course. There's people elected from other states. I think we all know that. But we have a rather large delegation in the United States Congress—the second-largest, in fact. They are duly elected, are they not?

SCHAEFER: They are.

C. TURNER: Okay, but you said in your remarks you had concerns about unelected people making the decisions. You specifically said the FBI and the ATF. Is there a—

SCHAEFER: Rulemaking authority. Rulemaking authority, absolutely.

C. TURNER: Rulemaking authority, sure. Is there a problem with sworn law enforcement officers and the FBI and the ATF making these types of decisions? I mean, these are agents and agencies sworn to keep the American people safe. Is there a concern with them being able to implement laws made by Congress?

SCHAEFER: They're not elected officials. They're rulemaking authorities.

C. TURNER: Well, of course they're not elected. Neither is the Department of Public Safety. Neither is the Department of Licensing and Regulation. Neither is TxDOT. They make decisions every day that affect the people of our state. What is the difference other than they have a badge?

SCHAEFER: The difference is they are not elected and they are under the direction of President Biden who, every time he speaks on the subject of firearms and the Second Amendment, talks about restricting our rights. And so I think there's real reason for Texans to be concerned.

C. TURNER: All right, Mr. Schaefer. How does conducting a background check that keeps a firearm out of the hands of someone who has a criminal history—how does that infringe on your rights or my rights?

SCHAEFER: So that's not the question. The question is—

C. TURNER: Well, it's my question. It's my question right now.

SCHAEFER: The question is who decides. The question is who decides. If you want people in Washington to make these decisions, then support this amendment. If you want to leave that decision-making in Texas, then leave it there, because we have a background check system that's in place and it's going to stay in place after this bill passes. What we're talking about is new restrictions and red tape out of Washington that this bill would resist.

C. TURNER: Mr. Schaefer, a couple of weeks ago we passed a bill of yours, did we not, on this house floor related to firearms?

SCHAEFER: Yes.

C. TURNER: And one of the concerns that was raised in that debate and has been raised by law enforcement officials around the state is that they won't be able to know who's a good guy with a gun and who's a bad guy with a gun because you no longer have to have a license under your bill—a license to carry under your bill—if it in fact becomes law. So if your bill becomes law and we don't adopt the Turner amendment here today, aren't we getting the worst of both worlds here? Because we're going to have people that are going to slide through the background check system because we have background check loopholes, and they don't have to have a license in Texas so we don't get to affirm whether or not they should or should not be able to have a gun based on their background and there's no way for officers in Texas to know. And so doesn't that make our state less safe?

SCHAEFER: The overwhelming number of gun purchases go through a background check.

C. TURNER: But not all of them, right?

SCHAEFER: Let me finish my answer. Persons who are driving on the roads now down their streets are able to carry handguns without a license today. So all those interactions with law enforcement that take place during traffic stops, it doesn't change anything about what they know or don't know about the person

because they already are able to, unlicensed, carry a handgun in their vehicle. I would also say that long guns have for decades been permissible to be carried by someone age 18 and older without any kind of permit at all. So these are known factors that law enforcement has been working with for decades.

C. TURNER: Well, and law enforcement continues to oppose that legislation. But on this amendment, again, with nearly 9 in 10 Americans and Texans supporting universal background checks, I'm not sure why you would oppose an effort to ensure that anyone who purchases a gun is legally allowed to purchase a gun and why a robust background check would be so offensive to you, because it doesn't infringe on your rights or my rights or any other law-abiding citizen's rights.

SCHAEFER: This is an amendment about determining who decides. That decision should stay in the State of Texas.

REPRESENTATIVE KRAUSE: Is there anything in this bill, in **CSHB 2622**, that does not allow the federal government to enact any firearm regulation that they want to?

SCHAEFER: Absolutely not.

KRAUSE: And is there anything in this bill that would not allow the federal government to enforce whatever firearm regulation that they put into place?

SCHAEFER: Absolutely not. The federal government will have all the tools within its federal resources to enforce whatever they are able to pass.

KRAUSE: So really, this amendment that we're debating right now really doesn't have an effect on the law that we're debating today because we're not saying that the federal government can't do whatever they want to on firearm regulations. We're just saying we're not going to use Texas time, personnel, or resources to enforce that law if it's contrary to our stated law.

SCHAEFER: That's right.

HOLLAND: Members, I think that Chairman Krause said it best. This bill does not change anything about current law. We're freezing the current law in place. The amendment before you, which I am opposing, has to do with striking the background checks portion of the bill for private sale and transfer only. The law at the federal level will not change. You still have to go through background checks; all of the purchase and background checks are still in place. I oppose the amendment. I encourage you to vote no on the amendment. I will be voting no.

J. TURNER: I'll just repeat a number—86 percent according to that 2020 poll by the *Dallas Morning News* and UT Tyler. That's the percentage of Texans—Texan registered voters in that poll—who said, we support universal background checks. Now, by voting against this amendment, you're taking it one step further. You're not only saying you don't like the idea of universal background checks, you're saying the State of Texas or no local subdivision, no local law enforcement authority, no local police will provide any assistance at all in any manner—that's the language of the bill—to enforce a background check law if it were to be passed by the federal government, a new background check law relating to private sales. Members, we are, of course, Americans here. We have

voted for our members of Congress. We have voted for president. It is within Congress' authority to make law in this area. In fact, our current system of federal background checks is federal in nature. We do not have a state background check system other than what you currently have to do if you want to have a license to carry, and we passed a bill on that that would take that away as a requirement as well. It is clearly a matter for Congress to debate, and if Congress passes this law, a valid law, if someone wants to challenge it in court, they can do so. If someone wants to oppose it, they can do so. But we as Americans and as Texans should not be in the position of saying, Congress passed a duly enacted law, but this particular one, we're going to provide no assistance in enforcing, unlike all the other federal laws that our local law enforcement regularly helps to enforce by referring matters to federal authorities, to U.S. attorney offices, to federal agencies. So members, I urge you to vote yes on the amendment.

A record vote was requested by Representative Slaton.

Amendment No. 1 failed of adoption by (Record 561): 63 Yeas, 82 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwienier.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Leach; Leman; Lozano; Metcalf; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Huberty; Vo.

Absent — Larson.

## **Amendment No. 2**

Representative Slaton offered the following amendment to **CSHB 2622**:

Amend **CSHB 2622** (house committee printing) on page 4, between lines 20 and 21, by inserting the following appropriately lettered subsection:

( ) An individual or entity to whom this section applies may not comply with a court order that would require the individual or entity in any manner to provide assistance to a federal agency or official with respect to the enforcement of a federal statute, order, rule, or regulation described by Subsection (b).

REPRESENTATIVE SLATON: Members, this is a simple amendment that would ensure that this statute is still enforced in this state regardless of any future unforeseen court cases.

### **Amendment No. 2 - Point of Order**

Representative J. Turner raised a point of order against further consideration of Amendment No. 2 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 2 was withdrawn.

### **Amendment No. 3**

Representative Slaton offered the following amendment to **CSHB 2622**:

Amend **CSHB 2622** (house committee printing) by inserting on page 2, between lines 25 and 26, the following:

(b-1) A person commits an offense if the person knowingly enforces or attempts to enforce a federal statute, order, rule, or regulation described by Subsection (b)(2). An offense under this section is a state jail felony.

SLATON: This amendment, it just helps this bill become more strong. Stand up for Texas and Texans standing up for our Second Amendment from out-of-control judges or future rulings that invade and impede on our Second Amendment.

HOLLAND: I'm going to oppose this amendment. I understand what Mr. Slaton's trying to do. I did talk to him about something similar. This is the first time I've seen this amendment. I'm going to leave this up to the will of the house. I will be voting no on this. I encourage you to vote no on this amendment.

SLATON: Members, you know, other states have stood up for their citizens and opposed federal law and they have marihuana. This amendment helps this bill, helps Texans stand up for our Second Amendment from unforeseen rulings and judges. This is a very simple, what I would say, clarifying and strengthening amendment to put Texas first and uphold our Second Amendment. I encourage you to vote one.

A record vote was requested by Representative Slaton.

Amendment No. 3 failed of adoption by (Record 562): 44 Yeas, 100 Nays, 2 Present, not voting.

Yeas — Ashby; Bailes; Bell, C.; Biedermann; Bonnen; Buckley; Burrows; Cain; Capriglione; Cason; Coleman; Cook; Cyrier; Dean; Dutton; Gates; Goldman; Guillen; Harris; Hefner; Landgraf; Leach; Leman; Metcalf; Middleton; Murr; Parker; Patterson; Price; Rogers; Sanford; Schaefer; Shaheen; Shine; Slaton; Slawson; Smithee; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

Nays — Allen; Allison; Anchia; Anderson; Beckley; Bell, K.; Bernal; Bowers; Bucy; Burns; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Craddick; Crockett; Darby; Davis; Deshotel; Dominguez; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Harless; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paul; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schofield; Sherman; Smith; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; Wu; Zwiener.

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

Absent, Excused — Huberty; Vo.

Absent — Martinez Fischer; Perez.

#### STATEMENTS OF VOTE

When Record No. 562 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 562 was taken, I was shown voting no. I intended to vote yes.

Ellzey

When Record No. 562 was taken, I was shown voting no. I intended to vote yes.

Oliverson

When Record No. 562 was taken, I was shown voting no. I intended to vote yes.

Paul

**CSHB 2622** was passed to engrossment by (Record 563): 89 Yeas, 56 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Dominguez; Dutton; Ellzey; Frank; Frullo; Gates; Geren; Goldman; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Middleton; Morales, E.; Morrison; Murphy; Murr; Noble; Oliverson; Pacheco; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers;

Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Anchia; Beckley; Bernal; Bowers; Bucy; Campos; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales Shaw; Muñoz; Neave; Ordaz Perez; Ortega; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

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

Absent, Excused — Huberty; Vo.

Absent — Krause.

### STATEMENT OF VOTE

When Record No. 563 was taken, I was in the house but away from my desk. I would have voted yes.

Krause

### SB 1438 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Metcalf as a house sponsor to **SB 1438**.

The motion prevailed.

### GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

#### HB 829 ON SECOND READING

(by S. Thompson, Reynolds, Collier, J.D. Johnson, et al.)

**HB 829**, A bill to be entitled An Act relating to a progressive disciplinary matrix for police officer misconduct in certain municipalities.

**HB 829** was passed to engrossment. (Ashby, Darby, Dean, Leach, Shine, and Smithee recorded voting no.)

#### HB 323 ON SECOND READING

(by P. King, Guillen, White, Bowers, and Goodwin)

**HB 323**, A bill to be entitled An Act relating to a law enforcement agency accreditation grant program.

**Amendment No. 1**

Representative Gervin-Hawkins offered the following amendment to **HB 323**:

Amend **HB 323** (house committee report) on page 2, between lines 26 and 27, by inserting the following appropriately lettered subsection:

( ) The criminal justice division shall adopt rules requiring each law enforcement agency of a municipality to obtain recognition or become accredited as described by Subsection (b) not later than September 1, 2028. The criminal justice division shall implement a program to assist the law enforcement agencies in obtaining recognition or becoming accredited.

Amendment No. 1 was adopted. (Ashby, Darby, and Shine recorded voting no.)

**HB 323**, as amended, was passed to engrossment. (Ashby, Darby, Dean, and Shine recorded voting no.)

**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).

**REMARKS ORDERED PRINTED**

Representative Wu moved to print all remarks on **CSHB 2622**.

The motion prevailed.

**CSHB 830 ON SECOND READING**

(by S. Thompson, White, Krause, Cain, Bowers, et al.)

**CSHB 830**, A bill to be entitled An Act relating to law enforcement policies regarding the issuance of citations for misdemeanors punishable by fine only and to a limitation on the authority to arrest a person for certain fine-only misdemeanors.

**CSHB 830** was passed to engrossment. (Ashby, Darby, Dean, and Shine recorded voting no.)

**CSHB 3712 ON SECOND READING**

(by E. Thompson, White, Schaefer, et al.)

**CSHB 3712**, A bill to be entitled An Act relating to the hiring and training of and policies for peace officers.

**CSHB 3712** was passed to engrossment.

**CSHB 385 ON SECOND READING**

(by Pacheco, White, Campos, Button, and Krause)

**CSHB 385**, A bill to be entitled An Act relating to conditions of community supervision and procedures applicable to the reduction or termination of a defendant's period of community supervision.

**CSHB 385** was passed to engrossment.

**HB 834 ON SECOND READING****(by S. Thompson, Toth, Collier, Cason, et al.)**

**HB 834**, A bill to be entitled An Act relating to requiring the corroboration of certain testimony in a criminal case involving a controlled substance.

**HB 834** was passed to engrossment. (Dean and Shine recorded voting no.)

**CSHB 441 ON SECOND READING****(by Zwiener, Collier, White, Dutton, Toth, et al.)**

**CSHB 441**, A bill to be entitled An Act relating to the criminal and licensing consequences of certain marihuana possession and drug paraphernalia possession offenses; imposing a fee.

**CSHB 441** was passed to engrossment. (Ashby, Dean, Shine, and Smithee recorded voting no.)

**HB 2366 ON SECOND READING****(by Buckley, Harless, Ellzey, Murr, et al.)**

**HB 2366**, A bill to be entitled An Act relating to criminal conduct that endangers law enforcement; creating a criminal offense and increasing a criminal penalty.

**HB 2366** was passed to engrossment.

**CSHB 1717 ON SECOND READING****(by S. Thompson, White, Collier, Patterson, et al.)**

**CSHB 1717**, A bill to be entitled An Act relating to the state's continuing duty to disclose exculpatory, impeachment, or mitigating evidence in a criminal case and prohibited retaliation against local assistant prosecutors for discharging that duty.

**Amendment No. 1**

Representative Collier offered the following amendment to **CSHB 1717**:

Amend **CSHB 1717** (house committee printing) on page 1, line 14, between "trial" and "the", by inserting "or plea negotiation".

Amendment No. 1 was adopted.

**CSHB 1717**, as amended, was passed to engrossment.

**HB 3158 ON SECOND READING****(by S. Thompson, Murr, and Davis)**

**HB 3158**, A bill to be entitled An Act relating to standing for receipt of exemplary damages based on a compensable death under the Texas Workers' Compensation Act.

**Amendment No. 1**

Representative S. Thompson offered the following amendment to **HB 3158**:

Amend **HB 3158** (house committee printing) as follows:

(1) Strike SECTION 1 of the bill (page 1, lines 5 through 19) and substitute the following appropriately numbered SECTIONS:

SECTION \_\_\_\_\_. SHORT TITLE. This Act may be cited as the Christian Fitzgerald Act.

SECTION \_\_\_\_\_. Section 408.001(b), Labor Code, is amended to read as follows:

(b) This section does not prohibit the recovery of exemplary damages by the surviving spouse, ~~or~~ heirs of the body, or the estate of a deceased employee whose death was caused by an intentional act or omission of the employer or by the employer's gross negligence.

(2) Renumber the SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

**HB 3158**, as amended, was passed to engrossment.

**HB 3373 ON SECOND READING**  
**(by Burrows)**

**HB 3373**, A bill to be entitled An Act relating to the certification of live music venues by and other duties of the Texas Music Office.

A record vote was requested by Representative Slaton.

**HB 3373** was passed to engrossment by (Record 564): 129 Yeas, 12 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Parker; Patterson; Paul; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Shaheen; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; Wu.

Nays — Cain; Cason; Price; Schaefer; Slaton; Slawson; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

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

Absent, Excused — Huberty; Vo.

Absent — Dominguez; Goodwin; Pacheco; Schofield; Zwiener.

### STATEMENTS OF VOTE

When Record No. 564 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 564 was taken, I was shown voting yes. I intended to vote no.

Middleton

When Record No. 564 was taken, I was shown voting yes. I intended to vote no.

Shaheen

When Record No. 564 was taken, I was shown voting no. I intended to vote yes.

Swanson

When Record No. 564 was taken, I was in the house but away from my desk. I would have voted yes.

Zwiener

### HB 842 ON SECOND READING (by Moody)

**HB 842**, A bill to be entitled An Act relating to the disclosure in a criminal case of certain criminal history record information.

**HB 842** was passed to engrossment.

### HB 4103 ON SECOND READING (by Burrows)

**HB 4103**, A bill to be entitled An Act relating to the authority of certain municipalities to receive certain tax revenue derived from certain establishments related to a hotel and convention center project and to pledge certain tax revenue for the payment of obligations related to the project.

#### Amendment No. 1

Representative C. Turner offered the following amendment to **HB 4103**:

Amend **HB 4103** on page 1, line 7, to read as follows:

Sec. 351.157. ADDITIONAL ENTITLEMENT FOR CERTAIN MUNICIPALITIES. (a) In this section, "qualified establishment" means an establishment:

(1) that is located on land:

(A) owned by a municipality; or

(B) owned by any person if the establishment is located in a municipality described by Section 351.152(3) or owned by the federal government if the establishment is located in a municipality described by Section 351.152(6);

Amend **HB 4103** on page 2, line 9, as follows:

(2) for a municipality described by Subsection (b)(2), swimming pools and swimming facilities, restaurants, bars, and retail establishments;

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative Reynolds offered the following amendment to **HB 4103**:

Amend **HB 4103** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 351.1063(a), Tax Code, is amended to read as follows:

(a) This section applies only to a municipality described by Section 351.102(e), ~~or~~ 351.152, or 351.1521, other than an eligible central municipality described by Section 351.001(7)(D).

SECTION \_\_\_\_\_. Subchapter C, Chapter 351, Tax Code, is amended by adding Section 351.1521 to read as follows:

Sec. 351.1521. APPLICABILITY TO CERTAIN ADDITIONAL MUNICIPALITIES. In addition to the municipalities described by Section 351.152, this subchapter applies to a municipality that:

(1) has a population of more than 67,000; and

(2) is located in two counties with 90 percent of the municipality's territory located in a county with a population of at least 580,000, and the remaining territory located in a county with a population of at least four million.

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Wilson offered the following amendment to **HB 4103**:

Amend **HB 4103** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 351.158, Tax Code, is amended to read as follows:

Sec. 351.158. PERIOD OF ENTITLEMENT. (a) A municipality is entitled to receive revenue as provided by Sections 351.156 and 351.157 until the 10th anniversary of the date the qualified hotel to which the entitlement relates is open for initial occupancy.

(b) Notwithstanding Subsection (a), a municipality described by Section 351.152(10) is entitled to receive revenue as provided by Sections 351.156 and 351.157 until the 13th anniversary of the date the qualified hotel to which the entitlement relates is open for initial occupancy.

Amendment No. 3 was adopted.

A record vote was requested by Representative Slaton.

**HB 4103**, as amended, was passed to engrossment by (Record 565): 128 Yeas, 15 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Sherman; Shine; Slawson; Smith; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Hefner; Lambert; Middleton; Patterson; Schaefer; Shaheen; Slaton; Spiller; Tinderholt; Toth; White; Wilson.

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

Absent, Excused — Huberty; Vo.

Absent — Craddick; Smithee; Vasut.

### STATEMENTS OF VOTE

When Record No. 565 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 565 was taken, I was shown voting no. I intended to vote yes.

Lambert

### HB 4139 ON SECOND READING

(by Coleman, Rose, J.D. Johnson, Howard, S. Thompson, et al.)

**HB 4139**, A bill to be entitled An Act relating to the Office for Health Equity.

Representative Coleman moved to postpone consideration of **HB 4139** until 10 a.m. Tuesday, May 4.

The motion prevailed.

### POSTPONED BUSINESS

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

**CSHB 19 ON SECOND READING****(by Leach, Ashby, Meyer, et al.)**

**CSHB 19**, A bill to be entitled An Act relating to civil liability of a commercial motor vehicle owner or operator.

**CSHB 19** was read second time earlier today, postponed until 1:30 p.m. today, and was again postponed until this time.

Representative Leach moved to postpone consideration of **CSHB 19** until 4:30 p.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR****(consideration continued)****CSHB 1607 ON SECOND READING****(by Darby, Lucio, P. King, Hernandez, Hunter, et al.)**

**CSHB 1607**, A bill to be entitled An Act relating to certificates of public convenience and necessity for certain transmission projects.

**Amendment No. 1**

Representative Patterson offered the following amendment to **CSHB 1607**:

Amend **CSHB 1607** (house committee printing) as follows:

(1) On page 1, line 12, strike "reliable," and substitute "reliable and dispatchable".

(2) On page 1, line 17, between "challenges" and the semicolon, insert "due to the proliferation of wind power in this state".

(3) On page 1, line 23, strike "wind and".

(4) On page 2, between "components," and "can", insert "but not including its wind generation components,".

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

Representative Zwiener raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 3, of the House Rules on the grounds that the amendment would change the original purpose of the bill.

(Harris in the chair)

The point of order was withdrawn.

A record vote was requested by Representative Zwiener.

Amendment No. 1 failed of adoption by (Record 566): 36 Yeas, 104 Nays, 2 Present, not voting.

Yeas — Bell, C.; Biedermann; Cain; Cason; Cyrier; Gates; Hefner; Holland; Hull; Jetton; King, P.; Krause; Landgraf; Leach; Leman; Metcalf; Middleton; Morrison; Murr; Noble; Parker; Patterson; Paul; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

Nays — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, E.; Morales Shaw; Muñoz; Murphy; Neave; Oliverson; Ordaz Perez; Ortega; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; Wu; Zwiener.

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

Absent, Excused — Huberty; Vo.

Absent — Cortez; Dominguez; Harless; Morales, C.; Pacheco; Paddie.

### STATEMENTS OF VOTE

When Record No. 566 was taken, my vote failed to register. I would have voted no.

Harless

When Record No. 566 was taken, I was in the house but away from my desk. I would have voted no.

C. Morales

When Record No. 566 was taken, I was shown voting no. I intended to vote yes.

Rogers

### Amendment No. 2

Representative Tinderholt offered the following amendment to **CSHB 1607**:

Amend **CSHB 1607** (house committee printing) as follows:

In SECTION 1 of the bill (page 1, line 23, through page 2, line 1), strike "including its wind and solar generation, natural gas-fired generation, energy storage, and transmission components."

Amendment No. 2 failed of adoption.

### Amendment No. 3

Representative Tinderholt offered the following amendment to **CSHB 1607**:

Amend **CSHB 1607** (house committee printing) as follows:

In SECTION 1 of the bill (page 2, line 12), after "system", insert ", so long as the cost of the expansion is borne by, or by other means attributed to, the generation resources that necessitate it"

Amendment No. 3 failed of adoption.

**Amendment No. 4**

Representative Tinderholt offered the following amendment to **CSHB 1607**:

Amend **CSHB 1607** (house committee printing) as follows:

In SECTION 3 of the bill (page 3, line 9), replace Subsection (d) with:

(d) The commission by rule shall establish criteria, in addition to the criteria described by Subsection (c), for granting a certificate for a transmission project that serves the ERCOT power region and[~~]~~ that is not necessary to meet state or federal reliability standards[~~], and that does not serve a competitive renewable energy zone]. The criteria must include a comparison of the estimated cost of the transmission project for consumers and the estimated cost savings for consumers that may result from the transmission project. The commission shall include with its decision on an application for a certificate to which this subsection applies findings on the criteria.~~

A record vote was requested by Representative Slaton.

Amendment No. 4 failed of adoption by (Record 567): 31 Yeas, 112 Nays, 2 Present, not voting.

Yeas — Bell, C.; Biedermann; Cain; Cason; Cyrier; Gates; Guillen; Harless; Hefner; Holland; Hull; Krause; Landgraf; Leman; Metcalf; Middleton; Murr; Patterson; Paul; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Nays — Allen; Allison; Anchia; Anderson; Bailes; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Parker; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Smith; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; Wu; Zwiener.

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

Absent, Excused — Huberty; Vo.

Absent — Ashby; Beckley; Pacheco.

**Amendment No. 5**

Representative Tinderholt offered the following amendment to **CSHB 1607**:

Amend **CSHB 1607** (house committee printing) as follows:

On page 8, line 11, renumber Section 6 as Section 7 and insert the following:

SECTION 6. Section 35.004, Utilities Code, is amended by amending Subsection (d) and adding Subsection (d-1) to read as follows:

(d) The commission shall price wholesale transmission services within ERCOT based on the postage stamp method of pricing under which a transmission-owning utility's rate is based on the ERCOT utilities' combined annual costs of transmission, other than costs that exceed the allowance described in Subsection (d-1), divided by the total demand placed on the combined transmission systems of all such transmission-owning utilities within a power region.

(d-1) The commission by rule shall establish a reasonable allowance for capital costs incurred to interconnect generation resources and electric energy storage resources described by Section 35.152(a) with the ERCOT transmission system, which must include the costs of the direct interconnection of the generator to the system and upgrades directly caused by the interconnection. Any costs that exceed the allowance must be borne directly by the generation resource or electric energy storage resource receiving interconnection service through the facilities.

Renumber Sections 7, 8, and 9 as Sections 8, 9, and 10.

A record vote was requested by Representative Slaton.

Amendment No. 5 failed of adoption by (Record 568): 37 Yeas, 107 Nays, 2 Present, not voting.

Yeas — Bell, C.; Biedermann; Cain; Cason; Cyrier; Ellzey; Gates; Guillen; Hefner; Holland; Hull; Hunter; Jetton; Krause; Landgraf; Leman; Metcalf; Middleton; Murr; Parker; Patterson; Paul; Rose; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smith; Swanson; Thompson, E.; Tinderholt; Toth; Vasut; White; Wilson.

Nays — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Harless; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Paddie; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rosenthal; Sherman; Shine; Smithee; Spiller; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; Wu; Zwiener.

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

Absent, Excused — Huberty; Vo.

Absent — Meza; Pacheco.

**CSHB 1607** was passed to engrossment.

**HB 1068 ON SECOND READING**  
**(by Allen and Guillen)**

**HB 1068**, A bill to be entitled An Act relating to the use of personal leave during school holidays by school district employees.

**HB 1068** was passed to engrossment.

**HB 1301 ON SECOND READING**  
**(by Guillen, E. Morales, et al.)**

**HB 1301**, A bill to be entitled An Act relating to the services provided by a colonia self-help center.

A record vote was requested by Representative Slaton.

**HB 1301** was passed to engrossment by (Record 569): 95 Yeas, 48 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bowers; Bucy; Burrows; Button; Campos; Canales; Cole; Coleman; Collier; Cortez; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; Kuempel; Lambert; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Noble; Ordaz Perez; Ortega; Pacheco; Paddie; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sherman; Shine; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Nays — Ashby; Biedermann; Bonnen; Buckley; Burns; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Ellzey; Gates; Goldman; Harless; Hefner; Holland; Hull; King, P.; Krause; Landgraf; Leman; Metcalf; Middleton; Morrison; Murphy; Murr; Oliverson; Parker; Patterson; Paul; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Smithee; Spiller; Stephenson; Swanson; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

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

Absent, Excused — Huberty; Vo.

Absent — King, T.; Klick; Smith.

**STATEMENTS OF VOTE**

When Record No. 569 was taken, I was shown voting yes. I intended to vote no.

C. Bell

When Record No. 569 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 569 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 569 was taken, I was shown voting yes. I intended to vote no.

Rogers

When Record No. 569 was taken, I was shown voting yes. I intended to vote no.

Stucky

**HB 542 ON SECOND READING**  
(by White)

**HB 542**, A bill to be entitled An Act relating to foster care placement in and the licensing of certain residential child-care facilities.

**HB 542** was passed to engrossment.

**HB 1092 ON SECOND READING**  
(by Romero and White)

**HB 1092**, A bill to be entitled An Act relating to the verification of the veteran status of inmates and prisoners.

**Amendment No. 1**

Representative Romero offered the following amendment to **HB 1092**:

Amend **HB 1092** (house committee report) as follows:

(1) On page 5, line 26, strike "support" and substitute "service".

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

SECTION \_\_\_\_\_. Section 8(a), Article 42.09, Code of Criminal Procedure, is amended to read as follows:

(a) A county that transfers a defendant to the Texas Department of Criminal Justice under this article shall deliver to an officer designated by the department:

(1) a copy of the judgment entered pursuant to Article 42.01, completed on a standardized felony judgment form described by Section 4 of that article;

(2) a copy of any order revoking community supervision and imposing sentence pursuant to Article 42A.755, including:

(A) any amounts owed for restitution, fines, and court costs, completed on a standardized felony judgment form described by Section 4, Article 42.01; and

(B) a copy of the client supervision plan prepared for the defendant by the community supervision and corrections department supervising the defendant, if such a plan was prepared;

(3) a written report that states the nature and the seriousness of each offense and that states the citation to the provision or provisions of the Penal Code or other law under which the defendant was convicted;

(4) a copy of the victim impact statement, if one has been prepared in the case under Subchapter D, Chapter 56A;

(5) a statement as to whether there was a change in venue in the case and, if so, the names of the county prosecuting the offense and the county in which the case was tried;

(6) if requested, information regarding the criminal history of the defendant, including the defendant's state identification number if the number has been issued;

(7) a copy of the indictment or information for each offense;

(8) a checklist sent by the department to the county and completed by the county in a manner indicating that the documents required by this subsection and Subsection (c) accompany the defendant;

(9) if prepared, a copy of a presentence or postsentence report prepared under Subchapter F, Chapter 42A;

(10) a copy of any detainer, issued by an agency of the federal government, that is in the possession of the county and that has been placed on the defendant;

(11) if prepared, a copy of the defendant's Texas Uniform Health Status Update Form;

(12) a written description of a hold or warrant, issued by any other jurisdiction, that the county is aware of and that has been placed on or issued for the defendant; ~~and~~

(13) a copy of any mental health records, mental health screening reports, or similar information regarding the mental health of the defendant; and

(14) the veteran status of the defendant as determined by an investigation conducted in accordance with Section 511.009(a)(21)(A), Government Code.

Amendment No. 1 was adopted.

**HB 1092**, as amended, was passed to engrossment.

**HB 1791 ON SECOND READING**  
**(by Button and Guillen)**

**HB 1791**, A bill to be entitled An Act relating to eligibility for job-training programs provided under the self-sufficiency fund.

Representative Button moved to postpone consideration of **HB 1791** until 10 a.m. Thursday, May 6.

The motion prevailed.

**HB 21 ON SECOND READING**  
**(by Neave, Button, Hunter, Swanson, Minjarez, et al.)**

**HB 21**, A bill to be entitled An Act relating to the statute of limitations applicable to a sexual harassment complaint filed with the Texas Workforce Commission.

**HB 21 - REMARKS**

REPRESENTATIVE NEAVE: I want to thank joint authors Chairwoman Angie Chen Button, Chairman Todd Hunter, Vice-chair Valoree Swanson, and Representative Minjarez. Members, a safe work environment—from a warehouse to the Texas House, Texans deserve to be free from sexual harassment. Our fellow Texans deserve to be treated with dignity and respect. The fact of the matter is when somebody is sexually harassed at work, they rarely come forward for a wide variety of reasons—whether that's embarrassment or shame; future job prospects could be compromised; you need to put food on the table to feed your children or keep a roof over your head—and by the time one is willing to come forward or perhaps learns about their rights, the deadline forced by the strict statute of limitations will have already passed. A hundred and eighty days is about six months. Many civil statutes of limitations are about two years. Breach of contract is about four years. **HB 21** will extend the current window for civil sexual harassment claims under Texas law from 180 days from the date of the alleged sexual harassment to 300 days in order to mirror federal law. Fifteen states give victims at least 300 days to file a complaint under their respective antidiscrimination statutes. Members, this legislation is asking us to give survivors a little more time—more time to process trauma, to speak with their families, to make sense of what cannot be sensible, courage to speak up—and today, members, survivors are asking for a little more time to decide.

**HB 21** was passed to engrossment.

**CSHB 4383 ON SECOND READING  
(by Murphy)**

**CSHB 4383**, A bill to be entitled An Act relating to providing information to undergraduate students regarding certain fixed or flat tuition rates provided by certain institutions of higher education.

**CSHB 4383** was passed to engrossment.

**CSHB 3621 ON SECOND READING  
(by Cortez and Martinez Fischer)**

**CSHB 3621**, A bill to be entitled An Act relating to the creation of a mental health jail diversion pilot program in Bexar County.

**CSHB 3621 - RECOMMITTED**

Representative Cortez moved to recommit **CSHB 3621** to the Committee on Corrections.

The motion prevailed.

**CSHB 3915 ON SECOND READING  
(by Goldman)**

**CSHB 3915**, A bill to be entitled An Act relating to the designation of certain premises as critical load premises for electric service.

Representative Goldman moved to postpone consideration of **CSHB 3915** until 10 a.m. Monday, May 3.

The motion prevailed.

### **CSHB 2706 ON SECOND READING**

**(by Howard, Neave, Hernandez, Button, White, et al.)**

**CSHB 2706**, A bill to be entitled An Act relating to the reporting of sexual assault and other sex offenses, to the emergency services and care provided to victims of those offenses, and to the processes associated with preserving and analyzing the evidence of those offenses.

### **CSHB 2706 - REMARKS**

REPRESENTATIVE HOWARD: I am going to take a few minutes to lay this out because one thing is I think you all need to be proud of what we as a body have done here. We've heard from several members this session that in Texas, recent statistics indicated that 6.3 million or over 33 percent of adult Texans have experienced sexual assault at some point in their lives, and the majority of these have actually had multiple assaults. Over the last several sessions, we've passed numerous pieces of legislation that put Texas at the forefront of sexual assault policy reform. I want to thank Chairwoman Neave, Chairwoman Thompson, and Vice-chair Hernandez. I see I have Representative Zwiener here. There's many of you who have been sponsoring and supporting legislation and working to address this important issue.

Last session, this body unanimously passed **HB 1590** and created the Sexual Assault Survivors' Task Force led by the Office of the Governor, the Children's Advocacy Centers of Texas, and the Texas Association Against Sexual Assault. The task force convened with an ambitious set of goals and objectives that were focused on identifying critical improvements to current systems, policies, and procedures, which has resulted in several things. Over 150 recommendations were made to the Texas Evidence Collection Advisory Board, the attorney general's office, HHSC, and DPS's Crime Lab Service Manual Committee. Working with the State Auditor's Office, a report was conducted assessing the prosecution rates for crimes of sexual violence across the state. Working with the Institute on Domestic Violence and Sexual Assault, they created a comprehensive statewide sexual assault survivors' resource inventory. The first phase of the task force focused on objectives that get to the core of some of the most difficult challenges and barriers facing our state. And though we've made great strides, there's more work to do as usual.

The task force will be taking a closer look at systemic challenges related to the prevention and prosecution of sexual violence. I want to take this opportunity to thank Aimee Snoddy and Hillary England with the Office of the Governor; Justin Wood with CAC Texas; and Elizabeth Boyce, Kristen Lenau, and Katherine Strandberg with TAASA for their tireless advocacy. They led the steering committee of this task force. I also want to thank the 18 other members of the task force for their hard work. They met over 50 times during this interim and up to now to improve current systems, to review and identify solutions to the

most difficult challenges facing survivors, and to provide consensus and survivor-centered policy recommendations to the legislature. I just have a little bit more here, members, but before I continue, there are two amendments that I need. The first one is going to be an amendment from the author.

And I want to explain that the fiscal note here is not part of GR. It comes out of the Crime Victims' Compensation Program, which is funded with court fees. Right now, that has not built up as it normally does because of COVID, but there's full expectation and assurances from the AG's office that these funds will be provided. This is to pay for the forensic exams to make sure that the victims and survivors are not charged those costs. So this is doable. There's nothing here that's problematic for the budget. I just wanted to point that out.

### **Amendment No. 1**

Representative Howard offered the following amendment to **CSHB 2706**:

Amend **CSHB 2706** (house committee printing) as follows:

- (1) Strike page 1, line 7, through page 3, line 17.
- (2) Strike page 9, lines 2-9.
- (3) Strike page 9, line 27, through page 11, line 27.
- (4) On page 17, line 16, strike "annually" and substitute "quarterly [~~annually~~]".
- (5) On page 17, line 25, following the underlined period, insert "The term does not include a program operated by a health care facility, as defined by Section 323.001.".
- (6) Strike page 21, lines 15-25.
- (7) Renumber the SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative A. Johnson offered the following amendment to **CSHB 2706**:

Amend **CSHB 2706** (house committee report) as follows:

- (1) On page 13, line 8, strike "and (a-1)" and substitute ", (a-1), and (b)".
- (2) On page 13, between lines 26 and 27, insert the following:
  - (b) A health care facility providing care to a sexual assault survivor shall provide the survivor with:
    - (1) subject to Subsection (b-1), a forensic medical examination in accordance with Subchapter B, Chapter 420, Government Code, if the examination has been requested by a law enforcement agency under Subchapter F, Chapter 56A, Code of Criminal Procedure, or is conducted under Subchapter G, Chapter 56A, Code of Criminal Procedure;
    - (2) a private area, if available, to wait or speak with the appropriate medical, legal, or sexual assault crisis center staff or volunteer until a physician, nurse, or physician assistant is able to treat the survivor;
    - (3) access to a sexual assault program advocate, if available, as provided by Subchapter H, Chapter 56A, Code of Criminal Procedure;
    - (4) the information form required by Section 323.005;

- (5) a private treatment room, if available;
- (6) if indicated by the history of contact, access to appropriate prophylaxis for exposure to sexually transmitted infections; ~~[and]~~
- (7) the name and telephone number of the nearest sexual assault crisis center; and
- (8) if the health care facility has shower facilities, access to a shower at no cost to the survivor after the examination described by Subdivision (1).

(3) On page 15, strike lines 9-11 and substitute the following:  
crisis centers statewide; ~~[and]~~

- (7) information regarding postexposure prophylaxis for HIV infection;
- (8) information regarding the period for which biological evidence collected from the forensic medical examination will be retained and preserved under Article 38.43, Code of Criminal Procedure; and
- (9) a statement that the survivor has the right to access a shower for free after the forensic medical examination, if shower facilities are available at the health care facility.

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

SECTION \_\_\_\_\_. Chapter 38, Code of Criminal Procedure, is amended by adding Article 38.435 to read as follows:

Art. 38.435. PROHIBITED USE OF EVIDENCE FROM FORENSIC MEDICAL EXAMINATION PERFORMED ON VICTIM OF SEXUAL ASSAULT. Evidence collected during a forensic medical examination conducted under Subchapter F or G, Chapter 56A, may not be used to investigate or prosecute a misdemeanor offense, or an offense under Subchapter D, Chapter 481, Health and Safety Code, alleged to have been committed by the victim from whom the evidence was collected.

SECTION \_\_\_\_\_. Article 38.435, Code of Criminal Procedure, and Section 323.004(b)(8), Health and Safety Code, as added by this Act, apply to a forensic medical examination that occurs on or after the effective date of this Act. A forensic medical examination that occurs before that date is governed by the law in effect on the date the examination occurred, and the former law is continued in effect for that purpose.

Amendment No. 2 was adopted.

HOWARD: Those of you, members, who were up here with me, I really appreciate your support on this. I am very proud of the work that we have done as an entire body on this. I hope you are as well. This has been a major effort on the part of many people in this house, and we are seeing results because of that. And with the passage of this bill and with Representative Neave's bills, we will have implemented, through our legislation, all 11 policy recommendations coming out of the Sexual Assault Survivors' Task Force and the governor's office.

A record vote was requested by Representative Tinderholt.

**CSHB 2706**, as amended, was passed to engrossment by (Record 570): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Walle; Wilson; Wu; Zwiener.

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

Absent, Excused — Huberty; Vo.

Absent — White.

### STATEMENT OF VOTE

When Record No. 570 was taken, my vote failed to register. I would have voted yes.

White

### CSHB 1097 ON SECOND READING (by Lozano)

**CSHB 1097**, A bill to be entitled An Act relating to the processing and sale of kratom and kratom products; providing civil penalties; creating a criminal offense.

A record vote was requested by Representative Slaton.

**CSHB 1097** was passed to engrossment by (Record 571): 131 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio;

Martinez; Martinez Fischer; Metcalf; Meyer; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Middleton; Patterson; Schaefer; Toth; Vasut; Wilson.

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

Absent, Excused — Huberty; Vo.

Absent — Buckley; Collier; Meza; Neave; Sherman; Slaton.

### STATEMENTS OF VOTE

When Record No. 571 was taken, I was in the house but away from my desk. I would have voted yes.

Buckley

When Record No. 571 was taken, I was in the house but away from my desk. I would have voted yes.

Collier

When Record No. 571 was taken, I was in the house but away from my desk. I would have voted yes.

Neave

When Record No. 571 was taken, I was in the house but away from my desk. I would have voted yes.

Sherman

When Record No. 571 was taken, I was in the house but away from my desk. I would have voted no.

Slaton

### REMARKS ORDERED PRINTED

Representative C. Turner moved to print remarks by Representative Neave on **HB 21** and by Representative Howard on **CSHB 2706**.

The motion prevailed.

(Speaker in the chair)

### CSHB 1110 ON SECOND READING

(by J.E. Johnson, Morrison, J. González, Hunter, et al.)

**CSHB 1110**, A bill to be entitled An Act relating to payment of the replacement cost of damaged property under a homeowner's, renter's, or condominium owner's insurance policy.

**CSHB 1110** was passed to engrossment. (Dean and Shine recorded voting no.)

**HB 3557 ON SECOND READING****(by K. King and Pacheco)**

**HB 3557**, A bill to be entitled An Act relating to allowing parents and guardians to elect for a student to repeat or retake a course or grade.

**HB 3557** was passed to engrossment.

**HB 1706 ON SECOND READING****(by Neave, Leach, Button, Howard, and Swanson)**

**HB 1706**, A bill to be entitled An Act relating to a specialty court program to provide victim services in sexual assault cases.

**HB 1706** was passed to engrossment.

**CSHB 652 ON SECOND READING****(by Paul, Guerra, Price, et al.)**

**CSHB 652**, A bill to be entitled An Act relating to notice of an animal's exposure or possible exposure in an animal shelter to certain infectious diseases.

A record vote was requested by Representative Slaton.

**CSHB 652** was passed to engrossment by (Record 572): 95 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Beckley; Bernal; Bonnen; Bowers; Bucy; Burns; Burrows; Button; Campos; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Hinojosa; Howard; Hull; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Krause; Kuempel; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Rodriguez; Romero; Rosenthal; Sanford; Sherman; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wilson; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Buckley; Cain; Canales; Cason; Craddick; Crockett; Darby; Davis; Dean; Goldman; Hefner; Herrero; Holland; Hunter; King, P.; Lambert; Landgraf; Leman; Metcalf; Meza; Middleton; Minjarez; Morrison; Murphy; Murr; Noble; Reynolds; Rogers; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Cyrier; González, J.; González, M.; Rose; Stephenson.

**STATEMENTS OF VOTE**

When Record No. 572 was taken, I was shown voting no. I intended to vote yes.

K. Bell

When Record No. 572 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 572 was taken, I was in the house but away from my desk. I would have voted no.

Cyrier

When Record No. 572 was taken, I was shown voting yes. I intended to vote no.

Gates

When Record No. 572 was taken, I was in the house but away from my desk. I would have voted no.

J. González

When Record No. 572 was taken, I was shown voting yes. I intended to vote present, not voting.

Guerra

When Record No. 572 was taken, I was shown voting yes. I intended to vote no.

Harless

When Record No. 572 was taken, I was shown voting yes. I intended to vote no.

Ramos

When Record No. 572 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

When Record No. 572 was taken, I was shown voting yes. I intended to vote no.

Talarico

When Record No. 572 was taken, I was shown voting yes. I intended to vote no.

White

When Record No. 572 was taken, I was shown voting yes. I intended to vote no.

Wilson

**CSHB 2094 ON SECOND READING**  
**(by Martinez)**

**CSHB 2094**, A bill to be entitled An Act relating to the right to remove property encroaching on areas owned or controlled by the Hidalgo County Drainage District Number 1.

**CSHB 2094** was passed to engrossment.

**CSHB 2885 ON SECOND READING**  
**(by Clardy)**

**CSHB 2885**, A bill to be entitled An Act relating to continuing education programs for fire detection and alarm device installation.

A record vote was requested by Representative Slaton.

**CSHB 2885** was passed to engrossment by (Record 573): 95 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Beckley; Bell, K.; Bernal; Bonnen; Bowers; Bucy; Burns; Burrows; Button; Campos; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; Goodwin; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Kacal; King, K.; King, T.; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murphy; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smithee; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; Wu; Zwiener.

Nays — Ashby; Bailes; Bell, C.; Biedermann; Buckley; Cain; Canales; Capriglione; Cason; Cook; Cyrier; Ellzey; Frank; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; King, P.; Klick; Krause; Leman; Metcalf; Middleton; Morrison; Noble; Oliverson; Patterson; Paul; Rogers; Sanford; Schaefer; Shaheen; Slaton; Slawson; Smith; Spiller; Stucky; Swanson; Tinderholt; Toth; Vasut; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Anchia; González, M.; Johnson, J.E.; Meza.

**STATEMENTS OF VOTE**

When Record No. 573 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 573 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 573 was taken, I was shown voting yes. I intended to vote no.

Meyer

**CSHB 1433 ON SECOND READING**  
**(by Capriglione and Oliverson)**

**CSHB 1433**, A bill to be entitled An Act relating to the payment of insurance deductibles for property insurance claims.

**CSHB 1433 - POINT OF ORDER**

Representative Schaefer raised a point of order against further consideration of **CSHB 1433** under Rule 4, Section 32(c)(4), of the House Rules on the grounds that the bill analysis's statement indicating whether or not the bill expressly creates a criminal offense was incorrect. The point of order was withdrawn.

A record vote was requested by Representative Cason.

**CSHB 1433** failed to pass to engrossment by (Record 574): 61 Yeas, 84 Nays, 2 Present, not voting. (The vote was reconsidered on April 30, and **CSHB 1433** was amended and was passed to engrossment by Record No. 584.)

Yeas — Allen; Allison; Anderson; Ashby; Beckley; Bell, K.; Biedermann; Bonnen; Bowers; Buckley; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cortez; Craddock; Darby; Dean; Deshotel; Frank; Geren; Goldman; González, M.; Goodwin; Hunter; Jetton; Kacal; King, P.; Klick; Krause; Lambert; Landgraf; Leach; Lozano; Martinez; Meyer; Meza; Moody; Morrison; Murphy; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Rogers; Schofield; Shine; Slawson; Smith; Spiller; Stephenson; Stucky; Thompson, E.; Vasut; Wu; Zwiener.

Nays — Anchia; Bailes; Bell, C.; Bernal; Bucy; Burns; Campos; Canales; Cason; Cole; Coleman; Collier; Crockett; Cyrier; Davis; Dominguez; Dutton; Ellzey; Fierro; Frullo; Gates; Gervin-Hawkins; González, J.; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, K.; King, T.; Kuempel; Larson; Leman; Longoria; Lopez; Lucio; Martinez Fischer; Metcalf; Middleton; Minjarez; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Murr; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Shaheen; Sherman; Slaton; Smithee; Swanson; Talarico; Thierry; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wilson.

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

Absent, Excused — Huberty; Vo.

Absent — Sanford.

**STATEMENTS OF VOTE**

When Record No. 574 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 574 was taken, I was shown voting no. I intended to vote yes.

Gates

When Record No. 574 was taken, I was shown voting no. I intended to vote yes.

Holland

When Record No. 574 was taken, I was shown voting present, not voting. I intended to vote yes.

Hull

When Record No. 574 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

When Record No. 574 was taken, I was shown voting yes. I intended to vote no.

Stucky

**POSTPONED BUSINESS**

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

**CSHB 19 ON SECOND READING**  
**(by Leach, Ashby, Meyer, et al.)**

**CSHB 19**, A bill to be entitled An Act relating to civil liability of a commercial motor vehicle owner or operator.

**CSHB 19** was read second time earlier today, postponed until 1:30 p.m. today, postponed until 3:15 p.m. today, and was again postponed until this time.

Representative Leach moved to postpone consideration of **CSHB 19** until 5:15 p.m. today.

The motion prevailed.

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

**CSHB 1588 ON SECOND READING**  
**(by Leach, Neave, Holland, K. King, et al.)**

**CSHB 1588**, A bill to be entitled An Act relating to health benefit plan coverage for scalp cooling systems, applications, and procedures for certain cancer patients.

A record vote was requested by Representative K. King.

**CSHB 1588** was passed to engrossment by (Record 575): 126 Yeas, 19 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frullo; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Murr; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schofield; Shaheen; Sherman; Shine; Smith; Smithee; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wilson; Wu; Zwiener.

Nays — Biedermann; Cain; Capriglione; Cason; Cook; Frank; King, P.; Klick; Leman; Middleton; Noble; Sanford; Schaefer; Slaton; Slawson; Spiller; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Goldman; Lozano.

#### STATEMENTS OF VOTE

When Record No. 575 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 575 was taken, I was shown voting no. I intended to vote yes.

Sanford

When Record No. 575 was taken, I was shown voting yes. I intended to vote no.

Shaheen

When Record No. 575 was taken, I was shown voting yes. I intended to vote no.

Wilson

**CSHB 1758 ON SECOND READING**  
**(by Krause)**

**CSHB 1758**, A bill to be entitled An Act relating to law enforcement's use of force by means of a drone.

**CSHB 1758** was passed to engrossment.

**HB 1910 ON SECOND READING**  
**(by Schofield)**

**HB 1910**, A bill to be entitled An Act relating to cemeteries in certain municipalities.

**HB 1910** was passed to engrossment.

**HB 2627 ON SECOND READING**  
**(by Thierry)**

**HB 2627**, A bill to be entitled An Act relating to the clarification of certain provisions regarding taxes imposed on the sale, rental, and use of motor vehicles.

**HB 2627** was passed to engrossment.

**CSHB 2929 ON SECOND READING**  
**(by Bonnen and Frank)**

**CSHB 2929**, A bill to be entitled An Act relating to conduct of insurers providing preferred provider benefit plans with respect to physician and health care provider contracts and claims.

**CSHB 2929** was passed to engrossment.

**HB 2626 ON SECOND READING**  
**(by Noble)**

**HB 2626**, A bill to be entitled An Act relating to the imposition of the use tax on tangible personal property purchased in another state and transferred to an affiliate of the purchaser before being brought into this state for storage, use, or other consumption.

A record vote was requested by Representative Slaton.

**HB 2626** was passed to engrossment by (Record 576): 121 Yeas, 20 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Landgraf; Leach; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave;

Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Sherman; Shine; Slawson; Smithee; Spiller; Talarico; Thierry; Thompson, E.; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wilson; Wu; Zwiener.

Nays — Anderson; Cain; Cason; Cyrier; Hefner; King, P.; Krause; Lambert; Larson; Murr; Schaefer; Schofield; Shaheen; Slaton; Smith; Stucky; Swanson; Tinderholt; Toth; Vasut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Gates; Johnson, J.D.; Lozano; Middleton; Stephenson; Thompson, S.

### STATEMENTS OF VOTE

When Record No. 576 was taken, I was shown voting no. I intended to vote yes.

Anderson

When Record No. 576 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 576 was taken, I was in the house but away from my desk. I would have voted yes.

Gates

When Record No. 576 was taken, I was shown voting yes. I intended to vote no.

Landgraf

When Record No. 576 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 576 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 576 was taken, I was in the house but away from my desk. I would have voted no.

Middleton

When Record No. 576 was taken, I was shown voting yes. I intended to vote no.

Patterson

When Record No. 576 was taken, I was shown voting no. I intended to vote yes.

Swanson

When Record No. 576 was taken, I was shown voting yes. I intended to vote no.

Wilson

**CSHB 903 ON SECOND READING**  
(by Oliverson)

**CSHB 903**, A bill to be entitled An Act relating to the settlement of certain claims on behalf of a minor.

**CSHB 903** was passed to engrossment.

**CSHB 769 ON SECOND READING**  
(by Middleton, Hunter, Lozano, Dominguez, et al.)

**CSHB 769**, A bill to be entitled An Act relating to the administration of the Texas Windstorm Insurance Association.

**Amendment No. 1**

Representative Hunter offered the following amendment to **CSHB 769**:

Amend **CSHB 769** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 2210.351, Insurance Code, is amended by amending Subsection (d) and adding Subsection (f) to read as follows:

(d) The association may use a rate filed by the association without prior commissioner approval if:

(1) the filing is made not later than the 30th day before the date of any use or delivery for use of the rate;

(2) the filed rate does not exceed ~~[405 percent of]~~ the rate in effect on the date on which the filing is made; and

(3) ~~[the filed rate does not reflect a rate change for an individual rating class that is 10 percent higher than the rate in effect for that rating class on the date on which the filing is made; and~~

~~[(4)]~~ the commissioner has not disapproved the filing in writing, advising of the reasons for the disapproval and the criteria the association is required to meet to obtain approval.

(f) The association may not file a rate under this section that exceeds the rate in effect on the date on which the filing is made unless two-thirds of the board of directors votes to approve the rate.

SECTION \_\_\_\_\_. Section 2210.352, Insurance Code, is amended by amending Subsection (a-1) and adding Subsection (a-3) to read as follows:

(a-1) The association may use a rate filed by the association under this section without prior commissioner approval if:

(1) the filing is made not later than the 30th day before the date of any use or delivery for use of the rate; and

(2) the filed rate does not exceed ~~[105 percent of]~~ the rate used by the association in effect on the date on which the filing is made~~]; and~~

~~[(3) the filed rate does not reflect a rate change for an individual rating class that is 10 percent higher than the rate in effect for that rating class on the date on which the filing is made].~~

(a-3) The association may not file a rate under this section that exceeds the rate in effect on the date on which the filing is made unless two-thirds of the board of directors votes to approve the rate.

SECTION \_\_\_\_\_. Sections 2210.351 and 2210.352, Insurance Code, as amended by this Act, apply only to a rate filed by the Texas Windstorm Insurance Association with the Texas Department of Insurance on or after the effective date of this Act. A rate filed with the Texas Department of Insurance before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted.

**CSHB 769**, as amended, was passed to engrossment. (Smithee recorded voting no.)

### **CSHB 2579 ON SECOND READING** (by Leach)

**CSHB 2579**, A bill to be entitled An Act relating to shorthand reporting and depositions.

Representative Leach moved to postpone consideration of **CSHB 2579** until 10 a.m. Monday, May 3.

The motion prevailed.

### **HB 2733 ON SECOND READING** (by Tinderholt, P. King, White, Bowers, et al.)

**HB 2733**, A bill to be entitled An Act relating to defendants restricted to the operation of a vehicle equipped with an ignition interlock device or required to submit to alcohol monitoring and establishing a central database of those defendants.

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

Representative Tinderholt offered the following amendment to **HB 2733**:

Amend **HB 2733** (house committee report) on page 1, line 12, by striking "reasonable" and substituting "probable".

Amendment No. 1 was adopted.

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

Representative Tinderholt offered the following amendment to **HB 2733**:

Amend **HB 2733** (house committee report) as follows:

(1) On page 3, line 14, between "requirement" and "shall", insert "or the county clerk of the county in which the magistrate is located".

(2) On page 3, line 26, following "court" insert "or the county clerk of the county in which the applicable court is located".

(3) On page 4, line 11, between "restriction" and "shall", insert "or the county clerk of the county in which the magistrate is located".

(4) On page 4, line 23, between "court" and "shall", insert "or the county clerk of the county in which the applicable court is located".

(5) On page 5, line 11, between "Article 17.44(a)(3)" and "shall", insert "or the county clerk of the county in which the court is located".

(6) On page 6, line 9, between "entered" and "shall", insert "or the county clerk of the county in which the court is located".

(7) On page 7, line 2, between "supervision" and "shall", insert "or the county clerk of the county in which the court is located".

(8) On page 7, line 19, between "monitoring" and "shall", insert "or the county clerk of the county in which the court is located".

(9) On page 12, line 9, between "subsection" and "shall", insert "or the county clerk of the county in which the court is located".

(10) On page 12, line 22, between "restriction" and "shall", insert "or the county clerk of the county in which the court is located".

Amendment No. 2 was adopted.

**HB 2733**, as amended, was passed to engrossment.

#### **CSHB 2781 ON SECOND READING**

**(by A. Johnson, Bonnen, Ordaz Perez, Landgraf, Kuempel, et al.)**

**CSHB 2781**, A bill to be entitled An Act relating to the prosecution of and punishment for an aggravated assault occurring as part of a mass shooting; increasing a criminal penalty.

**CSHB 2781** was passed to engrossment.

#### **CSHB 1202 ON SECOND READING**

**(by Jetton, et al.)**

**CSHB 1202**, A bill to be entitled An Act relating to the amendment of a dedicatory instrument to remove a discriminatory provision.

**CSHB 1202** was passed to engrossment.

#### **HB 3338 ON SECOND READING**

**(by Bowers)**

**HB 3338**, A bill to be entitled An Act relating to activities the tolerance of which may constitute maintenance of a common nuisance.

**HB 3338** was passed to engrossment.

#### **HB 4172 ON SECOND READING**

**(by Middleton)**

**HB 4172**, A bill to be entitled An Act relating to the burden of proof in a suit or administrative proceeding to establish that an area is subject to the public beach easement.

A record vote was requested by Representative Hunter.

**HB 4172** was passed to engrossment by (Record 577): 126 Yeas, 20 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burrows; Button; Cain; Campos; Capriglione; Cason; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Davis; Dean; Deshotel; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murphy; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schofield; Shaheen; Sherman; Slaton; Smithee; Spiller; Stephenson; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; Vasut; Walle; White; Wu; Zwiener.

Nays — Ashby; Burns; Canales; Clardy; Cyrier; Darby; Geren; Herrero; Hunter; Lambert; Larson; Murr; Patterson; Price; Schaefer; Shine; Smith; Stucky; VanDeaver; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Slawson.

### STATEMENTS OF VOTE

When Record No. 577 was taken, I was shown voting yes. I intended to vote no.

Martinez Fischer

When Record No. 577 was taken, I was shown voting no. I intended to vote yes.

Patterson

When Record No. 577 was taken, I was shown voting yes. I intended to vote no.

Rodriguez

When Record No. 577 was taken, I was shown voting no. I intended to vote yes.

Schaefer

When Record No. 577 was taken, I was shown voting no. I intended to vote yes.

Wilson

**CSHB 3315 ON SECOND READING**  
**(by Crockett and Morales Shaw)**

**CSHB 3315**, A bill to be entitled An Act relating to the creation of a pretrial intervention program for certain youth offenders; authorizing a fee.

**Amendment No. 1**

Representative Crockett offered the following amendment to **CSHB 3315**:

Amend **CSHB 3315** (house committee printing) as follows:

(1) On page 3, lines 10-11, between "shall" and "establish", insert ", subject to Subsection (d),".

(2) On page 3, immediately following line 27, insert the following:

(d) The commissioners court of a county is not required to establish a specialty court in accordance with this chapter. A program that is operated by a community supervision and corrections department and that substantially complies with this chapter is considered to be a youth pretrial intervention program for purposes of this chapter.

(e) Notwithstanding Subsection (c), the attorney representing the state may request, in writing, that the court in which the criminal case is pending refuse to allow an eligible defendant to proceed through the youth pretrial intervention program. If the court determines that the attorney representing the state has shown that adequate good cause exists, the court shall require the defendant to proceed through the criminal justice system.

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

SECTION \_\_\_\_\_. Section 509.011, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) The supervision by a department of a participant in a youth pretrial intervention program under Chapter 127 or other law constitutes supervision by the department pursuant to lawful authority for purposes of Subsection (a).

Amendment No. 1 was adopted.

**CSHB 3315**, as amended, was passed to engrossment. (Darby, Dean, and Leach recorded voting no.)

**HB 1554 ON SECOND READING**  
**(by Rogers and Lambert)**

**HB 1554**, A bill to be entitled An Act relating to use of project funds of municipal development districts.

**Amendment No. 1**

Representative Rogers offered the following amendment to **HB 1554**:

Amend **HB 1554** (house committee printing) as follows:

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

(i) the project is located in the extraterritorial jurisdiction of the municipality that created the district;

(2) On page 1, line 14, strike "(i)" and substitute "(ii)".

(3) On page 1, line 17, strike "(ii)" and substitute "(iii)".

(4) On page 1, line 20, immediately after the underlined semicolon, add "and".

(5) On page 1, line 23, strike "and".

(6) Strike page 1, line 24, through page 2, line 3.

Amendment No. 1 was adopted.

**HB 1554**, as amended, was passed to engrossment. (Ashby, Dean, Leach, and Shine recorded voting no.)

### **HB 1433 - NOTICE GIVEN**

At 5:53 p.m., pursuant to the provisions of Rule 7, Section 37(c), of the House Rules, Representative Harris gave notice that he would, in one hour, move to reconsider the vote by which **HB 1433** failed to pass to engrossment by Record No. 574.

### **POSTPONED BUSINESS**

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

#### **CSHB 19 ON SECOND READING**

**(by Leach, Ashby, Meyer, et al.)**

**CSHB 19**, A bill to be entitled An Act relating to civil liability of a commercial motor vehicle owner or operator.

**CSHB 19** was read second time earlier today, postponed until 1:30 p.m. today, postponed until 3:15 p.m. today, postponed until 4:30 p.m. today, and was again postponed until this time.

#### **CSHB 19 - REMARKS**

REPRESENTATIVE LEACH: Members, I appreciate your patience today as we've been working through the final details on **CSHB 19**. Members, it's my pleasure to lay this bill out to you today. I'm going to try to be brief and to the point, but I do want to explain why we filed this bill, what the bill does, and then we've got just a couple of amendments. At the outset I do want to thank the many stakeholders, experts, attorneys, citizens, and legislators—many of you—and namely the members of the House Committee on Judiciary and Civil Jurisprudence who have worked so diligently to improve and strengthen and perfect this important bill.

Members, this bill before us today, **CSHB 19**, is the result of countless hours of communication, listening, deliberating, and wrestling together with an important issue relating to our civil justice system. I'm very confident, members, that this bill that is in front of you today represents strong, sensible, and commonsense public policy that we should all be confident and comfortable in supporting. Members, you're going to hear some legal jargon today, although I'm going to try to keep it to a minimum, but I just want to be very simple about what this bill does. This bill is designed to address not just a possible or a potential threat. This bill is meant to address a very real and present threat to our state's

economy. This is a problem that exists right here, right now, and the legislature has an opportunity with **CSHB 19** to address it and to address it in a real and meaningful way.

Members, at its core, this bill is about justice and fairness in our courts. I want to be very clear, members, about something that maybe some of you have been misinformed on. But as the author of the bill and as your colleague, I want to make something very, very clear to this body. I can unequivocally state and commit to you that this bill that's in front of you today provides full protections for any injured Texan—for every injured Texan, actually—who is in an accident with a commercial motor vehicle on a Texas roadway. This allows every and any injured Texan to be made whole and to seek justice from drivers of commercial vehicles and from the employers who send them out onto our roadways. So despite what you might have heard, the bill ensures that full protection for those injured Texans and their families.

The bill also ensures that negligent drivers and the companies that employ them will be held liable for accidents that they cause. At the same time, this bill installs a legal and procedural framework that will protect Texas businesses of all sizes from abuses in our justice system, from abusive lawsuits that are threatening the very existence of many of our small businesses. The facts are very clear, members. As a result of an abusive lawsuit environment in Texas and many nuclear verdicts that we are seeing across the state, commercial vehicle insurance is skyrocketing and it is becoming unaffordable and unattainable for many Texas companies and employers. Owners and operators of commercial vehicles in Texas are simply dealing with an unsustainable lawsuit environment, and we've got to fix it.

In closing, I want to make sure you also know that this is not just about big trucking companies. That's what you see on billboards. That's what you see on TV ads. Those are the images you've seen that have been placed on your desk and brought to your offices. But get this, that 90 percent—90 percent—of commercial vehicle owners in Texas have less than 10 trucks. Most are mom and pop businesses. Most are small businesses. It's your local plumber, your local landscaping company, your nursery that has a delivery service, maybe your favorite restaurant that delivers. Any commercial vehicle—not just the big 18-wheelers—but any vehicle in this state that is a commercial vehicle is affected by this bill.

And so, members, that's why over 500 businesses across the state are supporting **CSHB 19**. And businesses of all sizes, major trade associations, folks you and I know and regularly work with, they see this problem and they believe that **CSHB 19** is the answer to the problem. And so again, I want to thank you, members, for your work, your diligence, and your input in working to perfect this bill. I know right now I'm the only thing standing between you and dinner. So hopefully I've outlined what the problem is to you. I'm happy to get into the details of the bill, and I'm happy to take questions. I would appreciate your favorable consideration on the bill.

REPRESENTATIVE J. TURNER: I'd like to follow up on that invitation you just made just to talk a little bit about some of the areas of the bill, maybe a few that have received a little bit less attention than others. But one thing I understand about this bill is that it says that an employer defendant is entitled to make certain stipulations, and if they do make those stipulations—and this is in Section 72.054—if they make those stipulations, their liability for certain kinds of negligence claims will be limited to respondeat superior liability, correct?

LEACH: That is correct.

J. TURNER: And so if I understand correctly, they gain a benefit in essence by limiting their liability if they make those stipulations. Is that correct?

LEACH: I would not put it that way, no.

J. TURNER: I'm sorry?

LEACH: I would not put it that way, that the company's limit liability is limited under this bill. What this bill does is it provides a judicial framework, judicial management, of the case, if the defendant elects, whereby there will be two phases to the trial, a bifurcated trial. The first phase will actually be about the accident under a negligence standard. And then the second phase, if necessary, could be about more than that. So that's what this bill in essence does, but I don't think in any way it limits the ability of Texans to hold companies liable and responsible under Texas law.

J. TURNER: Well, what I'm getting at, if we look—if you have the bill, I'm on page 5 of the bill. At the bottom of page 5, where it starts with Section 72.054(a), it says: "In a civil action under this subchapter, an employer defendant's liability for damages caused by"—and then to skip down a little bit—

LEACH: Well, Representative, don't skip down too fast because the next few words are the key operative words in that section.

J. TURNER: Okay, well, that's fine, Representative. Let's go through them—"an employer defendant's liability for damages caused by the ordinary negligence of a person operating the defendant's commercial motor vehicle shall be based only on respondeat superior if the defendant stipulates," and then it goes on to talk about what the stipulations are. Correct?

LEACH: That's only half correct. In the first phase, the defendant's liability under an ordinary negligence standard, Representative, is limited to respondeat superior. Now, we are going to have an amendment that is going to subsequently follow, and I think that will clear up some of what you're talking about. But there is no question that the accident will be in the first phase and then any direct claims against that defendant employer—say, for hiring, training, supervision—would be under a gross negligence standard in the second phase of the trial.

J. TURNER: Okay, so the stipulations that we are talking about are listed on the next page, correct? They would stipulate that the person operating the vehicle was the defendant's employee and was acting within the scope of employment, correct?

LEACH: That is traditional respondeat superior law, yes.

J. TURNER: Now, there can be cases, obviously, in which an employee who is driving a company vehicle might be doing so outside the scope and course of employment. Do you agree?

LEACH: That's correct, yes.

J. TURNER: Such as if they took a detour from their assigned route and they went to go visit their favorite restaurant or something like that—something that was not authorized—not in the course and scope, correct?

LEACH: That can happen and would be a fact issue, but it can happen.

J. TURNER: The question I have is, is there anything in the bill that would prohibit a company from stipulating that the driver was acting within the course and scope of employment when in reality the driver was not?

LEACH: Representative, if you could restate your question before I answer, I just want to make sure that I'm understanding exactly what you're asking.

J. TURNER: Yes, so I'm trying to figure out, is there anything in the bill that would prohibit or prevent an employer defendant from making the stipulation that the driver was acting within the course and scope of employment when in reality the facts might show that the driver was not acting within the course and scope of employment?

LEACH: Well, the stipulation here to respondeat superior in the course and scope of employment and that the defendant, the driver, was actually the employer's employee, as opposed to someone who might have stolen the commercial vehicle and was not the defendant's employee, that's only relating to the election of the bifurcation here. So if you stipulate respondeat superior liability here, the employer would then—that is a precedent, if you will, a prerequisite to opting in to the bifurcation, which is what this bill provides for.

J. TURNER: And I guess what I'm driving at there is, let's say an employer defendant finds it desirable to opt in to the bifurcation and have the limitation on ordinary negligence liability that is provided here when, in reality, the facts might show that the driver was acting outside the course and scope of employment but that nonetheless the employer wants the benefit of this protection and therefore makes that stipulation. Is there anything in the bill that would prevent an employer defendant from doing that?

LEACH: The bill doesn't speak to traditional respondeat superior law. That is simply a—this bill is providing a judicial framework, judicial management, of the case. I don't believe that this bill speaks to your specific question.

J. TURNER: So as far as we can tell, there is nothing that would stop such a stipulation from happening. And I know as you're an attorney as well, as am I, sometimes parties will stipulate to facts even if—or stipulate to an issue one way or another and the court doesn't typically do an independent inquiry into that stipulation. That is usually how it works, correct?

LEACH: This bill is limited to the situation—is meant to address, Representative Turner—the situation in which a defendant employer is stipulating that the employee was the defendant's employee and is acting within the course and scope of his employment and therefore elects the bifurcation. That's what this bill is dealing with.

J. TURNER: Let me, if I can, shift to the previous section of the bill, 72.053. This is the one that involves possible failure to comply with "regulations and standards." Do you follow which section I'm in now?

LEACH: Yes.

J. TURNER: Now, if I understand correctly, under the bill, the jury would only hear evidence of a failure to comply with regulations or standards in phase one of the trial if certain conditions are satisfied, correct?

LEACH: Correct.

J. TURNER: And the regulation or standard is a defined term in Subsection (a) of 72.053, correct?

LEACH: That is correct.

J. TURNER: And just so the body can follow along here, it says in this section, "'regulation or standard' includes a statute, regulation, rule, or order regulating equipment or conduct adopted or promulgated by the federal government, a state government, a local government, or a governmental agency or authority." Correct?

LEACH: Yes.

J. TURNER: But it does not attempt to list out those specific statutes and regulations or rules here in the bill, is that right?

LEACH: No. The text says what the text says, Representative Turner.

J. TURNER: Right, and so the question I would have is, how would you say the parties are going to be able to determine which regulations or standards we are talking about here?

LEACH: Well, if a driver runs a red light, I think we're fairly certain what regulation or standard was violated. If a driver speeds and causes an accident, I think we're fairly certain what regulation or standard or rule or law was violated. The purpose here is for that regulation or standard, if it's approximate cause of the accident, could be brought up in the first phase of the trial. I don't think there is any question about in that case what's going to—

J. TURNER: Are you comfortable that parties would be able to determine which regulations and standards existing in federal law, local government law, state law would apply here?

LEACH: When it comes to the actual accident and the purpose of this bifurcation, let me be very clear, Representative—and I appreciate your questions; I think they're good questions and reasonable. But this is about the first phase is the accident—what caused the accident, who caused the accident, what damages did

the accident cause, what compensatory damages should be awarded. And then the second phase is then about was there on the employer defendant's part, the company's part, were they grossly negligent in hiring, in training, in supervising. And so what we want to do by way of this bill is make sure that the jury's attention is brought to the actual accident itself. And so if there is a regulation or standard that is actually proximate cause of the accident itself, that's going to be brought up in the first phase of the trial. And I'm fairly certain that our attorneys on both sides of the bar and our judges across the state are going to be able to ascertain, like they do normally in current trials, what regulations or standards where actually violated.

REPRESENTATIVE RAYMOND: This is an issue that I've been approached on by a lot of folks from my district in Laredo. We have a lot of trucks in Laredo, a lot of trucking industry, because of our trade with Mexico in particular, and so I have a great interest in it. I want to ask you if you can sort of—I know you talked a little bit in your opening about how you've been continuing to work on this bill during the day. Is that correct? And I think there are some amendments coming?

LEACH: That's correct, yes.

RAYMOND: So the big thing that I get from Laredo is this—I'm talking about from the actual businesses, people that own trucking companies, not so much from bankers and others who aren't as familiar with the business—but the big focus is cost of insurance, right, insurance rates going up. And their thought is we need to do something to bring insurance rates down. You've heard that, right?

LEACH: There is widespread concern about skyrocketing insurance rates, yes.

RAYMOND: So what I've told them is I very much want to help them. I'm not on this committee. I was on this committee for 10 years. I wish I was in it now. If I could be on three committees, I'd be on this one if the speaker let me. But I want to ask you, when you were continuing to work on this bill, will there be provisions put into this bill that are going to assure that insurance rates are going to go down?

LEACH: So it's a great question, and there's no question that a main motivation in this bill—not the only motivation, but a main motivation—is the very real and serious concerns about the affordability of commercial vehicle insurance. And it's not just the trucking companies in Laredo. It's businesses of all sizes who, Representative, have no accident history whatsoever. In some cases, folks are—over the past four to six years—are paying 100 percent more without any accident history, and a large part of that is due to the abusive lawsuit environment. So can I guarantee and ensure by way of this bill? Can we manipulate insurance cost in this body? I don't believe we can control or do that. That's not what this bill is meant to do. Do I believe this is going to have a major, meaningful effect? Yes, I do. And in fact, Representative Smithee has an amendment that's coming up that will actually—I'm going to let him talk about it—that will require TDI to do a study on the impact of **CSHB 19** on commercial vehicle—

RAYMOND: It's my understanding that Chairman Smithee bill's is going to be simply a study, and we'll talk about that, because he referred to a past effort or studies that we've asked of TDI that weren't very effective. So I'm asking you because I do believe, by the way, I believe that if we wanted to, we could assure that insurance rates go down. And I'm asking you because it's very important. Maybe not to other members—I don't know; I can't speak for others—but for me, it is super, super important because that is the issue for us in Laredo. That is the issue for my district. If we're going to do something, we need to guarantee, and with all due respect, Chairman, we can guarantee insurance rates going down if we put it into this bill. That is a fact. We can guarantee it. We can pass a law. And if we're going to pass a law like this and do some of the things that you want to do, we need to guarantee insurance, in my view and the view of a lot of the people from Laredo that are interested in this. Because otherwise, you know—I mean, it's a big issue.

LEACH: We actually don't directly regulate insurance rates in Texas, Representative.

RAYMOND: We can.

LEACH: Well, I respectfully disagree—

RAYMOND: No, no, we can. We can.

LEACH: But let me restate what I said or maybe put it a stronger way. I believe strongly and sincerely that—and there's a lot of other folks who believe the same thing—that with passage of this bill, we will see commercial vehicle insurance rates fall in this state, possibly substantially.

RAYMOND: If we will, then let's guarantee that, Mr. Leach.

LEACH: I believe that the bill written as-is—and there's people a lot smarter than me who have been doing this a lot longer than me who agree—that with the framework that we're putting in place with the bill as-is, it will have a major and meaningful impact on the commercial vehicle insurance rate market across Texas.

RAYMOND: Well, let me ask you this. Let's just assume, for the purposes of the discussion, that they're off on that. Because we have had other experiences like MedMal and all and insurance rates didn't go down. We've passed significant reforms. And you've heard the saying "Fool me once, shame on you. Fool me twice, shame on me." You've heard that, right?

LEACH: I have. But I've also talked to doctors in this very chamber, Representative, who reap the benefits of the passage of those laws and their MedMal insurance. So those bills did have a very real impact on the affordability of insurance.

RAYMOND: So let me ask you—if, in fact, let's say this bill passes, Chairman, in the form that you wanted it to pass and we see with time that the insurance rates not only didn't go down but actually went up—would you feel bad about that?

LEACH: No.

RAYMOND: You wouldn't feel bad if they went up?

LEACH: My hope is that they will fall, but I'll never apologize or feel bad about providing more justice and fairness and a level playing field in our courts all across this state whether it's on commercial vehicle lawsuits or otherwise. And that's what this bill is meant to do.

RAYMOND: Well, with all due respect, Chairman, I think that we ought to consider maybe a sunset on this bill so we can—either it's proved up or it isn't. So if you feel confident and others feel confident that insurance rates are going to drop, let's put a sunset on it. Because when that sunset is up, if it's going well, you—if you're still here—will pass another bill or someone else will. We'll all be for it at that point. But if it goes the other way, then you feel like the other side is dealing in bad faith.

LEACH: No, I don't think that at all. That's not what I'm—I don't think I've said that. That's certainly not what I'm implying. I think that this bill—I have full confidence. Representative, this is the first you and I have spoken about this bill, but we've been working on this bill for many months. There's been attorneys and experts who've opined on this bill, and they believe that it's carefully crafted to have a positive impact on the commercial vehicle insurance rate. That's why so many businesses—Representative, over 550 businesses are supporting this bill.

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

Representative Leach offered the following amendment to **CSHB 19**:

Amend **CSHB 19** (house committee printing) as follows:

(1) On page 2, line 17, strike "an" and substitute "the".

(2) On page 2, line 20, strike "an" and substitute "the".

(3) On page 2, strike lines 23-27 and substitute the following:

action. The term includes a plaintiff, counterclaimant, cross-claimant, third-party plaintiff, and an intervenor. The term does not include a passenger in a commercial motor vehicle unless the person is an employee of the owner, lessor, lessee, or operator of the vehicle.

(4) On page 3, line 5, between "vehicle" and "used", insert "being".

(5) On page 3, line 5, strike "primarily".

(6) On page 3, lines 10-11, strike "an "employee" as defined by 49 C.F.R. Section 390.5" and substitute "a person considered to be an employee under state or federal law".

(7) On page 4, line 5, strike "any" and substitute "a".

(8) On page 4, line 7, strike "not later than" and substitute the following:  
on or before the later of:

(1)

(9) On page 4, line 9, between "answer" and the underlined period, insert the following:

; or

(2) the 30th day after the date a claimant files a pleading adding a claim or cause of action against the defendant bringing the motion

(10) On page 4, line 21, between "defendant" and "that", insert ", such as negligent entrustment,".

(11) On page 5, line 17, between "damages" and "relating", insert "under Chapter 41".

(12) On page 5, lines 18-19, strike "as provided by Chapter 41".

(13) On page 6, line 6, between "defendant" and "that", insert ", such as negligent entrustment,".

(14) On page 6, strike lines 13-15.

(15) On page 6, line 16, strike "(2)" and substitute "(1)".

(16) On page 6, line 17, strike "another claim that" and substitute "a claim, such as negligent maintenance, that".

(17) On page 6, line 22, strike "(3)" and substitute "(2)".

(18) On page 6, line 22, strike "arising from" and substitute "under Chapter 41 for".

(19) On page 6, lines 24-25, strike "as provided by Chapter 41".

(20) On page 7, line 3, between "accident" and the underlined period, insert "that is the subject of the action".

(21) On page 7, line 6, between "accident" and "is", insert "that is the subject of a civil action under this subchapter".

(22) On page 7, strike line 9 and substitute an underlined period.

LEACH: This Floor Amendment No. 1 is a perfecting amendment after the committee substitute was voted out of our Judiciary and Civil Jurisprudence Committee. Many members in this chamber and various stakeholders pointed out a few technical problems with the bill. This amendment addresses those technical issues. I don't want to go through it in great detail. It should be on your screens in front of you. But for example, we changed the word "an" to "the" in a couple of places. We made clear that the law is not talking about any accident but the accident that is the subject of the lawsuit. There are other several minor wording changes. In addition, I will mention this. The committee substitute exempted passengers and buses from the bill. This amendment exempts all passengers in a commercial vehicle except employees of the company that owns or operates the vehicle. We believe there was another amendment that allowed a defendant to file a motion to bifurcate the trial within 120 days after filing the answer. That created the ability for gamesmanship, and we removed that as well.

## **Amendment No. 2**

Representative Lucio offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Leach to **CSHB 19** by adding the following appropriately numbered items to the amendment and renumbering subsequent items of the amendment accordingly:

( ) On page 5, line 22, strike "In" and substitute "Except as provided by Subsection (d), in".

( ) On page 6, line 3, strike "If" and substitute "Except as provided by Subsection (c), if".

( ) On page 6, at the end of line 10, immediately after the underlined period, insert the following:

This subsection does not prevent a claimant from presenting evidence allowed by Section 72.053.

( ) On page 6, between lines 10 and 11, insert the following:

(c) In regard to an employer defendant who is regulated by the Motor Carrier Safety Improvement Act of 1999 (Pub. Law 106-159) or Chapter 644, Transportation Code, and the defendant's employee, a party may present any of the following evidence in the first phase of a trial that is bifurcated under Section 72.052 if the evidence is applicable to the defendant:

(1) whether the employee who was operating the employer defendant's commercial motor vehicle at the time of the accident that is the subject of the civil action:

(A) was licensed to drive the vehicle;

(B) was disqualified from driving the vehicle under 49 C.F.R. Section 391.15 or the corresponding law of this state;

(C) should not have been allowed by the employer defendant to operate the vehicle under 49 C.F.R. Section 382.701(d) or the corresponding law of this state;

(D) was medically certified as physically qualified to operate the vehicle under 49 C.F.R. Section 391.41 or the corresponding law of this state; or

(E) was operating the vehicle when prohibited from doing so under 49 C.F.R. Section 382.201, 382.205, 382.207, or 382.215 or the corresponding law of this state;

(2) whether the employer defendant had complied with 49 C.F.R. Section 382.301 or a corresponding law of this state in regard to controlled-substance testing of the employee who was operating the employer's commercial motor vehicle at the time of the accident that is the subject of the civil action if the employee was impaired because of the use of a controlled substance at the time of the accident;

(3) whether the employer defendant failed to comply with 49 C.F.R. Section 382.201, 382.205, 382.207, 382.215, 382.701(d), 390.13, 391.15, 391.21, 391.23(a), 391.25, 391.31, 391.33, 391.41, or 383.51 or the corresponding law of this state; and

(4) whether the employer defendant failed to comply with 49 C.F.R. Section 395.3 or 395.5 or a corresponding law of this state if the employer defendant had knowledge of the failure to comply at the time of the accident that is the subject of the civil action.

(d) If a civil action is bifurcated under Section 72.052, evidence admissible under Subsection (c) is:

(1) admissible in the first phase of the trial only to prove ordinary negligent entrustment by the employer defendant to the employee who was driving the employer defendant's commercial motor vehicle at the time of the accident that is the subject of the civil action; and

(2) the only evidence that may be presented by the claimant in the first phase of the trial on the negligent entrustment claim.

(e) Nothing in this section may be construed to create a new rule or regulation or subject a person to a rule or regulation not applicable to the person without regard to this section.

( ) On page 6, line 11, strike "(c)" and substitute "(f)".

( ) On page 7, strike lines 16-20 and substitute the following:

SECTION 7. This Act takes effect September 1, 2021.

REPRESENTATIVE LUCIO: So in this bifurcated trial structure, one of the things I was concerned with is that in phase one of that bifurcated trial in the circumstances where the employer defendant did not act responsibly, that the jury would get to consider, evidence would be presented, that they did not meet basic, commonsense public safety standards. That was what I brought to the stakeholders and brought to the chairman for consideration. And to his credit, he listened, but we wanted to root that prudent operator standard in something that could be consistently applied in every jurisdiction, in every case. So what we decided to do was root that in federal and state law. So in phase one of the trial, as the bill is written, all that is considered is the defendant driver's negligence. My amendment would allow for consideration of the employer defendant's negligence, and we enumerated, over five and a half hours of review, specific sections in the Transportation Code that made sense that we thought were good public policy and public safety standards in order for that consideration to take place. So now, with my amendment, negligence or responsibility can be allocated in phase one of the trial to the employer defendant, and I think that that is very responsible. A couple of things—we also added a September 1 effective date, and we added and made sure that my amendment applied both to intrastate and interstate commerce or operators. So if you take truckloads from Brownsville, Texas to Dallas, this amendment will make you subject to this bill even if you don't cross state lines. I want to thank Chairman Leach for listening and sitting down and going over every one of these in the Transportation Code to make sure that we pick those that are truly representative of prudent operators. And I believe it is acceptable to the author.

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

### **Amendment No. 3**

Representative Smithee offered the following amendment to **CSHB 19**:

Amend **CSHB 19** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 38, Insurance Code, is amended by adding Section 38.005 to read as follows:

Sec. 38.005. COMMERCIAL AUTOMOBILE INSURANCE REPORT. (a) The department shall conduct a study each biennium on the effect, for each year of the biennium, on premiums, deductibles, coverage, and availability of coverage for commercial automobile insurance of **HB 19**, Acts of the 87th Legislature, Regular Session, 2021.

(b) Not later than December 1 of each even-numbered year, the department shall submit a written report of the results of the study conducted under Subsection (a) for the preceding biennium to the legislature.

(c) This section expires December 31, 2026.

REPRESENTATIVE SMITHEE: We've been told throughout this process that the purpose of this bill is to make commercial truck and auto insurance more affordable and accessible. So what this amendment does is it directs TDI to conduct a study and present the legislature with a report biennially every December prior to session for the next three sessions after this, and that will tell us whether the legislation is having the desired effect or not. It will give us a picture of the impact that the legislation is having on the insurance market here in Texas. The amendment is acceptable to the author.

Amendment No. 3 was adopted.

A record vote was requested by Representative Leach.

**CSHB 19**, as amended, was passed to engrossment by (Record 578): 93 Yeas, 52 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Campos; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Ellzey; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lopez; Lozano; Lucio; Metcalf; Meyer; Middleton; Minjarez; Morrison; Murphy; Murr; Noble; Oliverson; Ordaz Perez; Pacheco; Paddie; Parker; Patterson; Paul; Price; Raney; Reynolds; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Canales; Cole; Coleman; Collier; Deshotel; Dominguez; Dutton; Fierro; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Longoria; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Muñoz; Neave; Ortega; Perez; Ramos; Raymond; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Crockett; Morales Shaw.

#### STATEMENTS OF VOTE

When Record No. 578 was taken, I was shown voting yes. I intended to vote no.

Davis

When Record No. 578 was taken, my vote failed to register. I would have voted no.

Morales Shaw

When Record No. 578 was taken, I was shown voting yes. I intended to vote no.

Reynolds

### **HR 333 - ADOPTED**

**(by Oliverson, Metcalf, Holland, Slawson, and Bonnen)**

The following resolution was laid before the house:

**HR 333**, Deactivating House Rule 16, Sections 8 and 14.

### **REMARKS ORDERED PRINTED**

Representative C. Turner moved to print all remarks on **CSHB 19**.

The motion prevailed.

### **HR 333 - (consideration continued)**

**HR 333** was adopted by (Record 579): 99 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Cason; Clardy; Cook; Cortez; Craddick; Cyrier; Darby; Davis; Dean; Dominguez; Dutton; Ellzey; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lozano; Metcalf; Meyer; Middleton; Minjarez; Morales, E.; Morrison; Murphy; Murr; Noble; Oliverson; Ordaz Perez; Paddie; Parker; Patterson; Paul; Perez; Price; Raney; Raymond; Rogers; Rose; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Allison; Beckley; Bernal; Bowers; Bucy; Cole; Coleman; Collier; Crockett; Deshotel; González, J.; González, M.; Goodwin; Guerra; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales Shaw; Muñoz; Neave; Ortega; Ramos; Reynolds; Rodriguez; Romero; Rosenthal; Sherman; Talarico; Thierry; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Huberty; Vo.

Absent — Johnson, J.E.; Pacheco.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Raymond moved to suspend the five-day posting rule to allow the Committee on Defense and Veterans' Affairs to consider **SB 460** at 9 a.m. Monday, May 3 in E2.028.

The motion prevailed.

Representative Landgraf moved to suspend the five-day posting rule to allow the Committee on Environmental Regulation to consider **HB 2780** and **SB 1261** at 2 p.m. or upon final adjournment or recess or bill referral, if permission is granted, Monday, May 3 in E1.026.

The motion prevailed.

**RECESS**

Representative Metcalf moved that the house recess until 9 a.m. tomorrow.

The motion prevailed.

The house accordingly, at 6:47 p.m., recessed until 9 a.m. tomorrow.

---

**ADDENDUM**

---

**SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

**House List No. 12**

**HCR 90**

**Senate List No. 7**

**SB 965, SCR 39, SCR 42**

**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

Thursday, April 29, 2021

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 567** Frank SPONSOR: Hughes  
Relating to the procedures and grounds for terminating the parent-child relationship, for taking possession of a child, and for certain hearings in a suit affecting the parent-child relationship involving the Department of Family and Protective Services.

**HB 1024** Geren SPONSOR: Hancock  
Relating to the pickup and delivery of alcoholic beverages from certain premises for off-premises consumption.

**HB 1585** Lambert SPONSOR: Lucio  
Relating to the operations and functions of the Teacher Retirement System of Texas.  
(Amended)

**SB 69** Miles  
Relating to prohibiting peace officers from using neck restraints during a search or arrest.

**SB 162** Blanco  
Relating to a false statement made to illegally acquire a firearm; creating a criminal offense.

**SB 321** Huffman  
Relating to contributions to, benefits from, and the administration of the Employees Retirement System of Texas.

**SB 390** Eckhardt  
Relating to the date of dissolution of the Save Historic Muny District.

**SB 513** Hall  
Relating to the enforcement of certain federal laws regulating firearms, firearm accessories, and firearm ammunition within the State of Texas; creating a criminal offense.

**SB 566** Buckingham  
Relating to electricity service provided by certain municipally owned utilities.

**SB 640** Menéndez  
Relating to a study on the interoperability needs and technology readiness of behavioral health service providers in this state.

**SB 678** Alvarado  
Relating to the creation of the small business disaster recovery loan program.

**SB 746** Miles  
Relating to requiring the parent of a student enrolled in a school district to provide and update a parent's contact information.

**SB 1111** Bettencourt  
Relating to the residence address of a voter for purposes of a response to a confirmation notice sent by the voter registrar.

**SB 1339** Zaffirini  
Relating to the authority to request attorney general advice on questions relating to actions in which the state is interested.

**SB 1349** Eckhardt  
Relating to placing a child in the possessory conservatorship of the child's parents in certain situations.

**SB 1373** Zaffirini

Relating to the imposition and collection of fines, fees, and court costs in criminal cases.

**SB 1428**

Bettencourt

Relating to the applicability of the exemptions in the event of a disaster from certain limitations on the ad valorem tax rate of a taxing unit.

**SB 1495**

Huffman

Relating to certain criminal offenses related to highways and motor vehicles; creating a criminal offense; increasing a criminal penalty.

**SB 1508**

Creighton

Relating to the establishment of the election integrity division in the office of the attorney general.

**SB 1509**

Creighton

Relating to identification requirements for early voting by mail.

**SB 1580**

Hancock

Relating to the use of securitization by electric cooperatives to address certain weather-related extraordinary costs and expenses.

**SB 1588**

Hughes

Relating to the powers and duties of certain property owners' associations.

**SB 1589**

Bettencourt

Relating to the enforcement of laws relating to elections.

**SB 1602**

Taylor

Relating to nonrenewal of certain property and casualty insurance policies for the insured's failure to cooperate in a claim investigation, settlement, or defense.

**SB 1646**

Perry

Relating to the definition of abuse of a child.

**SB 1776**

Campbell

Relating to the inclusion of an elective course on the founding principles of the United States in the curriculum for public high school students and the posting of the founding documents of the United States in public school buildings.

**SB 1827**

Huffman

Relating to the creation of the opioid abatement account, an opioid abatement trust fund, and to a statewide opioid settlement agreement.

**SB 1865**

West

Relating to an annual permit for certain equipment used to apply paint to roadways; authorizing a fee.

**SB 2158**

Campbell

Relating to requiring the Texas Education Agency to provide identification kits to school districts and open-enrollment charter schools for distribution to the parent or legal custodian of certain students.

**SB 2194**

Schwertner

Relating to the regulation of retail electric providers.

**SB 2202**

Creighton

Relating to the social studies curriculum in public schools.

**SCR 29**

Miles

Expressing commitment to eliminating racially offensive place names and urging the U.S. Board on Geographic Names to approve requests to change racially offensive names of geographic features.

**SCR 46** Springer  
Congratulating Phyllis A. Cowling on receiving the 2020 Earl M. Collier Award for Distinguished Health Care Administration from the Texas Hospital Association.

**SCR 47** Springer  
Congratulating University of North Texas softball player Hope Trautwein on pitching a perfect game in which she struck out all 21 opposing batters.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Thursday, April 29, 2021 - 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:  
LOCAL AND UNCONTESTED CALENDAR

**HB 5** Ashby SPONSOR: Nichols  
Relating to the expansion of broadband services to certain areas.  
(Committee Substitute)

**HB 7** Button SPONSOR: Nelson  
Relating to the computation of the replenishment ratio used to determine an employer's unemployment compensation contribution tax rate.

**HB 16** Hernandez SPONSOR: Hancock  
Relating to the regulation of certain retail electric products.  
(Committee Substitute)

**HB 119** Landgraf SPONSOR: Zaffirini  
Relating to prohibiting organ transplant recipient discrimination on the basis of certain disabilities.  
(Committee Substitute)

**HB 362** Sherman, Sr. SPONSOR: West  
Relating to the authority of a county to require electronic bids or proposals for competitive bidding.

**HB 626** Rosenthal SPONSOR: Zaffirini  
Relating to the expansion of the Texas Innovative Adult Career Education (ACE) Grant Program to include certain nonprofit organizations providing job training to veterans.  
(Committee Substitute)

**HB 723** Patterson SPONSOR: Paxton

Relating to notice of a modification to the medical certification information on certain death certificates.

**HB 735** Minjarez SPONSOR: Campbell  
Relating to service contracts for leased or purchased motor vehicles.

**HB 780** Oliverson SPONSOR: Zaffirini  
Relating to the establishment of a bone marrow donor recruitment program.

**HB 786** Oliverson SPONSOR: Perry  
Relating to required cardiopulmonary resuscitation training for telecommunicators.

**HB 917** Hernandez SPONSOR: Lucio  
Relating to the composition of the board of trustees of the Employees Retirement System of Texas.

**HB 1070** Harris SPONSOR: Perry  
Relating to the performance of pest control work by persons who hold a commercial or noncommercial applicator license issued by the Department of Agriculture.

**HB 1081** Kuempel SPONSOR: Zaffirini  
Relating to the issuance of specialty license plates to honor recipients of the Presidential Service Badge.

**HB 1116** Thompson, Ed SPONSOR: Alvarado  
Relating to toll collection and enforcement on state highway toll lanes by entities other than the Texas Department of Transportation.

**HB 1118** Capriglione SPONSOR: Paxton  
Relating to state agency and local government compliance with cybersecurity training requirements.  
(Committee Substitute)

**HB 1325** Coleman SPONSOR: Miles  
Relating to the participation of the medical school at the University of Houston and the college of osteopathic medicine at Sam Houston State University in the Joint Admission Medical Program.

**HB 1428** Huberty SPONSOR: Huffman  
Relating to procurement by a political subdivision of a contingent fee contract for legal services.

**HB 1472** Bucy SPONSOR: Eckhardt  
Relating to the eligibility of the Concacaf Gold Cup for funding under the Major Events Reimbursement Program.

**HB 1514** Landgraf SPONSOR: Zaffirini  
Relating to the administration of unclaimed property.  
(Committee Substitute)

**HB 1658** Murphy SPONSOR: Nelson  
Relating to the methods by which the comptroller may provide notice of a deficiency determination or jeopardy determination.

**HB 1689** Oliverson SPONSOR: Hancock  
Relating to credit for reinsurance governed by certain covered agreements and ceded to certain assuming insurers.

**HB 1755** Metcalf SPONSOR: Hancock  
Relating to the removal of an alcoholic beverage by an ultimate consumer from the premises of a mixed beverage permit holder.

**HB 1787** Lambert SPONSOR: Menéndez  
Relating to liability coverage under a personal automobile insurance policy for a temporary vehicle provided to an insured by an automobile repair facility.

**HB 1831** Rogers SPONSOR: Buckingham  
Relating to annual continuing education requirements for certain court clerks.

**HB 2005** Meyer SPONSOR: Hancock  
Relating to an exemption for certain cemeteries from cemetery location restrictions.

**HB 2089** Burrows SPONSOR: Perry  
Relating to the detection and mitigation of plant pests and diseases.

**HB 2429** Meyer SPONSOR: Bettencourt  
Relating to the alternate provisions for ad valorem tax rate notices when the de minimis rate of a taxing unit exceeds the voter-approval tax rate.

**HB 2536** Krause SPONSOR: Buckingham  
Relating to neglect of a child and the grounds for termination of the parent-child relationship and possession of a child by the Department of Family and Protective Services.

**HB 2660** Leman SPONSOR: Kolkhorst  
Relating to the jurisdiction and management of the Star of the Republic Museum by the Texas Historical Commission.

**HB 2677** Bonnen SPONSOR: Taylor  
Relating to the name of the statewide alert system for certain missing adults.

**HB 2678** Bonnen SPONSOR: Taylor  
Relating to the designation of the portion of State Highway 3 in Dickinson as the Sergeant Andrew James Creighton Memorial Highway.

**SB 59** Zaffirini  
Relating to the advertising and promotion of a state purchasing program for local governments.

**SB 112** West  
Relating to the requirements of an affidavit supporting the installation and use of a mobile tracking device.

**SB 149** Powell  
Relating to the prosecution of the offense of operation of an unmanned aircraft over certain facilities.

**SB 215** Bettencourt  
Relating to the creation of the office of inspector general at the Texas Education Agency to investigate the administration of public education.

**SB 263** Menéndez  
Relating to the ability of certain relative caretakers of dependent children to receive supplemental financial assistance and be assigned as protective payees for financial assistance payments.

**SB 279** Hinojosa  
Relating to the inclusion of suicide prevention information on certain student identification cards issued by a public school or public institution of higher education.

**SB 282** Alvarado

Relating to a prohibition against the appropriation of money to settle or pay a sexual harassment claim made against certain members of the executive, legislative, or judicial branch of state government.

**SB 285** West  
Relating to the administration of and certain procedures under the Title IV-D program for child support enforcement.

**SB 296** Perry  
Relating to the date by which a seller must provide resale and exemption certificates to the comptroller in connection with a sales and use tax audit.

**SB 315** Huffman  
Relating to restrictions on the age of persons employed by or allowed on the premises of a sexually oriented business; creating a criminal offense.

**SB 337** Powell  
Relating to the award of grants by the Texas Workforce Commission to facilitate the participation of certain veterans and military personnel in apprenticeship training programs.

**SB 437** Blanco  
Relating to a personal protective equipment reserve advisory committee established by the Texas Division of Emergency Management.

**SB 452** West  
Relating to prevention and early intervention programs and practices.

**SB 483** Schwertner  
Relating to a biennial report on the investment returns of the Employees Retirement System of Texas and the Teacher Retirement System of Texas.

**SB 495** Kolkhorst  
Relating to certain rights of crime victims.

**SB 500** Miles  
Relating to creating the criminal offense of operating a boarding home facility without a permit in certain counties and municipalities.

**SB 560** Lucio  
Relating to developing a strategic plan for the improvement and expansion of high-quality bilingual education.

**SB 617** Kolkhorst  
Relating to the regulation of certain direct sales of food to consumers and a limitation on the fee amount for certain permits.

**SB 695** Zaffirini  
Relating to the service of a notice of assessment by the Texas Workforce Commission under the Texas Unemployment Compensation Act.

**SB 696** Zaffirini  
Relating to authorizing certain counties to impose a hotel occupancy tax and the use of revenue from that tax.

**SB 699** Hughes  
Relating to a study of the conversion of surface mine pits and quarries to water storage reservoirs in order to enhance this state's available water supply.

**SB 770** Hughes  
Relating to eligibility for job-training programs provided under the self-sufficiency fund.

**SB 776** Lucio

Relating to the creation of an inclusive sports program by the University Interscholastic League to provide students with intellectual disabilities access to team sports.

**SB 804** Menéndez  
Relating to the authority of a municipality to add property to a common characteristic public improvement district.

**SB 810** Kolkhorst  
Relating to the course information required to be posted on a public institution of higher education's Internet website.

**SB 828** Hughes  
Relating to the use of municipal hotel occupancy tax revenue in certain municipalities.

**SB 879** Lucio  
Relating to the qualifications for designation as a dropout recovery school.

**SB 900** Alvarado  
Relating to the safety of bulk storage vessels.

**SB 984** Schwertner  
Relating to public health disaster and public health emergency preparedness and response, including the operation of the Task Force on Infectious Disease Preparedness and Response.

**SB 1065** Alvarado  
Relating to coverage for diagnostic imaging for breast cancer under certain health benefit plans.

**SB 1072** Hinojosa  
Relating to the procedure for conducting surveys of public land, including the requirements regarding field notes and coordinate systems.

**SB 1088** Creighton  
Relating to the applicability of provisions entitling certain lessees to receive a copy of a notice of appraised value delivered to a property owner by the chief appraiser of an appraisal district.

**SB 1092** Creighton  
Relating to the disclosure by public institutions of higher education of certain information regarding textbooks and digital courseware and certain charges assessed for those items.

**SB 1136** Kolkhorst  
Relating to implementation of certain health care provider initiatives and measures designed to reduce costs and improve recipient health outcomes under Medicaid.

**SB 1155** Nelson  
Relating to the eligibility of certain events for funding under the Major Events Reimbursement Program.

**SB 1165** West  
Relating to the appointment and terms of the board of the hospital managers of the Dallas County Hospital District.

**SB 1177** Birdwell  
Relating to the establishment of a task force to evaluate state-owned artifact collections.

**SB 1185** Alvarado

Relating to the designation of a portion of State Highway 3 in Harris County as the Vanessa Guillen Memorial Highway.

**SB 1204** Schwertner  
Relating to requiring the inclusion of certain proposals in reports on the actuarial experience of the Employees Retirement System of Texas and the Teacher Retirement System of Texas.

**SB 1225** Huffman  
Relating to the authority of a governmental body impacted by a catastrophe to temporarily suspend the requirements of the public information law.

**SB 1244** Perry  
Relating to the award of health plan provider contracts under Medicaid managed care.

**SB 1263** Birdwell  
Relating to the Texas emissions reduction plan fund.

**SB 1265** Birdwell  
Relating to the eligibility of the National Hot Rod Association Fall Nationals at the Texas Motorplex for funding under the Major Events Reimbursement Program.

**SB 1266** Taylor  
Relating to the feasibility of creating and maintaining a coastal barrier system.

**SB 1269** Whitmire  
Relating to the main street program administered by the Texas Historical Commission.

**SB 1270** Seliger  
Relating to the procurement of certain goods and services related to highways by the Texas Department of Transportation.

**SB 1277** West  
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.

**SB 1296** Johnson  
Relating to the authority of the commissioner of insurance to review rates and rate changes for certain health benefit plans.

**SB 1343** Taylor  
Relating to certain meetings of a commissioners court during a disaster or emergency.

**SB 1351** Miles  
Relating to the donation of food by public school campuses.

**SB 1359** Hughes  
Relating to adoption by law enforcement agencies of a mental health leave policy for peace officers.

**SB 1427** Bettencourt  
Relating to the applicability of the temporary exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster.

**SB 1521** Zaffirini  
Relating to creating a mental health task force to study mental health services provided at institutions of higher education.

**SB 1555** Zaffirini  
Relating to establishing reimbursement rates for certain child-care providers participating in the subsidized child-care program administered by the Texas Workforce Commission.

**SB 1582** Hughes  
Relating to examinations for applicants for or holders of licenses or registrations to perform certain activities pertaining to compressed natural gas or liquefied natural gas.

**SB 1628** Miles  
Relating to the authority of the Health and Human Services Commission's office of the ombudsman to resolve complaints against the Department of Family and Protective Services.

**SB 1655** Birdwell  
Relating to an annual report submitted to the comptroller by a county that imposes certain hotel occupancy taxes.

**SB 1701** Creighton  
Relating to the allocation of certain appropriated funds to public institutions of higher education in this state.

**SB 1801** Zaffirini  
Relating to improper unemployment compensation benefits refunded by a claimant to the Texas Workforce Commission.

**SB 1808** Kolkhorst  
Relating to the regulation of providers of certain Medicaid services to persons with an intellectual or developmental disability.

**SB 1860** Powell  
Relating to creating an electronic application system for state student financial assistance.

**SB 1888** Creighton  
Relating to the establishment of certain programs to facilitate early high school graduation and enrollment at public institutions of higher education and to the repeal of the Early High School Graduation Scholarship program.

**SB 1889** Creighton  
Relating to measures to support public secondary and postsecondary American history and civics education, including the satisfaction of curriculum requirements in American History at institutions of higher education and the establishment of the American History and Civics Project.

**SB 1907** Blanco  
Relating to a feasibility study on the colocation of federal and state motor vehicle inspection facilities at ports of entry.

**SB 1911** Blanco  
Relating to the content of an application for Medicaid.

**SB 1949** Hancock  
Relating to qualifications for the directors of the Dallas County Flood Control District No. 1.

**SB 1955** Taylor  
Relating to exempting learning pods from certain local government regulations.

**SB 1987** Buckingham

Relating to the creation of the River Farm Municipal Utility District No. 1 of Bell County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 1990** Miles  
Relating to the powers of certain freight rail districts.

**SB 1997** Springer  
Relating to the control of diseases of swine.

**SB 2008** Taylor  
Relating to the San Jacinto Battleground State Historic Site; authorizing fees.

**SB 2012** Taylor  
Relating to the offense of operating certain vehicles without a license plate.

**SB 2013** Hinojosa  
Relating to a study on administrative penalties assessed against a substance use disorder service provider and to requiring the Health and Human Services Commission to provide administrative penalty schedules on the commission's Internet website.

**SB 2049** Menéndez  
Relating to guardians ad litem for children who are in the juvenile justice system and the child protective services system.

**SB 2050** Menéndez  
Relating to bullying and cyberbullying in public schools.

**SB 2054** Menéndez  
Relating to the payment of fees and costs associated with driver education and safety courses and driver's license examinations for foster children or youth, former foster children or youth, and youth experiencing homelessness.

**SB 2066** Menéndez  
Relating to emergent bilingual students in public schools.

**SB 2093** Hughes  
Relating to filing fees for certain candidates for office in primary elections.

**SB 2099** Zaffirini  
Relating to methods by which a claimant may check the status of a claim for unemployment compensation benefits filed with the Texas Workforce Commission.

**SB 2124** Blanco  
Relating to the authority of a health benefit plan sponsor to consent to electronic delivery of certain communications on behalf of a party enrolled in the plan.

**SB 2145** Taylor  
Relating to the creation of the Brazoria County Municipal Utility District No. 79; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2146** Taylor  
Relating to the creation of the Brazoria County Municipal Utility District No. 80; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2147** Taylor  
Relating to the creation of the Brazoria County Municipal Utility District No. 82; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2162** Creighton  
Relating to the creation of the Harris County Municipal Utility District No. 578; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2164** Creighton  
Relating to the creation of the Montgomery County Municipal Utility District No. 201; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2171** Creighton  
Relating to the creation of the Harris County Municipal Utility District No. 579; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2173** Creighton  
Relating to the creation of the Montgomery County Municipal Utility District No. 207; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2180** Bettencourt  
Relating to the creation of the Harris County Municipal Utility District No. 581; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2182** Creighton  
Relating to the creation of the Montgomery County Water Control and Improvement District No. 205; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**SB 2183** Campbell  
Relating to the boundaries of, and validating certain acts and proceedings of, the Driftwood Conservation District.

**SB 2185** Hinojosa  
Relating to procedures for the dissolution of the Hidalgo County Water Improvement District No. 3.

**SB 2190** Whitmire  
Relating to the prosecution and detention of a juvenile who engages in delinquent conduct or commits a felony offense while committed to the custody of the Texas Juvenile Justice Department.

**SB 2197** Creighton  
Relating to the creation of the Montgomery County Municipal Utility District No. 183; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

---

APPENDIX

---

### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

#### **April 28**

Corrections - **HB 757, HB 2145, HB 2445, HB 2742**

County Affairs - **SB 479, SB 1212**

Criminal Jurisprudence - **HB 246, HB 1178, HB 1509, HB 1605, HB 2327, HB 2987**

Culture, Recreation, and Tourism - **HB 3013, HB 4056, HCR 13, HCR 83, SB 675, SCR 20**

Defense and Veterans' Affairs - **HB 2903, HB 4243, HB 4450, SB 793**

Elections - **HB 2859, HB 3297, HB 3920**

Environmental Regulation - **HB 2423**

Higher Education - **HB 981, HB 3993**

Homeland Security and Public Safety - **HB 368, HB 831, HB 2302, HB 2911, HB 4141**

House Administration - **HR 880**

Human Services - **HB 701, HB 941, HB 1423, HB 1681, HB 2298, HB 2641, HB 2955, HB 3240, HB 3493, HB 4571**

Insurance - **HB 1646, SB 1367, SB 1809, SB 1954**

Judiciary and Civil Jurisprudence - **HB 1794, HB 2549, HB 2709, HB 2853**

Land and Resource Management - **HB 4598, HB 4625, HB 4626, HB 4627, HB 4633, HB 4635, HB 4637, HB 4646, HB 4647, HB 4651, HB 4652**

Licensing and Administrative Procedures - **SB 297, SB 860, SB 1216**

Natural Resources - **HB 3084, HB 3933, SB 1890**

Pensions, Investments, and Financial Services - **HB 4307, HB 4534**

Public Education - **HB 370, HB 572, HB 622, HB 1014, HB 1080, HB 1194, HB 1207, HB 1726, HB 2256, HB 2688, HB 2721, HB 2874, HB 3256, HB 3261, HB 3298, HB 3299, HB 3450, HB 3597, HB 3889, HB 4334, HB 4465**

Public Health - **HB 136, HB 1914, HB 2056, HB 2566, HB 3366, HB 3773, HB 3819, HB 4048, HB 4272, HB 4295, SB 8, SB 1173**

State Affairs - **HB 957, HB 1810, HB 2025, HB 2063, HB 2221, HB 2497, HB 2743, HB 3345, HB 3418, HB 3535, HB 3627, HB 3658, HB 3696, HB 3963, HB 4071**

Transportation - **SB 635**

Ways and Means - **HB 2172**

### ENGROSSED

**April 28 - HB 15, HB 363, HB 409, HB 853, HB 956, HB 962, HB 1164, HB 1427, HB 1434, HB 1468, HB 1804, HB 1818, HB 1903, HB 1930, HB 2106, HB 2120, HB 2268, HB 2309, HB 2315, HB 2318, HB 2414,**

**HB 2509, HB 2557, HB 2593, HB 2766, HB 2787, HB 3041, HB 3233,  
HB 3271, HB 3938, HB 3961, HB 4579**

**ENROLLED**

**April 28 - HCR 90**

**RECOMMENDATIONS FILED WITH THE SPEAKER**

**April 28 - HB 4600, HB 4601, HB 4602, HB 4604, HB 4605, HB 4606,  
HB 4609**

