

HOUSE JOURNAL

EIGHTY-SIXTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-SECOND DAY — THURSDAY, MAY 9, 2019

The house met at 10:09 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1169).

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

Absent, Excused — Shaheen.

Absent — Sanford.

The invocation was offered by Dr. John D. Ogletree Jr., pastor, First Metropolitan Church, Houston, as follows:

Dear God, as this session begins today, we pause in silence to seek your direction, wisdom, and blessings. Thank you for the men and women who are gathered here to serve as our representatives. Bless them for their dedication and sacrifice to the 28 million-plus citizens of this great state. They have been entrusted with the very essential task of making laws for the good of every person who lives, works, or visits Texas. Protect them and their families. Keep danger and harm at bay. Let them work together in harmony and peace, as they are the ones who have been selected to speak for those who cannot speak for themselves. May they set an example for the future representatives who will follow them. Bless them as they consider all the issues on their agenda. I pray that their

decisions not be based solely on a person's or group's geography, economic status, education, gender, or race. Help them to work in harmony and respect for each other. Let the result of their service be for the good of all Texas and that our state be greater than it was when they began today. Give them a mind and heart for justice, kindness, and humility. Grant these things in your name and for your glory. Amen.

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

LEAVES OF ABSENCE GRANTED

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

Shaheen on motion of Lang.

The following member was granted leave of absence for the remainder of today because of illness in the family:

Howard on motion of Geren.

CAPITOL PHYSICIAN

The chair recognized Representative Zedler who presented Dr. Lawrence Gibbs of Dallas as the "Doctor for the Day."

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

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of a death in the family:

Sanford on motion of Krause.

HB 2754 - NOTICE GIVEN

At 10:27 a.m., pursuant to the provisions of Rule 7, Section 37(c), of the House Rules, Representative Coleman gave notice that he would, in one hour, move to reconsider the vote by which **HB 2754** failed to pass by Record No. 1165 on May 8.

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. 25).

(Goldman in the chair)

HR 1483 - ADOPTED
(by Parker)

Representative Parker moved to suspend all necessary rules to take up and consider at this time **HR 1483**.

The motion prevailed.

The following resolution was laid before the house:

HR 1483, Commending Wenter Blair Anderson of Ponder for raising awareness about Familial Hypercholesterolemia.

HR 1483 was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Parker who introduced Wenter Blair Anderson and her husband, Daryl.

REGULAR ORDER OF BUSINESS SUSPENDED

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

GENERAL STATE CALENDAR

SENATE BILLS

THIRD READING

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

SB 493 ON THIRD READING

(S. Thompson, Allen, Farrar, Morales, Rodriguez, et al. - House Sponsors)

SB 493, A bill to be entitled An Act relating to the allocation of housing tax credits to developments within proximate geographical areas.

Amendment No. 1

Representative Oliverson offered the following amendment to **SB 493**:

Amend **SB 493** on third reading in SECTION 1 of the bill as follows:

(1) Strike added Section 2306.6711(f-1)(1)(A), Government Code, and substitute the following:

(A) a municipality with a population of two million or more; and

(2) In added Section 2306.6711(f-1)(2), Government Code, strike "or, if located outside a municipality, the county containing the development".

Amendment No. 1 was adopted.

SB 493, as amended, was passed by (Record 1170): 107 Yeas, 26 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Blanco; Bonnen; Bowers; Bucy; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Dominguez; Dutton; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen;

Gutierrez; Hernandez; Hinojosa; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Metcalf; Meyer; Meza; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Noble; Ortega; Paddie; Parker; Perez; Phelan; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Bohac; Buckley; Burns; Cain; Cyrier; Frank; Harless; Harris; Hefner; Holland; Krause; Landgraf; Lang; Leman; Middleton; Miller; Murr; Patterson; Paul; Price; Raney; Schaefer; Smithee; Springer; Thompson, E.; Tinderholt.

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

Absent, Excused — Howard; Sanford; Shaheen.

Absent — Bernal; Biedermann; Deshotel; Fierro; Herrero; Leach; Martinez Fischer; Oliverson; Pacheco; Stickland; Vo; Walle.

STATEMENTS OF VOTE

When Record No. 1170 was taken, I was in the house but away from my desk. I would have voted yes.

Bernal

When Record No. 1170 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1170 was taken, I was in the house but away from my desk. I would have voted yes.

Fierro

When Record No. 1170 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 1170 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1170 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 1170 was taken, I was in the house but away from my desk. I would have voted yes.

Oliverson

When Record No. 1170 was taken, I was shown voting yes. I intended to vote no.

Wilson

SB 1959 ON THIRD READING
(Deshotel - House Sponsor)

SB 1959, A bill to be entitled An Act relating to the maritime port plans, reports, and programs prepared by the Port Authority Advisory Committee.

SB 1959 was passed by (Record 1171): 138 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Howard; Sanford; Shaheen.

Absent — Bernal; Herrero; Leach; Martinez Fischer; Stickland; Vo; White.

STATEMENTS OF VOTE

When Record No. 1171 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 1171 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

When Record No. 1171 was taken, my vote failed to register. I would have voted yes.

White

SB 636 ON THIRD READING
(Calanni, Zerwas, and Longoria - House Sponsors)

SB 636, A bill to be entitled An Act relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.

SB 636 was passed by (Record 1172): 125 Yeas, 18 Nays, 2 Present, not voting.

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

Nays — Cain; Dean; Harless; Hefner; Holland; Krause; Lang; Metcalf; Middleton; Miller; Noble; Patterson; Paul; Schaefer; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused — Howard; Sanford; Shaheen.

Absent — Deshotel; Leach.

STATEMENTS OF VOTE

When Record No. 1172 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1172 was taken, I was shown voting yes. I intended to vote no.

White

SB 1152 ON THIRD READING
(Phelan - House Sponsor)

SB 1152, A bill to be entitled An Act relating to the payment of certain fees to municipalities by entities that provide telecommunications and cable or video services.

LEAVE OF ABSENCE GRANTED

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

E. Johnson on motion of Muñoz.

SB 1152 - (consideration continued)

SB 1152 was passed by (Record 1173): 92 Yeas, 50 Nays, 2 Present, not voting.

Yeas — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Davis, S.; Dean; Dominguez; Flynn; Frank; Frullo; Gervin-Hawkins; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Holland; Huberty; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leman; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Middleton; Miller; Minjarez; Morrison; Murphy; Murr; Nevárez; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Romero; Schaefer; Sheffield; Smith; Springer; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Coleman; Cyrier; Darby; Davis, Y.; Deshotel; Dutton; Farrar; Fierro; Geren; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Hunter; Israel; Johnson, J.E.; Lopez; Martinez Fischer; Meza; Moody; Morales; Muñoz; Neave; Ortega; Ramos; Reynolds; Rodriguez; Rose; Rosenthal; Sherman; Shine; Smithee; Stephenson; Talarico; Turner, J.; Vo; Walle; Wu; Zwiener.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Allison; Leach.

STATEMENTS OF VOTE

When Record No. 1173 was taken, I was in the house but away from my desk. I would have voted yes.

Allison

When Record No. 1173 was taken, I was shown voting no. I intended to vote yes.

Farrar

When Record No. 1173 was taken, I was shown voting no. I intended to vote yes.

M. González

When Record No. 1173 was taken, I was shown voting yes. I intended to vote no.

Miller

When Record No. 1173 was taken, I was shown voting yes. I intended to vote no.

Pacheco

When Record No. 1173 was taken, I was shown voting yes. I intended to vote no.

Thierry

When Record No. 1173 was taken, I was shown voting yes. I intended to vote no.

S. Thompson

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 2613 ON THIRD READING
(by Frullo, Raymond, and Muñoz)**

HB 2613, A bill to be entitled An Act relating to the offense of operation of a stash house and to funding certain crime victim services through the use of money derived from a civil asset forfeiture of contraband related to that offense, human smuggling and trafficking offenses, and certain prostitution offenses; creating a criminal offense.

HB 2613 was passed by (Record 1174): 138 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; 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; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Lang; Schaefer; Talarico; Tinderholt; Toth.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

STATEMENTS OF VOTE

When Record No. 1174 was taken, I was shown voting yes. I intended to vote no.

Stickland

When Record No. 1174 was taken, I was shown voting no. I intended to vote yes.

Talarico

HB 1936 ON THIRD READING

(by Rose, Zerwas, S. Thompson, Coleman, Longoria, et al.)

HB 1936, A bill to be entitled An Act relating to the applicability of the death penalty to a capital offense committed by a person with severe mental illness.

The chair recognized Representative Rose who addressed the house, speaking as follows:

Members, could I please have your attention? I know that we're all trying to talk to members about our legislation and all, but I really want to have a serious conversation with you all today. This bill was passed yesterday, but I did not do my layout. I'm kind of doing it backwards, so I ask you all to just be patient with me. This bill is not about the morality of the death penalty. It does not change the punishment for capital murder in any way. Under this bill, like today, all convicted capital murderers will be punished with the death penalty or life without parole.

There are two reasons why this bill is needed. First of all, members, some of you may not realize it, but mental illness is not a choice. People are born with mental illness. This bill only applies to defendants who have been diagnosed with a severe mental illness of schizophrenia, schizoaffective disorder, or bipolar disorder. When those defendants are under an active psychosis, that makes them unable to understand or be rational about the offense, so they should not be subjected to the death penalty. Because severely mentally ill people had no choice of becoming ill, their moral culpability is far less than that of a defendant who has no mental impairment and who was aware and intended to commit capital murder. This bill will allow a jury to consider these important facts. Second, members, this bill makes fiscal sense. Under current law, the federal Constitution prohibits execution of defendants who are mentally incompetent because of a severe mental illness, so it makes no sense to sentence a defendant to death who has a severe mental illness that will preclude his execution. Therefore, this bill makes sense because it can save millions of dollars in litigation expenses that are

incurred to obtain a death sentence that can be overturned or not carried out. It also makes sense because it gives victims finality instead of false belief that the death penalty will ever be imposed.

I want to make three important points. Again, this bill saves time and money because the death penalty trial and the appeal can cost millions of dollars, and there is no point in that expenditure when a severely mentally ill person will almost certainly be ineligible for execution due to mental incompetence caused by severe mental illness. Second, this is a jury decision to be made during the guilt phase of a trial, and the jury hears all the facts of the offense. For whatever reason, a lot of people feel like these people go unpunished, but no one will be released from prison or escape liability. A defendant who is severely mentally ill will be punished, but they will receive life in prison without the possibility of parole in a mental facility.

One of the things a lot of you may not know is that prior to me running for office, I worked in the psychiatric department at the Dallas County jail. I worked daily with these individuals. It's one thing to see a person psychotic, and then once they come into the jail and you get them stable, you understand that this person is not evil. The person may be dangerous because of their inability to control their mental illness, but it does not make them evil. So all I'm saying in this bill is don't kill a person that's mentally ill. Give them life in prison without parole. And I don't understand that because this body is filled with people who are pro-life. If you're pro-life, be pro-life from the womb to the tomb. Don't just be pro-life when a baby is in the womb. I ask you to please be considerate of this situation. As I've stated, these are persons who are mentally ill and who have no choice in being mentally ill. They are some of my constituents and some of your constituents—these are Texans.

HB 1936 was passed by (Record 1175): 77 Yeas, 66 Nays, 2 Present, not voting.

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

Nays — Allison; Anderson; Ashby; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Geren; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Kuempel; Lambert; Landgraf; Lang; Larson; Leman; Metcalf; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson;

Paddie; Parker; Patterson; Paul; Price; Schaefer; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Dominguez.

STATEMENTS OF VOTE

When Record No. 1175 was taken, I was in the house but away from my desk. I would have voted yes.

Dominguez

When Record No. 1175 was taken, I was shown voting no. I intended to vote yes.

Miller

HB 3824 ON THIRD READING (by Sherman, et al.)

HB 3824, A bill to be entitled An Act relating to an affirmative finding of family violence entered in the trial of certain offenses.

HB 3824 was passed by (Record 1176): 118 Yeas, 24 Nays, 3 Present, not voting.

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

Nays — Allison; Biedermann; Cain; Canales; Dominguez; Harris; Huberty; Klick; Landgraf; Lang; Larson; Middleton; Murphy; Murr; Nevárez; Patterson; Price; Schaefer; Stickland; Swanson; Tinderholt; Toth; Wilson; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Sheffield.

STATEMENTS OF VOTE

When Record No. 1176 was taken, I was shown voting present, not voting. I intended to vote no.

Krause

When Record No. 1176 was taken, I was shown voting no. I intended to vote yes.

Schaefer

When Record No. 1176 was taken, I was shown voting no. I intended to vote yes.

Swanson

**HB 201 ON THIRD READING
(by Stephenson and Raymond)**

HB 201, A bill to be entitled An Act relating to the composition of the combative sports advisory board.

Amendment No. 1

Representative Zwiener offered the following amendment to **HB 201**:

Amend **HB 201** on third reading (second reading engrossment) as follows:

- (1) On page 1, line 8, strike "nine-member" and substitute "11-member".
- (2) On page 1, between lines 10 and 11, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:
() one physical therapist;
- (3) On page 1, line 17, strike "one former combative sports contestant" and substitute "two former combative sports contestants, including one male and one female".

Amendment No. 1 failed of adoption.

Amendment No. 2

Representative Gutierrez offered the following amendment to **HB 201**:

Amend **HB 201** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 2052.151(b), Occupations Code, is amended to read as follows:

(b) The tax is three percent of the gross receipts obtained from the sale of tickets to the event, plus three percent of gross receipts received from sales of broadcast rights or \$20,000 [~~\$30,000~~], whichever is less.

SECTION _____. The change in law made by this Act in amending Section 2052.151(b), Occupations Code, does not affect tax liability accruing before the effective date of this Act. That liability continues in effect as if this Act had not been enacted, and the former law is continued in effect for the collection of taxes due and for civil and criminal enforcement of the liability for those taxes.

Amendment No. 2 - Point of Order

Representative Patterson 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 to the bill.

The point of order was withdrawn.

Amendment No. 2 was withdrawn.

HB 201 was passed by (Record 1177): 132 Yeas, 6 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; 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; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Lang; Noble; Schaefer; Stickland; Swanson; Tinderholt.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Bell, C.; Fierro; González, J.; Johnson, J.D.; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1177 was taken, my vote failed to register. I would have voted yes.

C. Bell

When Record No. 1177 was taken, I was shown voting yes. I intended to vote no.

Middleton

HB 3040 ON THIRD READING
(by Hunter, Allison, and Minjarez)

HB 3040, A bill to be entitled An Act relating to an interim study by the Texas Commission on Judicial Selection regarding the method by which certain trial and appellate judges are selected.

HB 3040 was passed by (Record 1178): 122 Yeas, 11 Nays, 2 Present, not voting.

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

Nays — Biedermann; Cain; Noble; Ortega; Ramos; Schaefer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Anchia; Beckley; Bowers; Clardy; Deshotel; Guillen; Klick; Meza; Pacheco; Thompson, S.; Vo.

STATEMENTS OF VOTE

When Record No. 1178 was taken, I was in the house but away from my desk. I would have voted yes.

Beckley

When Record No. 1178 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1178 was taken, I was in the house but away from my desk. I would have voted yes.

Pacheco

HB 2797 ON THIRD READING

(by Hinojosa, Gutierrez, Moody, Rose, and Wray)

HB 2797, A bill to be entitled An Act relating to evaluation under the state accountability system of school district campuses that enroll certain students who receive special education services.

HB 2797 failed to pass by (Record 1179): 64 Yeas, 76 Nays, 2 Present, not voting. (The vote was reconsidered later today, and **HB 2797** was passed by Record No. 1250.)

Yeas — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Clardy; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Israel; Johnson, J.E.; King, T.; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Schaefer; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Cole; Johnson, J.D.; Longoria; Nevárez.

STATEMENTS OF VOTE

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Allison

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Anderson

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Ashby

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Bailes

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

C. Bell

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

K. Bell

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Bohac

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

G. Bonnen

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Buckley

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Burns

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Button

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Craddick

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Cyrier

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Darby

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Frank

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Frullo

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Harless

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Hefner

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Holland

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Hunter

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Kacal

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Kuempel

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Lambert

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Lang

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Larson

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Leman

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Metcalf

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Miller

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Murphy

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Murr

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Noble

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Paddie

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Parker

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Patterson

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Paul

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Phelan

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Price

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Raney

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Shine

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Smith

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Springer

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Stucky

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Swanson

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

E. Thompson

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

VanDeaver

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

White

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Wilson

When Record No. 1179 was taken, I was shown voting no. I intended to vote yes.

Wray

HB 3301 ON THIRD READING (by Darby, Lambert, and Clardy)

HB 3301, A bill to be entitled An Act relating to merger agreements among certain hospitals; imposing fees.

Amendment No. 1

Representative Beckley offered the following amendment to **HB 3301**:

Amend **HB 3301** on third reading on page 4, between lines 2 and 3, by inserting the following:

(d) If an applicant submits a redacted application under Subsection (b)(2), a taxpayer or resident of the county in which any applicant for the certificate of public advantage is located is entitled to appropriate injunctive relief to require

public disclosure of the unredacted version of the application. A taxpayer or resident who prevails in an action under this subsection is entitled to recover from the applicant the taxpayer's or resident's reasonable attorney's fees and costs in bringing the action.

Amendment No. 1 failed of adoption.

HB 3301 was passed by (Record 1180): 133 Yeas, 4 Nays, 2 Present, not voting.

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

Nays — Cain; Schaefer; Stickland; Tinderholt.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Beckley; Deshotel; Krause; Middleton; Noble; Turner, C.; Vo.

STATEMENTS OF VOTE

When Record No. 1180 was taken, I was in the house but away from my desk. I would have voted yes.

Beckley

When Record No. 1180 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1180 was taken, I was in the house but away from my desk. I would have voted no.

Krause

When Record No. 1180 was taken, I was in the house but away from my desk. I would have voted yes.

Middleton

When Record No. 1180 was taken, my vote failed to register. I would have voted no.

Noble

HB 2155 ON THIRD READING

(by Guerra, Muñoz, Raymond, and Guillen)

HB 2155, A bill to be entitled An Act relating to a grant program to reduce wait times for agricultural inspections of vehicles at ports of entry along the Texas-Mexico border.

HB 2155 was passed by (Record 1181): 95 Yeas, 39 Nays, 4 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Dominguez; Dutton; Fierro; Flynn; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Huberty; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Krause; Kuempel; Lambert; Leach; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Perez; Phelan; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Sheffield; Sherman; Shine; Smithee; Springer; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Zerwas.

Nays — Biedermann; Bohac; Button; Cain; Capriglione; Craddick; Cyrier; Dean; Frank; Harris; Hefner; Holland; Hunter; King, P.; Klick; Landgraf; Lang; Larson; Leman; Metcalf; Middleton; Miller; Noble; Parker; Patterson; Paul; Price; Raney; Schaefer; Smith; Stickland; Swanson; Thompson, E.; Tinderholt; Toth; White; Wilson; Wray; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Blanco; Deshotel; Farrar; Lozano; Moody; Rosenthal; Wu; Zwiener.

STATEMENTS OF VOTE

When Record No. 1181 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1181 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1181 was taken, I was in the house but away from my desk. I would have voted yes.

Zwiener

HB 1992 ON THIRD READING

(by Leman, Hefner, Raymond, Thierry, et al.)

HB 1992, A bill to be entitled An Act relating to prohibiting telemarketers from transmitting misleading caller identification information or otherwise misrepresenting the origin of a telemarketing call.

HB 1992 was passed by (Record 1182): 136 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Blanco; Farrar; Hernandez; Leach; Lucio; Meza; Nevárez; Smithee.

STATEMENT OF VOTE

When Record No. 1182 was taken, I was in the house but away from my desk. I would have voted yes.

Lucio

HB 1635 ON THIRD READING

(by Miller, S. Davis, Guillen, and Raymond)

HB 1635, A bill to be entitled An Act relating to health benefit plan coverage for early childhood intervention services.

HB 1635 was passed by (Record 1183): 114 Yeas, 23 Nays, 2 Present, not voting.

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

Nays — Bonnen; Cain; Cyrier; Flynn; Harris; Hefner; King, P.; Klick; Landgraf; Lang; Leman; Middleton; Murr; Noble; Patterson; Schaefer; Springer; Stickland; Swanson; Tinderholt; Toth; Wilson; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Coleman; Gutierrez; Hunter; Israel; Lucio; Moody; Nevárez.

STATEMENTS OF VOTE

When Record No. 1183 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 1183 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1183 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 1183 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1183 was taken, I was in the house but away from my desk. I would have voted yes.

Lucio

HB 362 ON THIRD READING

(by Israel, Capriglione, Longoria, Klick, Anchia, et al.)

HB 362, A bill to be entitled An Act relating to the creation of a fund to assist local governments with the acquisition of voting system equipment.

HB 362 was passed by (Record 1184): 120 Yeas, 20 Nays, 3 Present, not voting.

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

Nays — Biedermann; Bonnen; Cain; Harless; Harris; Hefner; Holland; Krause; Lang; Middleton; Noble; Oliverson; Patterson; Paul; Smith; Smithee; Springer; Swanson; Tinderholt; Toth.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Farrar; Perez; Romero.

STATEMENT OF VOTE

When Record No. 1184 was taken, I was shown voting yes. I intended to vote no.

P. King

HB 2929 ON THIRD READING (by Leach)

HB 2929, A bill to be entitled An Act relating to hospital liens.

HB 2929 was passed by (Record 1185): 118 Yeas, 21 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bohac; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Cole; Coleman; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Dominguez; Dutton; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; Johnson, J.D.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker;

Patterson; Paul; Phelan; Price; Raney; Raymond; Rodriguez; Romero; Schaefer; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas.

Nays — Bernal; Blanco; Bucy; Canales; Collier; González, J.; González, M.; Goodwin; Johnson, J.E.; Lopez; Muñoz; Nevárez; Perez; Ramos; Reynolds; Rosenthal; Sherman; Talarico; Thierry; Turner, J.; Zwiener.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Anchia; Biedermann; Davis, Y.; Farrar; Rose.

STATEMENTS OF VOTE

When Record No. 1185 was taken, I was in the house but away from my desk. I would have voted yes.

Biedermann

When Record No. 1185 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 1185 was taken, I was shown voting yes. I intended to vote no.

Morales

When Record No. 1185 was taken, I was shown voting yes. I intended to vote no.

Ortega

When Record No. 1185 was taken, I was shown voting yes. I intended to vote no.

Romero

When Record No. 1185 was taken, I was shown voting no. I intended to vote yes.

Thierry

HB 3906 ON THIRD READING (by Huberty)

HB 3906, A bill to be entitled An Act relating to the administration of assessment instruments used to assess the performance of public school students.

HB 3906 was passed by (Record 1186): 139 Yeas, 1 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel;

Dominguez; Dutton; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Stickland.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Farrar; Ramos; Raymond.

STATEMENTS OF VOTE

When Record No. 1186 was taken, my vote failed to register. I would have voted yes.

Ramos

When Record No. 1186 was taken, I was shown voting no. I intended to vote yes.

Stickland

HB 4152 ON THIRD READING (by Nevárez)

HB 4152, A bill to be entitled An Act relating to use of hotel occupancy tax by certain counties.

HB 4152 was passed by (Record 1187): 101 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bowers; Bucy; Burrows; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Fierro; Flynn; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Huberty; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Paddie; Parker; Perez; Phelan; Ramos; Raney;

Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zerwas; Zwiener.

Nays — Ashby; Bohac; Bonnen; Buckley; Burns; Cain; Capriglione; Cyrier; Dean; Frank; Harless; Harris; Hefner; Holland; Hunter; Landgraf; Lang; Leach; Leman; Middleton; Miller; Murr; Noble; Oliverson; Patterson; Paul; Price; Schaefer; Shine; Smith; Smithee; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; Toth; White; Wilson; Wray; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Farrar; Meza.

STATEMENTS OF VOTE

When Record No. 1187 was taken, I was shown voting yes. I intended to vote no.

Biedermann

When Record No. 1187 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1187 was taken, I was shown voting yes. I intended to vote no.

Metcalf

HB 4228 ON THIRD READING (by Nevárez)

HB 4228, A bill to be entitled An Act relating to the use of municipal hotel occupancy tax revenue in certain municipalities.

HB 4228 was passed by (Record 1188): 96 Yeas, 45 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bowers; Bucy; Burrows; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Fierro; Flynn; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Huberty; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Paddie; Perez; Phelan; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Stucky; Talarico; Thierry; Turner, C.; Turner, J.; Vo; Walle; Wu; Zerwas; Zwiener.

Nays — Biedermann; Bohac; Bonnen; Buckley; Burns; Cain; Capriglione; Cyrier; Dean; Frank; Harless; Harris; Hefner; Holland; Hunter; Lambert; Landgraf; Lang; Leach; Leman; Middleton; Miller; Murr; Noble; Oliverson; Parker; Patterson; Paul; Price; Schaefer; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Dominguez; Farrar; Thompson, S.

STATEMENTS OF VOTE

When Record No. 1188 was taken, I was shown voting yes. I intended to vote no.

P. King

When Record No. 1188 was taken, I was shown voting yes. I intended to vote no.

Metcalf

REMARKS ORDERED PRINTED

Representative Wu moved to print remarks by Representative Rose on **HB 1936**.

The motion prevailed.

HB 1739 ON THIRD READING

(by Geren, Y. Davis, Shine, Leach, Kuempel, et al.)

HB 1739, A bill to be entitled An Act relating to recovery under uninsured and underinsured motorist insurance coverage.

HB 1739 was passed by (Record 1189): 105 Yeas, 32 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burrows; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Herrero; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Ortega; Pacheco; Patterson; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Smith; Smithee; Stephenson; Talarico; Thierry; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zwiener.

Nays — Anderson; Biedermann; Bonnen; Burns; Cain; Capriglione; Craddick; Davis, S.; Harris; Hefner; Holland; King, P.; Krause; Landgraf; Lang; Leman; Middleton; Morrison; Oliverson; Paddie; Parker; Paul; Schaefer; Sheffield; Springer; Stickland; Stucky; Swanson; Tinderholt; Wilson; Zedler; Zerwas.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Farrar; Hernandez; Hinojosa; Larson; Shine; White.

STATEMENTS OF VOTE

When Record No. 1189 was taken, I was shown voting yes. I intended to vote no.

Cyrrier

When Record No. 1189 was taken, I was shown voting yes. I intended to vote no.

Frank

When Record No. 1189 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1189 was taken, I was shown voting no. I intended to vote yes.

Middleton

When Record No. 1189 was taken, I was shown voting yes. I intended to vote no.

Patterson

When Record No. 1189 was taken, my vote failed to register. I would have voted yes.

Shine

When Record No. 1189 was taken, my vote failed to register. I would have voted yes.

White

When Record No. 1189 was taken, I was shown voting yes. I intended to vote no.

Wray

HB 4726 ON THIRD READING**(by Dominguez)**

HB 4726, A bill to be entitled An Act relating to the creation of the Cameron County Flood Control District; granting a limited power of eminent domain; providing authority to impose assessments, fees, and taxes and to issue bonds.

HB 4726 was passed by (Record 1190): 111 Yeas, 30 Nays, 2 Present, not voting.

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

Nays — Bonnen; Buckley; Cain; Capriglione; Cyrier; Dean; Harris; Hefner; Holland; Krause; Landgraf; Lang; Leach; Leman; Middleton; Murr; Noble; Oliverson; Parker; Patterson; Schaefer; Springer; Stickland; Swanson; Tinderholt; Toth; Wilson; Wray; Zedler; Zerwas.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Bernal; Coleman; Farrar.

STATEMENT OF VOTE

When Record No. 1190 was taken, I was shown voting yes. I intended to vote no.

P. King

HB 1916 ON THIRD READING**(by Miller, Zerwas, Howard, Meyer, Wu, et al.)**

HB 1916, A bill to be entitled An Act relating to requiring evidence-based trauma training for certain attorneys.

HB 1916 was passed by (Record 1191): 117 Yeas, 18 Nays, 3 Present, not voting.

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

Nays — Bonnen; Cain; Cyrier; Hefner; Holland; Lang; Middleton; Murr; Noble; Oliverson; Patterson; Schaefer; Smith; Springer; Stickland; Swanson; Tinderholt; Toth.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Cole; Farrar; Huberty; King, P.; Morrison; Murphy; Nevárez; Perez.

STATEMENTS OF VOTE

When Record No. 1191 was taken, I was in the house but away from my desk. I would have voted no.

P. King

When Record No. 1191 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 1191 was taken, I was shown voting no. I intended to vote yes.

Springer

REASON FOR VOTE

On **HB 1916**, I voted "present" because I am conflicted on this matter. As an attorney ad litem in CPS cases, I would be directly affected by this legislation.

Wu

HB 29 ON THIRD READING

(by Minjarez, Klick, Moody, Coleman, Parker, et al.)

HB 29, A bill to be entitled An Act relating to the regulation of the practice of physical therapy.

HB 29 was passed by (Record 1192): 136 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Capriglione; Deshotel; Farrar; Fierro; Harless; Noble; Perez; Thierry.

STATEMENT OF VOTE

When Record No. 1192 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 3148 ON THIRD READING

(by Parker, Springer, Zerwas, Lucio, et al.)

HB 3148, A bill to be entitled An Act relating to the administration and oversight of investigational adult stem cell treatments administered to certain patients.

HB 3148 was passed by (Record 1193): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach;

Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Davis, S.; Raymond; Stephenson.

STATEMENT OF VOTE

When Record No. 1193 was taken, I was temporarily out of the house chamber. I would have voted yes.

Stephenson

HB 1113 ON THIRD READING

(by S. Davis, Price, S. Thompson, Leach, Coleman, et al.)

HB 1113, A bill to be entitled An Act relating to state contract limitations and programs for sex trafficking prevention and victim treatment.

HB 1113 was passed by (Record 1194): 134 Yeas, 9 Nays, 2 Present, not voting.

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

Nays — Biedermann; Cain; Middleton; Schaefer; Stickland; Swanson; Tinderholt; Toth; Wilson.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Vo.

HB 1770 ON THIRD READING
(by Martinez, Sheffield, and Guillen)

HB 1770, A bill to be entitled An Act relating to the offense of passing certain vehicles on a highway.

Amendment No. 1

Representative Goodwin offered the following amendment to **HB 1770**:

Amend **HB 1770** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 201.905(b), Transportation Code, is amended to read as follows:

(b) A program under this section may also include literature distributed to the public by the department concerning:

(1) the program established under this section; and

(2) highway safety corridors designated under Section 201.9051.

SECTION _____. Subchapter K, Chapter 201, Transportation Code, is amended by adding Section 201.9051 to read as follows:

Sec. 201.9051. HIGHWAY SAFETY CORRIDOR. (a) The department, at the request of a locally elected official, may designate as a highway safety corridor a portion of a roadway that:

(1) is located in an area represented by the elected official; and

(2) contains:

(A) a site described by Section 201.905; or

(B) any other site with a high number of traffic fatalities, as identified by the department.

(b) The department shall erect a sign at each end of the highway safety corridor and at appropriate intermediate sites along the corridor:

(1) indicating that it is a highway safety corridor; and

(2) stating "Fines double: highway safety corridor."

(c) The department may include on the same sign the information required for:

(1) a highway safety corridor under this section; and

(2) a traffic safety sign under Section 201.905(a).

(d) The commission by rule shall establish a process to identify sites with high numbers of traffic fatalities.

SECTION _____. Subchapter D, Chapter 542, Transportation Code, is amended by adding Section 542.4046 to read as follows:

Sec. 542.4046. FINE FOR OFFENSE IN HIGHWAY SAFETY CORRIDOR. (a) In this section, "highway safety corridor" means a portion of a roadway designated by the department in accordance with Section 201.9051.

(b) If an offense under this subtitle, other than an offense under Chapter 548 or 552 or Section 545.412 or 545.413, is committed in a highway safety corridor:

(1) the minimum fine applicable to the offense is twice the minimum fine that would be applicable to the offense if it were committed outside a highway safety corridor; and

(2) the maximum fine applicable to the offense is twice the maximum fine that would be applicable to the offense if it were committed outside a highway safety corridor.

A record vote was requested by Representative Stickland.

Amendment No. 1 failed of adoption by (Record 1195): 70 Yeas, 73 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Israel; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zedler; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Frullo; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Schaefer; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zerwas.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Perez.

HB 1770 was passed by (Record 1196): 115 Yeas, 24 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Krause; Kuempel; Lambert; Landgraf; Larson; Leman; Lopez; Lozano; Lucio; Martinez; Martinez

Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Allison; Biedermann; Bohac; Cain; Harris; Hefner; Holland; King, P.; Lang; Leach; Middleton; Miller; Murr; Noble; Oliverson; Patterson; Schaefer; Smithee; Stickland; Swanson; Tinderholt; Toth; White; Wilson.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Canales; Dean; Dutton; Klick; Longoria.

STATEMENTS OF VOTE

When Record No. 1196 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 1196 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 1196 was taken, I was in the house but away from my desk. I would have voted yes.

Longoria

When Record No. 1196 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1196 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1196 was taken, I was shown voting yes. I intended to vote no.

Springer

HB 3631 ON THIRD READING (by Bailes)

HB 3631, A bill to be entitled An Act relating to the confidentiality of the e-mail address of an applicant for or holder of a license issued by certain state agencies.

HB 3631 was passed by (Record 1197): 136 Yeas, 7 Nays, 2 Present, not voting.

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

Nays — Biedermann; Cain; Meza; Middleton; Stickland; Swanson; Tinderholt.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Rosenthal.

STATEMENT OF VOTE

When Record No. 1197 was taken, I was shown voting yes. I intended to vote no.

Wilson

HB 2894 ON THIRD READING (by Collier)

HB 2894, A bill to be entitled An Act relating to the prosecution of health care fraud; creating a criminal offense.

HB 2894 was passed by (Record 1198): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf;

Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Canales; Wray.

HB 1380 ON THIRD READING

(by Murr)

HB 1380, A bill to be entitled An Act relating to the jurisdiction of certain courts and fees collected by a justice court; increasing a fee.

HB 1380 was passed by (Record 1199): 134 Yeas, 8 Nays, 3 Present, not voting.

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

Nays — Burns; Cain; Dean; Fierro; Hefner; Hunter; Stickland; Tinderholt.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Canales.

STATEMENTS OF VOTE

When Record No. 1199 was taken, I was shown voting yes. I intended to vote no.

Neave

When Record No. 1199 was taken, I was shown voting yes. I intended to vote no.

Rose

When Record No. 1199 was taken, I was shown voting yes. I intended to vote no.

Wilson

HB 2013 ON THIRD READING (by Gervin-Hawkins)

HB 2013, A bill to be entitled An Act relating to the implementation of certain rules regarding public school accountability adopted by the commissioner of education or the Texas Education Agency.

HB 2013 was passed by (Record 1200): 132 Yeas, 10 Nays, 3 Present, not voting.

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

Nays — Biedermann; Cain; Dean; Middleton; Noble; Schaefer; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Thompson, S.

HB 388 ON THIRD READING (by Murphy and Middleton)

HB 388, A bill to be entitled An Act relating to the exemption from ad valorem taxation of real property leased to and used by certain schools.

HB 388 was passed by (Record 1201): 114 Yeas, 24 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Buckley; Bucy; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Craddick; Cyrier; Darby; Dean; Deshotel; Dominguez; Dutton; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Holland; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Rodriguez; Romero; Schaefer; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Tinderholt; Toth; Turner, C.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas.

Nays — Beckley; Calanni; Coleman; Cortez; Davis, Y.; Herrero; Hinojosa; King, T.; Lopez; Meza; Minjarez; Morales; Muñoz; Ortega; Perez; Ramos; Reynolds; Rose; Rosenthal; Sheffield; Thompson, S.; Turner, J.; Walle; Zwiener.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Bowers; Cole; Davis, S.; Farrar; Middleton; Moody.

STATEMENTS OF VOTE

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Allen

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Bailes

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Blanco

When Record No. 1201 was taken, I was in the house but away from my desk. I would have voted no.

Bowers

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

J. González

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

M. González

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Goodwin

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Gutierrez

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Israel

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Martinez

When Record No. 1201 was taken, I was in the house but away from my desk. I would have voted yes.

Middleton

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Pacheco

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Rodriguez

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Sherman

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

Thierry

When Record No. 1201 was taken, I was shown voting yes. I intended to vote no.

C. Turner

HB 1873 ON THIRD READING**(by Dominguez)**

HB 1873, A bill to be entitled An Act relating to a report by the Texas Division of Emergency Management regarding building trade services following disasters.

HB 1873 was passed by (Record 1202): 107 Yeas, 33 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Biedermann; Blanco; Bowers; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Noble; Ortega; Pacheco; Paul; Perez; Phelan; Ramos; Raney; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Stephenson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Walle; Wilson; Wray; Wu; Zerwas; Zwiener.

Nays — Bohac; Bonnen; Buckley; Cain; Dean; González, J.; Harless; Harris; Hefner; Holland; King, P.; Krause; Lambert; Lang; Middleton; Miller; Murr; Oliverson; Paddie; Parker; Patterson; Price; Schaefer; Shine; Smith; Smithee; Springer; Stickland; Stucky; Swanson; Tinderholt; White; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Bernal; Farrar; Raymond; Vo.

STATEMENTS OF VOTE

When Record No. 1202 was taken, I was shown voting yes. I intended to vote no.

Anderson

When Record No. 1202 was taken, I was shown voting no. I intended to vote yes.

J. González

When Record No. 1202 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 1202 was taken, I was shown voting no. I intended to vote yes.

Murr

HB 2366 ON THIRD READING**(by Darby)**

HB 2366, A bill to be entitled An Act relating to the regulation of motor fuel quality and motor fuel metering devices.

HB 2366 was passed by (Record 1203): 139 Yeas, 1 Nays, 2 Present, not voting.

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

Nays — Ramos.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Bernal; Farrar; Hefner; Middleton.

STATEMENT OF VOTE

When Record No. 1203 was taken, I was shown voting yes. I intended to vote no.

J. González

HB 2131 ON THIRD READING**(by Walle)**

HB 2131, A bill to be entitled An Act relating to a public defender's investigation into a defendant's finances.

HB 2131 was passed by (Record 1204): 85 Yeas, 54 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Beckley; Bell, K.; Bernal; Biedermann; Blanco; Bowers; Bucy; Burns; Burrows; Button; Calanni; Cole; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra;

Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Huberty; Israel; Johnson, J.E.; Kacal; King, K.; King, T.; Kuempel; Larson; Leach; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zerwas; Zwiener.

Nays — Ashby; Bell, C.; Bohac; Bonnen; Buckley; Cain; Capriglione; Clardy; Craddick; Cyrier; Dean; Flynn; Frank; Frullo; Harless; Harris; Hefner; Holland; Hunter; Johnson, J.D.; King, P.; Klick; Krause; Lambert; Landgraf; Lang; Leman; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Murr; Noble; Parker; Patterson; Paul; Schaefer; Shine; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Bailes; Canales; Farrar; Fierro; Smith.

STATEMENTS OF VOTE

When Record No. 1204 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1204 was taken, I was shown voting yes. I intended to vote no.

Leach

HB 2858 ON THIRD READING (by Toth and Romero)

HB 2858, A bill to be entitled An Act relating to adoption of a uniform swimming pool and spa code for use in municipalities in this state.

HB 2858 was passed by (Record 1205): 131 Yeas, 5 Nays, 2 Present, not voting.

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

Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sheffield; Sherman; Shine; Springer; Stephenson; Stickland; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Krause; Lang; Smithee; Wilson.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Ashby; Beckley; Farrar; Gutierrez; Huberty; Morales; Smith; Swanson.

STATEMENTS OF VOTE

When Record No. 1205 was taken, I was in the house but away from my desk. I would have voted yes.

Beckley

When Record No. 1205 was taken, I was shown voting no. I intended to vote yes.

Wilson

HB 2620 ON THIRD READING (by Martinez)

HB 2620, A bill to be entitled An Act relating to the movement of oversize or overweight vehicles, including the enforcement of motor vehicle size and weight limitations; creating a criminal offense.

Amendment No. 1

Representative VanDeaver offered the following amendment to **HB 2620**:

Amend **HB 2620** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 623.0172(b), Transportation Code, is amended to read as follows:

(b) The department shall issue an annual permit for the international transportation of an intermodal shipping container moving by a truck-tractor and semitrailer combination that has six total axles and is equipped with a roll stability support safety system and truck blind spot systems only if:

(1) the gross weight of the combination does not exceed 95,000 ~~93,000~~ pounds;

(2) the distance between the front axle of the truck-tractor and the last axle of the semitrailer, measured longitudinally, is approximately 647 inches;

(3) the truck-tractor is configured as follows:

(A) one single axle that does not exceed 13,000 pounds;

(B) one two-axle group that does not exceed 37,000 pounds, in which no axle in the group exceeds 18,500 pounds; and

(C) the distance between the individual axles on the two-axle group of the truck-tractor, measured longitudinally, is not less than 51 inches and not more than 52 inches; and

(4) the semitrailer is configured as follows:

(A) one three-axle group that does not exceed 49,195 pounds, in which no axle in the group exceeds 16,400 pounds; and

(B) the distance between the individual axles in the three-axle group of the semitrailer, measured longitudinally, is 60 inches.

A record vote was requested by Representative Stickland.

Amendment No. 1 was adopted by (Record 1206): 123 Yeas, 21 Nays, 2 Present, not voting.

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

Nays — Biedermann; Bonnen; Cain; Cyrier; Flynn; Harris; Hefner; King, P.; Krause; Lang; Leman; Middleton; Noble; Patterson; Stickland; Swanson; Tinderholt; Toth; White; Wilson; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

HB 2620, as amended, was passed by (Record 1207): 131 Yeas, 13 Nays, 2 Present, not voting.

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

Morales; Morrison; Muñoz; Murphy; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zerwas; Wiener.

Nays — Cain; Flynn; Hefner; Lang; Middleton; Murr; Patterson; Schaefer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

HB 2159 ON THIRD READING (by Meyer, et al.)

HB 2159, A bill to be entitled An Act relating to the correction of an ad valorem tax appraisal roll.

HB 2159 - REMARKS

REPRESENTATIVE RAMOS: I was looking over your bill, and I wanted to understand a little more. Were you aware that in Dallas County, which is a county that you and I share in terms of a representation—your bill talks about disputing appraisal for property, and in Dallas County, while both commercial and residential property owners can appeal property evaluations or file property tax protests, commercial owners account for 83 percent of total revenue losses from the protests to the local municipalities although they only make up 45 percent of the total market value in Dallas County. Were you aware that that was the case?

REPRESENTATIVE MEYER: My bill does not make a distinction between commercial or residential. It'll benefit all property owners.

RAMOS: Were you aware that it disproportionately benefits the commercial property owners?

MEYER: I'm not advised on that, but this is a bill that doesn't make a distinction between commercial or residential.

RAMOS: Now, do you know how much the local municipalities have lost as a result—in lost tax revenues—as a result to appraisals?

MEYER: Well, in what you would coin "lost," I would say correcting an appraisal to make sure that our property owners are actually getting appraised at the correct value. I think all of us in this body would want to make sure that our property owners are not being overly taxed. That is the purpose of this bill.

RAMOS: So it's my understanding you want the correct valuation to be taxed?

MEYER: Yes, ma'am.

RAMOS: Would you be open to an amendment to ensure that we have adequate evaluation based on sales price disclosure?

MEYER: My bill is specifically related to the ability to protest, and I want to keep my bill as is because it's a good bill for our property owners in our districts.

RAMOS: So at this point, with the protest, one would take a protest to the local appraisal board, and with your bill it would allow for more protest. Is that correct?

MEYER: It would allow for protest post-deadline. However, this allows two new tools post-deadline, but it would only allow it if the property value is over-appraised by 35 percent or more, and the property owner would still have to pay a 10 percent penalty if they were to do a post-deadline and pre-default.

RAMOS: Now, with this being the case with the new protest appraisal—opening the door for more and for an individual to go back post-deadline and file that appraisal—is there anything in your bill that would include additional full-time employees there for the different appraisal review boards? Because some appraisal review boards are expressing that they're just understaffed and so there may be errors. Is there anything in your bill that would allow for there to be additional support for these appraisal review boards throughout the state to address these measures correctly?

MEYER: Representative, I have not heard that concern at all. And therefore, since I have not heard that concern from the appraisers, I am not concerned about it, quite frankly. My concern is for the property owners in the State of Texas, and I believe everyone here should have that same concern to make sure their appraisal is correct. As you've heard this session, ma'am, this is a big issue, and my bill addresses that issue.

RAMOS: And with this issue, unfortunately, were you aware that homeowners do not have the luxury or the funds or many times aren't able to hire an attorney to go dispute those appraisals, so they're often unable to make that dispute versus commercial properties being able to? Were you aware there is some disproportionate, I guess, allocation, of resources or ability to really ensure that those appraisals are balanced, as you're saying this bill is supposed to do.

MEYER: That is incorrect. In fact, a property owner may go protest their own appraisers, as I know many in this room have who are not attorneys. I, myself, do it on my own behalf, although I am an attorney, and I have many friends, neighbors, and people in the community who are not lawyers—because you're not required to be one to go protest your taxes. So that's not a concern. Homeowners in the State of Texas need this type of protection.

RAMOS: Representative, are you aware that there are individuals for whom taking a day off of work to go protest their property taxes—sometimes it's easier just to move forward as opposed to taking that economic loss financially in a family household to go protest that. Were you aware that when we do those protests, at the end of the day, it disproportionately falls on the homeowner property tax owner to really fill in the gap where the commercial property owners are now able to circumvent some of their responsibility, and the burden ends up falling on the residential homeowner?

MEYER: Representative, this allows for all property owners to have additional tools to be able to protest their taxes.

Amendment No. 1

Representative Gutierrez offered the following amendment to **HB 2159**:

Amend **HB 2159** on third reading as follows:

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

SECTION _____. (a) Section 1.12(d), Tax Code, is amended to read as follows:

(d) For purposes of this section, the appraisal ratio of a homestead to which Section 23.23 applies or of commercial real property to which Section 23.231 applies is the ratio of the property's market value as determined by the appraisal district or appraisal review board, as applicable, to the market value of the property according to law. The appraisal ratio is not calculated according to the appraised value of the property as limited by Section 23.23 or 23.231.

(b) Subchapter B, Chapter 23, Tax Code, is amended by adding Section 23.231 to read as follows:

Sec. 23.231. LIMITATION ON APPRAISED VALUE OF COMMERCIAL REAL PROPERTY. (a) In this section:

(1) "Commercial real property" means real property zoned or otherwise authorized for and actually used for a purpose other than single-family use, multifamily use, heavy industrial use, or use as a quarry.

(2) "New improvement" means an improvement to commercial real property made after the most recent appraisal of the property that increases the market value of the property and the value of which is not included in the appraised value of the property for the preceding tax year. The term does not include repairs to or ordinary maintenance of an existing structure or the grounds or another feature of the property.

(b) This section does not apply to property appraised under Subchapter C, D, E, F, G, or H.

(c) Notwithstanding the requirements of Section 25.18 and regardless of whether the appraisal office has appraised the property and determined the market value of the property for the tax year, an appraisal office may increase the appraised value of a parcel of commercial real property for a tax year to an amount not to exceed the lesser of:

(1) the market value of the property for the most recent tax year that the market value was determined by the appraisal office; or

(2) the sum of:

(A) 10 percent of the appraised value of the property for the preceding tax year;

(B) the appraised value of the property for the preceding tax year;
and

(C) the market value of all new improvements to the property.

(d) When appraising a parcel of commercial real property, the chief appraiser shall:

(1) appraise the property at its market value; and
(2) include in the appraisal records both the market value of the property and the amount computed under Subsection (c)(2).

(e) The limitation provided by Subsection (c) takes effect as to a parcel of commercial real property on January 1 of the tax year following the first tax year in which the owner owns the property on January 1 and in which the property meets the definition of commercial real property. The limitation expires on January 1 of the tax year following the first tax year in which the owner of the property ceases to own the property or the property no longer meets the definition of commercial real property.

(f) Notwithstanding Subsections (a)(2) and (c) and except as provided by Subdivision (2) of this subsection, an improvement to property that would otherwise constitute a new improvement is not treated as a new improvement if the improvement is a replacement structure for a structure that was rendered unusable by a casualty or by wind or water damage. For purposes of appraising the property under Subsection (c) in the tax year in which the structure would have constituted a new improvement:

(1) the appraised value the property would have had in the preceding tax year if the casualty or damage had not occurred is considered to be the appraised value of the property for that year, regardless of whether that appraised value exceeds the actual appraised value of the property for that year as limited by Subsection (c); and

(2) the replacement structure is considered to be a new improvement only if:

(A) the square footage of the replacement structure exceeds that of the replaced structure as that structure existed before the casualty or damage occurred; or

(B) the exterior of the replacement structure is of higher quality construction and composition than that of the replaced structure.

(g) In this subsection, "disaster recovery program" means a disaster recovery program funded with community development block grant disaster recovery money authorized by federal law. Notwithstanding Subsection (f)(2), and only to the extent necessary to satisfy the requirements of a disaster recovery program, a replacement structure described by that subdivision is not considered to be a new improvement if to satisfy the requirements of the disaster recovery program it was necessary that:

(1) the square footage of the replacement structure exceed that of the replaced structure as that structure existed before the casualty or damage occurred; or

(2) the exterior of the replacement structure be of higher quality construction and composition than that of the replaced structure.

(c) Sections 25.19(b) and (g), Tax Code, are amended to read as follows:

(b) The chief appraiser shall separate real from personal property and include in the notice for each:

(1) a list of the taxing units in which the property is taxable;

(2) the appraised value of the property in the preceding year;

(3) the taxable value of the property in the preceding year for each taxing unit taxing the property;

(4) the appraised value of the property for the current year, the kind and amount of each exemption and partial exemption, if any, approved for the property for the current year and for the preceding year, and, if an exemption or partial exemption that was approved for the preceding year was canceled or reduced for the current year, the amount of the exemption or partial exemption canceled or reduced;

(4-a) a statement of whether the property qualifies for the limitation on appraised value provided by Section 23.231;

(5) if the appraised value is greater than it was in the preceding year, the amount of tax that would be imposed on the property on the basis of the tax rate for the preceding year;

(6) in italic typeface, the following statement: "The Texas Legislature does not set the amount of your local taxes. Your property tax burden is decided by your locally elected officials, and all inquiries concerning your taxes should be directed to those officials";

(7) a detailed explanation of the time and procedure for protesting the value;

(8) the date and place the appraisal review board will begin hearing protests; and

(9) a brief explanation that the governing body of each taxing unit decides whether or not taxes on the property will increase and the appraisal district only determines the value of the property.

(g) By April 1 or as soon thereafter as practicable if the property is a single-family residence that qualifies for an exemption under Section 11.13, or by May 1 or as soon thereafter as practicable in connection with any other property, the chief appraiser shall deliver a written notice to the owner of each property not included in a notice required to be delivered under Subsection (a), if the property was reappraised in the current tax year, if the ownership of the property changed during the preceding year, or if the property owner or the agent of a property owner authorized under Section 1.111 makes a written request for the notice. The chief appraiser shall separate real from personal property and include in the notice for each property:

(1) the appraised value of the property in the preceding year;

(2) the appraised value of the property for the current year and the kind of each partial exemption, if any, approved for the current year;

(2-a) a statement of whether the property qualifies for the limitation on appraised value provided by Section 23.231;

(3) a detailed explanation of the time and procedure for protesting the value; and

(4) the date and place the appraisal review board will begin hearing protests.

(d) Section 41.41(a), Tax Code, is amended to read as follows:

(a) A property owner is entitled to protest before the appraisal review board the following actions:

(1) determination of the appraised value of the owner's property or, in the case of land appraised as provided by Subchapter C, D, E, or H, Chapter 23, determination of its appraised or market value;

(2) unequal appraisal of the owner's property;

(3) inclusion of the owner's property on the appraisal records;

(4) denial to the property owner in whole or in part of a partial exemption;

(4-a) determination that the owner's property does not qualify for the limitation on appraised value provided by Section 23.231;

(5) determination that the owner's land does not qualify for appraisal as provided by Subchapter C, D, E, or H, Chapter 23;

(6) identification of the taxing units in which the owner's property is taxable in the case of the appraisal district's appraisal roll;

(7) determination that the property owner is the owner of property;

(8) a determination that a change in use of land appraised under Subchapter C, D, E, or H, Chapter 23, has occurred; or

(9) any other action of the chief appraiser, appraisal district, or appraisal review board that applies to and adversely affects the property owner.

(e) Section 42.26(d), Tax Code, is amended to read as follows:

(d) For purposes of this section, the value of the property subject to the suit and the value of a comparable property or sample property that is used for comparison must be the market value determined by the appraisal district when the property is [~~a residence homestead~~] subject to the limitation on appraised value imposed by Section 23.23 or 23.231.

(f) Sections 403.302(d) and (i), Government Code, are amended to read as follows:

(d) For the purposes of this section, "taxable value" means the market value of all taxable property less:

(1) the total dollar amount of any residence homestead exemptions lawfully granted under Section 11.13(b) or (c), Tax Code, in the year that is the subject of the study for each school district;

(2) one-half of the total dollar amount of any residence homestead exemptions granted under Section 11.13(n), Tax Code, in the year that is the subject of the study for each school district;

(3) the total dollar amount of any exemptions granted before May 31, 1993, within a reinvestment zone under agreements authorized by Chapter 312, Tax Code;

(4) subject to Subsection (e), the total dollar amount of any captured appraised value of property that:

(A) is within a reinvestment zone created on or before May 31, 1999, or is proposed to be included within the boundaries of a reinvestment zone as the boundaries of the zone and the proposed portion of tax increment paid into the tax increment fund by a school district are described in a written notification provided by the municipality or the board of directors of the zone to the governing bodies of the other taxing units in the manner provided by former

Section 311.003(e), Tax Code, before May 31, 1999, and within the boundaries of the zone as those boundaries existed on September 1, 1999, including subsequent improvements to the property regardless of when made;

(B) generates taxes paid into a tax increment fund created under Chapter 311, Tax Code, under a reinvestment zone financing plan approved under Section 311.011(d), Tax Code, on or before September 1, 1999; and

(C) is eligible for tax increment financing under Chapter 311, Tax Code;

(5) the total dollar amount of any captured appraised value of property that:

(A) is within a reinvestment zone:

(i) created on or before December 31, 2008, by a municipality with a population of less than 18,000; and

(ii) the project plan for which includes the alteration, remodeling, repair, or reconstruction of a structure that is included on the National Register of Historic Places and requires that a portion of the tax increment of the zone be used for the improvement or construction of related facilities or for affordable housing;

(B) generates school district taxes that are paid into a tax increment fund created under Chapter 311, Tax Code; and

(C) is eligible for tax increment financing under Chapter 311, Tax Code;

(6) the total dollar amount of any exemptions granted under Section 11.251 or 11.253, Tax Code;

(7) the difference between the comptroller's estimate of the market value and the productivity value of land that qualifies for appraisal on the basis of its productive capacity, except that the productivity value estimated by the comptroller may not exceed the fair market value of the land;

(8) the portion of the appraised value of residence homesteads of individuals who receive a tax limitation under Section 11.26, Tax Code, on which school district taxes are not imposed in the year that is the subject of the study, calculated as if the residence homesteads were appraised at the full value required by law;

(9) a portion of the market value of property not otherwise fully taxable by the district at market value because of:

(A) action required by statute or the constitution of this state, other than Section 11.311, Tax Code, that, if the tax rate adopted by the district is applied to it, produces an amount equal to the difference between the tax that the district would have imposed on the property if the property were fully taxable at market value and the tax that the district is actually authorized to impose on the property, if this subsection does not otherwise require that portion to be deducted; or

(B) action taken by the district under Subchapter B or C, Chapter 313, Tax Code, before the expiration of the subchapter;

(10) the market value of all tangible personal property, other than manufactured homes, owned by a family or individual and not held or used for the production of income;

(11) the appraised value of property the collection of delinquent taxes on which is deferred under Section 33.06, Tax Code;

(12) the portion of the appraised value of property the collection of delinquent taxes on which is deferred under Section 33.065, Tax Code; and

(13) the amount by which the market value of property [~~a residence homestead~~] to which Section 23.23 or 23.231, Tax Code, applies exceeds the appraised value of that property as calculated under Section 23.23 or 23.231, Tax Code, as applicable [~~that section~~].

(i) If the comptroller determines in the study that the market value of property in a school district as determined by the appraisal district that appraises property for the school district, less the total of the amounts and values listed in Subsection (d) as determined by that appraisal district, is valid, the comptroller, in determining the taxable value of property in the school district under Subsection (d), shall for purposes of Subsection (d)(13) subtract from the market value as determined by the appraisal district of properties [~~residence homesteads~~] to which Section 23.23 or 23.231, Tax Code, applies the amount by which that amount exceeds the appraised value of those properties as calculated by the appraisal district under Section 23.23 or 23.231, Tax Code, as applicable. If the comptroller determines in the study that the market value of property in a school district as determined by the appraisal district that appraises property for the school district, less the total of the amounts and values listed in Subsection (d) as determined by that appraisal district, is not valid, the comptroller, in determining the taxable value of property in the school district under Subsection (d), shall for purposes of Subsection (d)(13) subtract from the market value as estimated by the comptroller of properties [~~residence homesteads~~] to which Section 23.23 or 23.231, Tax Code, applies the amount by which that amount exceeds the appraised value of those properties as calculated by the appraisal district under Section 23.23 or 23.231, Tax Code, as applicable.

(g) This section applies only to the appraisal of commercial real property for ad valorem tax purposes for a tax year that begins on or after January 1, 2020.

(h) This section takes effect January 1, 2020, but only if the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, to authorize the legislature to limit increases in the appraised value of commercial real property for ad valorem tax purposes to 10 percent or more of the appraised value of the property for the preceding tax year is approved by the voters. If that amendment is not approved by the voters, this section has no effect.

(2) On page 2, line 6, strike "The change in law made by this Act applies" and substitute "Section 25.25(d), Tax Code, as amended by this Act, applies".

(3) On page 2, line 12, strike "This" and substitute "Except as otherwise provided by this Act, this".

AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE GUTIERREZ: This is about tax relief. If you want tax relief for small business, vote on this amendment. It's a 10 percent cap on all commercial properties. This is what we need to do.

Amendment No. 1 - Point of Order

Representative Cain raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, and Rule 11, Section 3, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on Amendment No. 1 to House Bill 2159

Announced in the House on May 9, 2019

(Goldman in the chair)

Representative Cain raises a point of order against further consideration of the Gutierrez Amendment to **HB 2159** under Rule 11, Sections 2 and 3, of the House Rules on the grounds that the amendment is not germane and changes the original purpose of the bill.

The subject of the bill is the correction of an ad valorem tax appraisal roll. The bill is narrow in scope and relates only to the ability of a property owner or chief appraiser to file a motion to change the appraisal roll or correct an error in the appraised property value that has already been determined. The subject of the amendment, as acknowledged by Mr. Gutierrez, is the establishment of appraisal caps on commercial real property. In the opinion of the Chair, the amendment is not on the same subject as the bill.

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

The ruling precluded further consideration of Amendment No. 1.

HB 2159 was passed by (Record 1208): 126 Yeas, 2 Nays, 2 Present, not voting.

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

Nays — Dutton; Ramos.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Allison; Anchia; Button; Harris; King, T.; Krause; Longoria; Moody; Nevárez; Noble; Pacheco; Rose; Smithee; Turner, J.; Vo; Zedler.

STATEMENTS OF VOTE

When Record No. 1208 was taken, I was in the house but away from my desk. I would have voted yes.

Allison

When Record No. 1208 was taken, I was in the house but away from my desk. I would have voted yes.

Harris

When Record No. 1208 was taken, I was in the house but away from my desk. I would have voted yes.

Krause

When Record No. 1208 was taken, I was in the house but away from my desk. I would have voted yes.

J. Turner

When Record No. 1208 was taken, my vote failed to register. I would have voted yes.

Zedler

HB 2151 ON THIRD READING

(by Muñoz, Martinez, Guillen, and Guerra)

HB 2151, A bill to be entitled An Act relating to the use of extrapolation by a health maintenance organization or an insurer to audit claims.

HB 2151 was passed by (Record 1209): 92 Yeas, 41 Nays, 3 Present, not voting.

Yeas — Allen; Anchia; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bonnen; Bowers; Bucy; Burrows; Button; Canales; Capriglione; Clardy; Cole; Coleman; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Huberty; Israel; Johnson, J.D.; Johnson, J.E.; King, K.; King, T.; Klick; Lambert; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Morales; Muñoz; Murphy; Neave; Nevárez; Oliverson; Pacheco; Perez; Phelan; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Turner, C.; Turner, J.; VanDeaver; Walle; Wilson; Wu; Zwiener.

Nays — Anderson; Bell, C.; Biedermann; Bohac; Buckley; Burns; Cain; Craddick; Cyrier; Dean; Frank; Harless; Hefner; Holland; Hunter; Kacal; King, P.; Landgraf; Lang; Larson; Leach; Metcalf; Middleton; Miller; Morrison; Murr; Noble; Paddie; Parker; Patterson; Paul; Price; Schaefer; Stickland; Swanson; Tinderholt; Toth; White; Wray; Zedler; Zerwas.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Allison; Calanni; Collier; Harris; Krause; Martinez Fischer; Meza; Ortega; Thompson, S.; Vo.

STATEMENTS OF VOTE

When Record No. 1209 was taken, I was in the house but away from my desk. I would have voted no.

Allison

When Record No. 1209 was taken, I was in the house but away from my desk. I would have voted yes.

Calanni

When Record No. 1209 was taken, I was in the house but away from my desk. I would have voted yes.

Collier

When Record No. 1209 was taken, I was in the house but away from my desk. I would have voted no.

Harris

When Record No. 1209 was taken, I was in the house but away from my desk. I would have voted no.

Krause

When Record No. 1209 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 1209 was taken, I was shown voting yes. I intended to vote no.

Phelan

When Record No. 1209 was taken, I was shown voting no. I intended to vote yes.

Schaefer

HB 3469 ON THIRD READING
(by Wilson)

HB 3469, A bill to be entitled An Act relating to a study by the Texas Department of Transportation on the feasibility of charging a pavement consumption fee for the operation of certain motor vehicles on public highways.

Amendment No. 1

Representative Wilson offered the following amendment to **HB 3469**:

Amend **HB 3469** on third reading as follows:

(1) On page 2, line 10, between "(1)" and "develop", insert "in consultation with trucking industry representatives,".

(2) On page 3, line 6, between "shall" and "develop", insert ", in consultation with trucking industry representatives,".

Amendment No. 1 was adopted.

HB 3469, as amended, was passed by (Record 1210): 114 Yeas, 24 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Anderson; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Canales; Capriglione; Cole; Coleman; Collier; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, P.; King, T.; Klick; Lambert; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Pacheco; Parker; Patterson; Perez; Phelan; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Ashby; Biedermann; Bohac; Cain; Clardy; Cortez; Dean; Frullo; Hunter; King, K.; Kuempel; Landgraf; Lang; Larson; Leman; Middleton; Noble; Paddie; Paul; Price; Schaefer; Stickland; Swanson; Tinderholt.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Allison; Calanni; Gutierrez; Harris; Krause; Vo.

STATEMENTS OF VOTE

When Record No. 1210 was taken, I was in the house but away from my desk. I would have voted yes.

Allison

When Record No. 1210 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 1210 was taken, I was in the house but away from my desk. I would have voted no.

Harris

When Record No. 1210 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 1210 was taken, I was in the house but away from my desk. I would have voted no.

Krause

When Record No. 1210 was taken, I was shown voting yes. I intended to vote no.

Metcalf

When Record No. 1210 was taken, I was shown voting yes. I intended to vote no.

Phelan

When Record No. 1210 was taken, I was shown voting yes. I intended to vote no.

Wray

HB 2163 ON THIRD READING (by Bernal)

HB 2163, A bill to be entitled An Act relating to the types of vehicles regulated as neighborhood electric vehicles.

HB 2163 was passed by (Record 1211): 113 Yeas, 22 Nays, 3 Present, not voting.

Yeas — Allen; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Farrar; Fierro; Flynn; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Klick; Lambert; Landgraf; Larson; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal;

Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Walle; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Buckley; Cain; Craddick; Cyrier; Frank; Harless; Holland; King, P.; Lang; Leach; Middleton; Miller; Parker; Patterson; Schaefer; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Allison; Dutton; Frullo; Harris; King, K.; Krause; Kuempel; Vo.

STATEMENTS OF VOTE

When Record No. 1211 was taken, I was in the house but away from my desk. I would have voted yes.

Allison

When Record No. 1211 was taken, my vote failed to register. I would have voted yes.

Frullo

When Record No. 1211 was taken, I was in the house but away from my desk. I would have voted no.

Harris

When Record No. 1211 was taken, I was in the house but away from my desk. I would have voted no.

Krause

HB 2367 ON THIRD READING

(by G. Bonnen)

HB 2367, A bill to be entitled An Act relating to a prohibition on bids by certain insurance and health benefit providers to administer or provide coverage under certain group benefit plans for governmental employees.

HB 2367 was passed by (Record 1212): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr;

Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Allison; Bernal; Coleman; Harris; Krause; Vo.

STATEMENTS OF VOTE

When Record No. 1212 was taken, I was in the house but away from my desk. I would have voted yes.

Allison

When Record No. 1212 was taken, I was in the house but away from my desk. I would have voted yes.

Harris

When Record No. 1212 was taken, I was in the house but away from my desk. I would have voted yes.

Krause

HB 2401 ON THIRD READING (by Deshotel and Beckley)

HB 2401, A bill to be entitled An Act relating to the requirement that state agency employees complete cybersecurity awareness training.

HB 2401 was passed by (Record 1213): 138 Yeas, 1 Nays, 2 Present, not voting.

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

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

Nays — Stickland.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Allison; Beckley; Bernal; Harris; Vo.

STATEMENTS OF VOTE

When Record No. 1213 was taken, I was in the house but away from my desk. I would have voted yes.

Allison

When Record No. 1213 was taken, I was in the house but away from my desk. I would have voted yes.

Harris

HB 3579 ON THIRD READING (by Burrows)

HB 3579, A bill to be entitled An Act relating to the calculation, collection, and remittance of state hotel occupancy taxes.

Amendment No. 1

Representative Lucio offered the following amendment to **HB 3579**:

Amend **HB 3579** (second reading engrossment) on third reading on page 2, between lines 18 and 19, by inserting the following:

(d) Notwithstanding any other provision of this section, a person who secures a room or space in a hotel for another person and who collects payment for the room or space is not required to collect the tax that is imposed by this chapter if:

(1) the person receives a commission from the hotel;

(2) the person separately states the amount charged by the person to secure the room or space in the hotel on an invoice, bill of sale, receipt, or other similar document provided by the person; and

(3) the person's annual receipts for securing rooms or spaces in hotels for others is \$250,000 or less.

Amendment No. 1 was adopted.

HB 3579, as amended, was passed by (Record 1214): 124 Yeas, 16 Nays, 2 Present, not voting.

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

M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Cain; Hunter; King, P.; Krause; Lang; Leman; Middleton; Patterson; Ramos; Schaefer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Allison; Bernal; Neave; Vo.

STATEMENTS OF VOTE

When Record No. 1214 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 1214 was taken, I was shown voting no. I intended to vote yes.

Krause

When Record No. 1214 was taken, I was in the house but away from my desk. I would have voted yes.

Neave

When Record No. 1214 was taken, I was shown voting yes. I intended to vote no.

Parker

HB 2168 ON THIRD READING

(by Allen, Reynolds, Y. Davis, Sherman, and Collier)

HB 2168, A bill to be entitled An Act relating to a trauma history screening for certain defendants and inmates.

HB 2168 was passed by (Record 1215): 87 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bailes; Bell, K.; Blanco; Bohac; Bowers; Bucy; Burns; Burrows; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Huberty; Israel; Johnson, J.D.;

Johnson, J.E.; Kacal; King, K.; King, T.; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Minjarez; Moody; Morales; Muñoz; Murphy; Neave; Nevárez; Ortega; Pacheco; Paddie; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Stephenson; Talarico; Thierry; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Walle; White; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bell, C.; Biedermann; Bonnen; Buckley; Cain; Capriglione; Craddick; Cyrier; Flynn; Frank; Harless; Harris; Hefner; Holland; Hunter; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Leach; Leman; Metcalf; Middleton; Miller; Morrison; Murr; Noble; Oliverson; Patterson; Paul; Phelan; Price; Schaefer; Smith; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Wilson; Wray; Zedler; Zerwas.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Beckley; Bernal; Button; Meza; Parker; Vo.

STATEMENTS OF VOTE

When Record No. 1215 was taken, I was shown voting yes. I intended to vote no.

Paddie

When Record No. 1215 was taken, I was in the house but away from my desk. I would have voted no.

Parker

HB 2062 ON THIRD READING (by Guerra)

HB 2062, A bill to be entitled An Act relating to reimbursement for home monitoring services under Medicaid.

HB 2062 was passed by (Record 1216): 135 Yeas, 6 Nays, 2 Present, not voting.

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

Rose; Rosenthal; Schaefer; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Oliverson; Ramos; Stickland; Swanson; Tinderholt.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Lucio; Romero; Sheffield.

STATEMENT OF VOTE

When Record No. 1216 was taken, I was shown voting yes. I intended to vote no.

Middleton

HB 2689 ON THIRD READING

(by Dean, Capriglione, Bernal, Blanco, and Wray)

HB 2689, A bill to be entitled An Act relating to the designation of a cybersecurity coordinator by each school district.

HB 2689 was passed by (Record 1217): 135 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; 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; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Cain; Lang; Middleton; Schaefer; Stickland; Swanson; Tinderholt; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

REMARKS ORDERED PRINTED

Representative Beckley moved to print all remarks on **HB 2159**.

The motion prevailed.

HB 2667 ON THIRD READING

(by Guillen)

HB 2667, A bill to be entitled An Act relating to the licensing and regulation of certain occupations and activities; providing administrative penalties; requiring occupational licenses; authorizing fees; creating criminal offenses.

Amendment No. 1

Representative Klick offered the following amendment to **HB 2667**:

Amend **HB 2667** on third reading as follows:

- (1) On page 40, strike lines 14-16 and substitute the following:
(b) The following provisions, as added by this Act, take effect September 1, 2020:

- (1) Sections 171.0151 and 171.0202, Government Code;
- (2) Subchapters I, J, and K, Chapter 171, Government Code;
- (3) Section 508.151, Occupations Code; and
- (4) Subchapter F, Chapter 508, Occupations Code.

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

ARTICLE _____. LICENSED GENETIC COUNSELORS

SECTION _____.001. Section 51.2031(a), Occupations Code, is amended to read as follows:

(a) This section applies only to the regulation of the following professions by the department:

- (1) athletic trainers;
- (2) behavior analysts;
- (3) dietitians;
- (4) genetic counselors;
- (5) hearing instrument fitters and dispensers;
- (6) ~~(5)~~ midwives;
- (7) ~~(6)~~ orthotists and prosthetists; and
- (8) ~~(7)~~ speech-language pathologists and audiologists.

SECTION _____.002. Subtitle I, Title 3, Occupations Code, is amended by adding Chapter 508 to read as follows:

CHAPTER 508. LICENSED GENETIC COUNSELORS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 508.001. SHORT TITLE. This chapter may be cited as the Licensed Genetic Counselor Act.

Sec. 508.002. DEFINITIONS. In this chapter:

(1) "Advisory board" means the Licensed Genetic Counselor Advisory Board.

(2) "Certifying entity" means the American Board of Medical Genetics and Genomics, the American Board of Genetic Counseling, or another entity that is nationally accredited to issue credentials in the practice of genetic counseling and is approved by the department.

(3) "Commission" means the Texas Commission of Licensing and Regulation.

(4) "Department" means the Texas Department of Licensing and Regulation.

(5) "Executive director" means the executive director of the department.

(6) "Licensed genetic counselor" means a person licensed under this chapter to engage in the practice of genetic counseling.

Sec. 508.003. PRACTICE OF GENETIC COUNSELING. (a) In this chapter, "practice of genetic counseling" means providing professional services described by Subsection (b) for compensation to communicate genetic information to an individual, family, group, or other entity:

(1) on the documented referral by:

(A) a physician licensed in this state;

(B) a physician assistant licensed in this state;

(C) an advanced practice registered nurse licensed in this state; or

(D) a person acting under authority delegated under Subchapter A,

Chapter 157; or

(2) by a patient's self-referral.

(b) The practice of genetic counseling:

(1) consists of:

(A) obtaining and evaluating individual, family, and medical histories to determine the risk for a genetic or medical condition or disease in a patient, the patient's offspring, or other family members of the patient;

(B) discussing the features, natural history, means of diagnosis, genetic and environmental factors, and management of risk for a genetic or medical condition or disease;

(C) identifying, coordinating, ordering, and explaining the results of genetic laboratory tests and other diagnostic studies as appropriate for genetic assessment;

(D) integrating the results of laboratory tests and other diagnostic studies with medical histories to assess and communicate risk factors for a genetic or medical condition or disease;

(E) evaluating a patient's or family member's response to a genetic or medical condition or disease, including the risk of recurrence, and providing patient-centered counseling and anticipatory guidance;

(F) identifying and using community resources that provide medical, educational, financial, and psychosocial support and advocacy; and

(G) providing written documentation of medical, genetic, and counseling information for a patient's family members and health care providers; and

(2) does not include the diagnosis of disorders.

Sec. 508.004. PRACTICE OF MEDICINE NOT AUTHORIZED. This chapter does not authorize the practice of medicine as defined by the law of this state.

Sec. 508.005. APPLICABILITY; EXEMPTIONS. (a) This chapter does not apply to a physician licensed to practice medicine in this state unless the physician is a licensed genetic counselor.

(b) A person may engage in the practice of genetic counseling without holding a license under this chapter if the person:

(1) is licensed, certified, or registered to practice in this state in a health care-related occupation and:

(A) acts within the occupation's scope of practice; and

(B) does not use the title "genetic counselor" or represent or imply the person is licensed as a genetic counselor under this chapter;

(2) is a student or intern:

(A) pursuing a course of study or engaged in a training program for an occupation regulated by this state and acting within the occupation's scope of practice; or

(B) enrolled in a graduate-level supervised genetic counseling training program approved or accepted by the department and engaged in an activity constituting the practice of genetic counseling as a required part of the training program; or

(3) is a genetic counselor who:

(A) is certified by a certifying entity;

(B) is not a resident of this state;

(C) performs an activity or provides a service in this state for not more than 30 days during any year; and

(D) meets any other requirement established by commission rule.

(c) A student or intern described by Subsection (b)(2) includes a person who:

(1) is trained as:

(A) a genetic counselor and has applied to take the certification examination; or

(B) a doctoral medical geneticist and has applied to take the certification examination; and

(2) has not failed the certification examination more than twice.

SUBCHAPTER B. LICENSED GENETIC COUNSELOR ADVISORY BOARD

Sec. 508.051. LICENSED GENETIC COUNSELOR ADVISORY BOARD. (a) The advisory board consists of nine members appointed by the presiding officer of the commission with the approval of the commission, as follows:

(1) six licensed genetic counselors, each of whom has at least two years of experience practicing genetic counseling as a genetic counselor and is:

(A) licensed under this chapter; or

(B) certified by a certifying entity;

(2) one physician who has experience with genetic counseling; and

(3) two members who represent the public.

(b) Appointments to the advisory board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

Sec. 508.052. DUTIES OF ADVISORY BOARD. The advisory board shall provide advice and recommendations to the department on technical matters relevant to the administration of this chapter.

Sec. 508.053. TERMS; VACANCY. (a) Members of the advisory board serve staggered six-year terms, with the terms of three members expiring February 1 of each odd-numbered year.

(b) A member of the advisory board may not serve more than two consecutive six-year terms.

(c) If a vacancy occurs during a term of a member of the advisory board, the presiding officer of the commission, with the commission's approval, shall appoint a replacement who meets the qualifications for the vacant position to serve for the remainder of the term.

Sec. 508.054. PRESIDING OFFICER. The presiding officer of the commission shall designate a member of the advisory board to serve as the presiding officer of the advisory board for a term of two years. The presiding officer of the advisory board may vote on any matter before the advisory board.

Sec. 508.055. MEETINGS. The advisory board shall meet as requested by the presiding officer of the commission or the executive director.

Sec. 508.056. GROUNDS FOR REMOVAL. A member of the advisory board may be removed as provided by Section 51.209.

Sec. 508.057. COMPENSATION; REIMBURSEMENT. (a) A member of the advisory board may not receive compensation for service on the advisory board.

(b) A member of the advisory board is entitled to reimbursement for actual and necessary expenses incurred in performing functions as a member of the advisory board, subject to any applicable limitation on reimbursement provided by the General Appropriations Act.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 508.101. GENERAL POWERS AND DUTIES. (a) The commission shall adopt rules consistent with this chapter for the administration and enforcement of this chapter.

(b) The department shall:

- (1) administer and enforce this chapter;
- (2) evaluate the qualifications of license applicants;
- (3) provide for the examination of license applicants;
- (4) issue licenses;
- (5) in connection with a hearing under this chapter, issue subpoenas, examine witnesses, and administer oaths under the laws of this state; and
- (6) investigate persons engaging in practices that violate this chapter.

Sec. 508.102. CONFIDENTIALITY OF COMPLAINT AND DISCIPLINARY INFORMATION. (a) Except as provided by Subsection (b), all information and materials subpoenaed or compiled by the department in connection with a complaint and investigation are confidential and not subject to disclosure under Chapter 552, Government Code, and not subject to disclosure,

discovery, subpoena, or other means of legal compulsion for their release to anyone other than the department or its employees or agents involved in discipline of a license holder.

(b) Information described by Subsection (a) may be disclosed in accordance with Chapter 51 to:

(1) persons involved with the department in a disciplinary action against a license holder;

(2) a respondent or the respondent's authorized representative;

(3) a governmental agency, if:

(A) the disclosure is required or permitted by law; and

(B) the agency obtaining the disclosure protects the identity of any patient whose records are examined;

(4) a professional genetic counselor licensing or disciplinary board in another jurisdiction;

(5) peer assistance programs approved by the commission under Chapter 467, Health and Safety Code;

(6) law enforcement agencies; and

(7) persons engaged in bona fide research, if all individual-identifying information has been deleted.

(c) As provided by Chapter 51, notices of alleged violations issued by the department, commission, or executive director, and final disciplinary actions, including warnings and reprimands, by the department, commission, or executive director are not confidential and are subject to disclosure in accordance with Chapter 552, Government Code.

(d) Notwithstanding any other law, the requirements of Chapter 51 related to the confidentiality of complaint and investigation information for a health-related program are applicable to complaint and investigation information under this chapter.

Sec. 508.103. STANDARDS OF ETHICAL PRACTICE. The commission shall adopt rules under this chapter that establish standards of ethical practice.

Sec. 508.104. ASSISTANCE FILING COMPLAINT. The department, in accordance with Section 51.252, shall provide reasonable assistance to a person who wishes to file a complaint with the department regarding a person or activity regulated under this chapter.

Sec. 508.105. FEES. The commission by rule shall set fees in amounts reasonable and necessary to cover the costs of administering this chapter.

SUBCHAPTER D. LICENSING REQUIREMENTS

Sec. 508.151. LICENSE REQUIRED. (a) Except as provided by Section 508.005, a person may not act as a genetic counselor or engage in the practice of genetic counseling in this state unless the person holds a license under this chapter.

(b) Except as provided by Section 508.005, unless a person holds a license under this chapter, the person may not:

(1) use the title or represent or imply that the person has the title "genetic counselor," "certified genetic counselor," "licensed genetic counselor," "gene counselor," "genetic consultant," or "genetic associate"; or

(2) use any other word, abbreviation, or insignia indicating or implying that the person is a licensed genetic counselor.

(c) This chapter may not be construed to prohibit a physician or an employee or other person acting under a physician's delegated authority from representing to a patient or the public that the physician, employee, or person provides genetic counseling.

Sec. 508.152. LICENSE APPLICATION. An applicant for a license must:

(1) submit an application in the manner and on a form prescribed by the department;

(2) successfully complete a state-approved criminal background check;
and

(3) pay the application fee set by the commission.

Sec. 508.153. LICENSE ELIGIBILITY. To be eligible for a genetic counselor license, a license applicant must present evidence to the department that the applicant:

(1) has passed an examination by a certifying entity or an equivalent examination in genetic counseling approved by the department;

(2) is currently certified by a certifying entity in genetic counseling or medical genetics;

(3) has met the educational requirements of a certifying entity, which must include a master's degree in genetic counseling or medical genetics or an equivalent educational standard adopted by the certifying entity;

(4) is in compliance with all professional, ethical, and disciplinary standards established by the certifying entity; and

(5) is not subject to any disciplinary action by the certifying entity.

Sec. 508.154. ISSUANCE OF LICENSE. The department shall issue a genetic counselor license to an applicant who:

(1) complies with the requirements of this chapter;

(2) meets any additional requirements the commission establishes by rule; and

(3) pays the required fees.

Sec. 508.155. TERM. A license issued under this chapter expires on the second anniversary of the date of issuance.

Sec. 508.156. RENEWAL. Before the expiration of a license, a license may be renewed by:

(1) submitting an application for renewal;

(2) paying the renewal fee imposed by the commission; and

(3) providing verification to the department of continued certification by a certifying entity, which signifies that the applicant for renewal has met any continuing education requirements established by the certifying entity.

SUBCHAPTER E. DISCIPLINARY PROCEDURES

Sec. 508.201. GROUNDS FOR DISCIPLINARY ACTION. In accordance with Section 51.353, the commission or executive director may deny, revoke, or suspend a license, refuse to renew a license, place on probation a person whose

license has been suspended, or reprimand a license holder for a violation of this chapter, a rule adopted under this chapter, or an order of the commission or executive director.

SUBCHAPTER F. ENFORCEMENT PROCEDURES

Sec. 508.251. ENFORCEMENT PROCEEDINGS. The commission, department, or executive director may enforce this chapter, a rule adopted under this chapter, or an order of the commission or executive director as provided by Subchapters F and G, Chapter 51.

SECTION _____.003. (a) As soon as practicable after the effective date of this Act, the presiding officer of the Texas Commission of Licensing and Regulation shall appoint nine members to the Licensed Genetic Counselor Advisory Board in accordance with Chapter 508, Occupations Code, as added by this Act. In making the initial appointments, the presiding officer of the commission shall designate three members for terms expiring February 1, 2021, three members for terms expiring February 1, 2023, and three members for terms expiring February 1, 2025.

(b) Notwithstanding Section 508.051, Occupations Code, as added by this Act, a person who meets the requirements of Section 508.153, Occupations Code, as added by this Act, may be appointed as an initial licensed genetic counselor member of the Licensed Genetic Counselor Advisory Board, regardless of whether the person holds a license issued under Chapter 508, Occupations Code, as added by this Act.

SECTION _____.004. Not later than May 1, 2020, the Texas Commission of Licensing and Regulation shall adopt the rules, procedures, and fees necessary to administer Chapter 508, Occupations Code, as added by this Act.

SECTION _____.005. Notwithstanding Chapter 508, Occupations Code, as added by this Act, a person is not required to hold a license under that chapter to practice as a licensed genetic counselor in this state before September 1, 2020.

Amendment No. 1 was adopted.

HB 2667, as amended, was passed by (Record 1218): 124 Yeas, 17 Nays, 2 Present, not voting.

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

Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Bonnen; Cain; King, P.; Krause; Lang; Middleton; Noble; Oliverson; Patterson; Schaefer; Stickland; Swanson; Tinderholt; Toth; Wilson; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Blanco; Button; Rosenthal.

STATEMENT OF VOTE

When Record No. 1218 was taken, I was in the house but away from my desk. I would have voted yes.

Rosenthal

HB 2879 ON THIRD READING

(by Raney)

HB 2879, A bill to be entitled An Act relating to a competitive grant program to fund promotion of early literacy programs in certain communities in this state.

HB 2879 was passed by (Record 1219): 124 Yeas, 19 Nays, 2 Present, not voting.

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

Nays — Biedermann; Cain; Cyrier; Flynn; Hefner; King, P.; Krause; Lang; Middleton; Oliverson; Patterson; Schaefer; Springer; Stickland; Swanson; Tinderholt; Wilson; Wray; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Murr.

STATEMENTS OF VOTE

When Record No. 1219 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1219 was taken, I was in the house but away from my desk. I would have voted no.

Murr

When Record No. 1219 was taken, I was shown voting yes. I intended to vote no.

Toth

HB 4165 ON THIRD READING

(by Pacheco, Cortez, Allison, Gervin-Hawkins, Minjarez, et al.)

HB 4165, A bill to be entitled An Act relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.

HB 4165 was passed by (Record 1220): 117 Yeas, 27 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Middleton; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Ortega; Pacheco; Paddie; Parker; Perez; Phelan; Price; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sheffield; Sherman; Shine; Smith; Smithee; Stephenson; Stickland; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wu; Zerwas; Zwiener.

Nays — Anderson; Cain; Capriglione; Dean; Frank; Harless; Harris; Hefner; Holland; King, P.; Klick; Krause; Kuempel; Lambert; Lang; Metcalf; Miller; Noble; Oliverson; Patterson; Paul; Raney; Springer; Stucky; Toth; Wray; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

STATEMENTS OF VOTE

When Record No. 1220 was taken, I was shown voting no. I intended to vote yes.

Cain

When Record No. 1220 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 1220 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1220 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1220 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 1220 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1220 was taken, I was shown voting no. I intended to vote yes.

Wray

HB 2655 ON THIRD READING

(by Rosenthal, Allen, Talarico, Toth, Lopez, et al.)

HB 2655, A bill to be entitled An Act relating to an active shooter emergency protocol for public school districts and required active shooter training for school district peace officers and school resource officers.

Amendment No. 1

Representatives Rosenthal and Toth offered the following amendment to **HB 2655**:

Amend **HB 2655** on third reading as follows:

(1) Strike SECTIONS 1, 2, 4, 6, 7, 8, 9, 10, 11, and 12, and renumber the remaining SECTIONS appropriately.

(2) On page 4, line 5, strike "SCHOOL MARSHALS,".

(3) On page 4, line 6, strike the underlined comma.

(4) On page 4, line 7, strike "school marshal,".

(5) On page 4, line 7, strike the underlined comma.

(6) On page 7, line 1, strike "school marshal,".

(7) On page 7, line 2, strike the comma.

Amendment No. 1 was adopted.

HB 2655, as amended, was passed by (Record 1221): 119 Yeas, 19 Nays, 3 Present, not voting.

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

Nays — Anderson; Buckley; Burns; Cain; Cyrier; Harris; Holland; Kuempel; Leman; Middleton; Murr; Noble; Patterson; Paul; Schaefer; Springer; Stickland; Stucky; Swanson.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Krause; Martinez; Moody; Murphy; Zedler.

STATEMENTS OF VOTE

When Record No. 1221 was taken, I was shown voting no. I intended to vote yes.

Anderson

When Record No. 1221 was taken, I was shown voting no. I intended to vote yes.

Buckley

When Record No. 1221 was taken, I was shown voting no. I intended to vote yes.

Cyrier

When Record No. 1221 was taken, I was in the house but away from my desk. I would have voted no.

Krause

When Record No. 1221 was taken, I was shown voting no. I intended to vote yes.

Kuempel

When Record No. 1221 was taken, I was shown voting yes. I intended to vote no.

Leach

HB 1686 ON THIRD READING
(by Smith, Ramos, Zwiener, and Goodwin)

HB 1686, A bill to be entitled An Act relating to the application for and duration of a protective order for victims of certain offenses; enhancing a criminal penalty.

HB 1686 was passed by (Record 1222): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Blanco; Raney; Rose.

STATEMENT OF VOTE

When Record No. 1222 was taken, I was in the house but away from my desk. I would have voted yes.

Blanco

HB 4413 ON THIRD READING
(by Buckley)

HB 4413, A bill to be entitled An Act relating to state occupational licensing of certain military service members, military veterans, and military spouses.

HB 4413 was passed by (Record 1223): 143 Yeas, 0 Nays, 3 Present, not voting.

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

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

HB 3000 ON THIRD READING
(by Talarico, Capriglione, and Dean)

HB 3000, A bill to be entitled An Act relating to student data security in public schools.

HB 3000 was passed by (Record 1224): 139 Yeas, 2 Nays, 2 Present, not voting.

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

Nays — Cain; Flynn.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Calanni; Middleton; Rose.

STATEMENT OF VOTE

When Record No. 1224 was taken, I was in the house but away from my desk. I would have voted yes.

Calanni

HB 3460 ON THIRD READING

(by E. Thompson)

HB 3460, A bill to be entitled An Act relating to the route designation for the issuance of a permit for the movement of oversize and overweight vehicles in certain counties.

HB 3460 was passed by (Record 1225): 133 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; 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; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wilson; Wray; Wu; Zerwas; Zwiener.

Nays — Cain; Hefner; Lang; Middleton; Patterson; Schaefer; Stickland; Tinderholt; White; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Beckley.

HB 1782 ON THIRD READING

(by Cortez, Guillen, and Fierro)

HB 1782, A bill to be entitled An Act relating to a plan to increase the use of telemedicine medical services and telehealth services in this state.

Amendment No. 1

Representative Cortez offered the following amendment to **HB 1782**:

Amend **HB 1782** on third reading, in SECTION 1 of the bill, by striking Section 531.021611(b)(1), Government Code, as added by Amendment No. 3 by S. Davis and renumbering subsequent subdivisions of Subsection (b) accordingly.

Amendment No. 1 was adopted.

HB 1782, as amended, was passed by (Record 1226): 137 Yeas, 5 Nays, 2 Present, not voting.

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

Nays — Cain; Dean; Hunter; Stickland; Tinderholt.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Pacheco; Phelan.

HB 3384 ON THIRD READING

(by Shine)

HB 3384, A bill to be entitled An Act relating to the authority of the comptroller to conduct a limited-scope review of an appraisal district located in an area declared by the governor to be a disaster area.

HB 3384 was passed by (Record 1227): 142 Yeas, 1 Nays, 2 Present, not voting.

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

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

Nays — Stickland.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Pacheco.

HB 838 ON THIRD READING **(by Deshotel and E. Thompson)**

HB 838, A bill to be entitled An Act relating to an agreement between the Department of Public Safety and a county, municipality, or private vendor for the issuance of renewal and duplicate driver's licenses and other identification certificate services; increasing a fee.

HB 838 was passed by (Record 1228): 144 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

HB 4202 ON THIRD READING
(by Smithee, Wu, and S. Thompson)

HB 4202, A bill to be entitled An Act relating to the authority of a court to grant a motion for a new trial in certain criminal cases.

HB 4202 was passed by (Record 1229): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Cain; Israel; Pacheco.

STATEMENT OF VOTE

When Record No. 1229 was taken, I was in the house but away from my desk. I would have voted yes.

Cain

HB 760 ON THIRD READING
(by Wu and Pacheco)

HB 760, A bill to be entitled An Act relating to the punishment for the criminal offense of theft involving a package delivered to or collected from a residential or commercial property; increasing a criminal penalty.

HB 760 was passed by (Record 1230): 79 Yeas, 65 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Biedermann; Blanco; Bohac; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Frank; Geren; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Klick; Krause; Leman;

Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales; Morrison; Muñoz; Neave; Nevárez; Oliverson; Ortega; Pacheco; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Flynn; Frullo; Gervin-Hawkins; González, J.; Harless; Harris; Hefner; Holland; Huberty; King, K.; King, P.; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Lozano; Metcalf; Middleton; Miller; Minjarez; Murphy; Murr; Noble; Paddie; Parker; Patterson; Paul; Phelan; Price; Schaefer; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Tinderholt; Toth; White; Wilson; Wray; Zedler; Zerwas.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

STATEMENTS OF VOTE

When Record No. 1230 was taken, I was shown voting no. I intended to vote yes.

Ashby

When Record No. 1230 was taken, I was shown voting no. I intended to vote yes.

K. Bell

When Record No. 1230 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 1230 was taken, I was shown voting no. I intended to vote yes.

Button

When Record No. 1230 was taken, I was shown voting no. I intended to vote yes.

Clardy

When Record No. 1230 was taken, I was shown voting yes. I intended to vote no.

Cole

When Record No. 1230 was taken, I was shown voting no. I intended to vote yes.

Cyrier

When Record No. 1230 was taken, I was shown voting yes. I intended to vote no.

Gutierrez

When Record No. 1230 was taken, I was shown voting yes. I intended to vote no.

Leman

When Record No. 1230 was taken, I was shown voting yes. I intended to vote no.

Lopez

When Record No. 1230 was taken, I was shown voting yes. I intended to vote no.

Martinez

When Record No. 1230 was taken, I was shown voting yes. I intended to vote no.

Rodriguez

When Record No. 1230 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

HB 2786 ON THIRD READING

(by Button, Perez, Burrows, Hinojosa, Leach, et al.)

HB 2786, A bill to be entitled An Act relating to employee turnover reporting during a day-care center's, group day-care home's, or registered family home's license or registration renewal.

HB 2786 was passed by (Record 1231): 138 Yeas, 2 Nays, 4 Present, not voting.

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

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

Nays — Schaefer; Tinderholt.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Pacheco; Rose.

HB 3850 ON THIRD READING

(by Deshotel and Lozano)

HB 3850, A bill to be entitled An Act relating to the funding of certain ship channel improvements; authorizing the Texas Transportation Commission to issue revenue bonds.

HB 3850 was passed by (Record 1232): 129 Yeas, 14 Nays, 3 Present, not voting.

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

Nays — Bohac; Dean; King, P.; Lang; Middleton; Murr; Noble; Parker; Patterson; Schaefer; Stickland; Swanson; Tinderholt; Wilson.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

STATEMENTS OF VOTE

When Record No. 1232 was taken, I was shown voting yes. I intended to vote no.

Cain

When Record No. 1232 was taken, I was shown voting no. I intended to vote yes.

Middleton

When Record No. 1232 was taken, I was shown voting no. I intended to vote yes.

Parker

HB 3511 ON THIRD READING

(by VanDeaver, Anchia, S. Thompson, Murphy, Lozano, et al.)

HB 3511, A bill to be entitled An Act relating to the creation of the Commission on Texas Workforce of the Future.

HB 3511 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE LEACH: Mr. VanDeaver, I want to just clarify some of the conversation we had last night for the purposes of legislative intent if you wouldn't mind.

REPRESENTATIVE VANDEAVER: Sure.

LEACH: Specifically, Mr. VanDeaver, I just want to clarify the purpose of the commission that's being established in your bill, which I intend to vote for. It's a good bill, but I just want to, for legislative intent, clarify the purpose. Specifically, Mr. VanDeaver, would you agree that in the commission that's established in your bill, the main focus of that commission—the stated goals of that commission as outlined in your bill—is that no state agency or commission should be, under this bill, conducting studies that could lead to the government directly or indirectly impeding in a private company's lawful right to utilize non-compete provisions in their private priority contracts subject to existing state law?

VANDEAVER: Absolutely. I would agree with that. This bill really just calls for a study of the needs and challenges of the workforce and really nothing more, nothing less. I also wanted to correct another statement that we made last night. We stated that non-compete provisions caused worker shortages in the oil field, and I've done some research since then and realize that is absolutely not correct. So I also want to correct that as well.

REMARKS ORDERED PRINTED

Representative Leach moved to print remarks between Representative VanDeaver and Representative Leach on **HB 3511**.

The motion prevailed.

Amendment No. 1

Representative Gutierrez offered the following amendment to **HB 3511**:

Amend **HB 3511** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 122, Human Resources Code, is amended by adding Section 122.0096 to read as follows:

Sec. 122.0096. PROCUREMENT MONITORING. (a) The workforce commission may monitor the procurement practices of a state agency to determine compliance with this chapter. The workforce commission shall notify the state auditor's office if the workforce commission determines:

(1) a state agency procured a product or service from a vendor other than a community rehabilitation program;

(2) a suitable product or service that met the state agency's specifications was available, within the time specified by the agency, from a community rehabilitation program on the date the procurement was made; and

(3) the procurement of the product or service from a community rehabilitation program was not exempted:

(A) under Section 122.016; or

(B) because the product or service failed to meet a specification described by Section 2155.138(a)(3), Government Code.

(b) The workforce commission may request that the state auditor's office conduct an audit of a state agency described by Subsection (a) to determine the agency's compliance with this chapter.

Amendment No. 1 was withdrawn.

HB 3511 was passed by (Record 1233): 116 Yeas, 26 Nays, 2 Present, not voting.

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

Nays — Bell, C.; Biedermann; Bonnen; Burns; Cain; Harris; King, P.; Kuempel; Landgraf; Lang; Metcalf; Middleton; Morrison; Murr; Noble; Oliverson; Patterson; Schaefer; Springer; Stickland; Swanson; Tinderholt; Toth; Wilson; Wray; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Martinez Fischer; White.

STATEMENTS OF VOTE

When Record No. 1233 was taken, I was shown voting yes. I intended to vote no.

Holland

When Record No. 1233 was taken, I was shown voting yes. I intended to vote no.

Parker

HB 3635 ON THIRD READING

(by J. Turner, Longoria, G. Bonnen, Collier, and Hefner)

HB 3635, A bill to be entitled An Act relating to financial assistance paid to the survivors of certain law enforcement officers, firefighters, and other public employees killed in the line of duty.

HB 3635 was passed by (Record 1234): 141 Yeas, 2 Nays, 2 Present, not voting.

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

Nays — Cain; Stickland.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Cole.

STATEMENT OF VOTE

When Record No. 1234 was taken, my machine malfunctioned and I was shown voting no. I intended to vote yes.

Cain

HB 4186 ON THIRD READING
(by Sanford and Talarico)

HB 4186, A bill to be entitled An Act relating to the creation of a committee to recommend a framework to incorporate digital teaching and learning in public schools.

HB 4186 was passed by (Record 1235): 133 Yeas, 7 Nays, 2 Present, not voting.

Yeas — Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; 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; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

Nays — Cain; Lang; Middleton; Schaefer; Stickland; Swanson; Tinderholt.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Allen; Cole; Nevárez; Turner, J.

STATEMENT OF VOTE

When Record No. 1235 was taken, I was in the house but away from my desk. I would have voted yes.

J. Turner

HB 2490 ON THIRD READING
(by Wu, Frank, Hinojosa, Goodwin, and Bucy)

HB 2490, A bill to be entitled An Act relating to the system for maintaining records relating to children in the conservatorship of the Department of Family and Protective Services.

HB 2490 was passed by (Record 1236): 141 Yeas, 2 Nays, 3 Present, not voting.

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

Nays — Middleton; Schaefer.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

STATEMENTS OF VOTE

When Record No. 1236 was taken, I was shown voting no. I intended to vote yes.

Schaefer

When Record No. 1236 was taken, I was shown voting present, not voting. I intended to vote yes.

Zwiener

HB 1748 ON THIRD READING (by Oliverson)

HB 1748, A bill to be entitled An Act relating to continuing education requirements for surgical technologists.

HB 1748 was passed by (Record 1237): 138 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach;

Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

Absent — Rose.

HB 1457 ON THIRD READING

(by Dominguez)

HB 1457, A bill to be entitled An Act relating to the eligibility of certain attorneys to be employed by a public defender's office.

HB 1457 was passed by (Record 1238): 99 Yeas, 45 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bowers; Bucy; Burrows; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Huberty; Israel; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, T.; Krause; Kuempel; Lambert; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Pacheco; Paddie; Perez; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Stephenson; Stickland; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wilson; Wu; Zerwas; Zwiener.

Nays — Allison; Anderson; Bell, C.; Biedermann; Bohac; Bonnen; Buckley; Burns; Cain; Capriglione; Cyrier; Dean; Flynn; Frank; Harless; Harris; Hefner; Holland; Hunter; King, P.; Klick; Landgraf; Lang; Leach; Leman; Metcalf; Middleton; Miller; Morrison; Murr; Noble; Parker; Patterson; Paul; Phelan; Price; Schaefer; Smith; Smithee; Springer; Swanson; Tinderholt; White; Wray; Zedler.

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

Absent, Excused — Howard; Johnson, E.; Sanford; Shaheen.

STATEMENTS OF VOTE

When Record No. 1238 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 1238 was taken, I was shown voting yes. I intended to vote no.

Oliverson

When Record No. 1238 was taken, I was shown voting yes. I intended to vote no.

Paddie

When Record No. 1238 was taken, I was shown voting yes. I intended to vote no.

Wilson

(E. Johnson now present)

(Speaker in the chair)

HB 297 ON THIRD READING

(by Murr, Burrows, Burns, Darby, et al.)

HB 297, A bill to be entitled An Act relating to the elimination of school district maintenance and operations ad valorem taxes and the creation of a joint interim committee on the elimination of those taxes.

HB 297 - REMARKS

REPRESENTATIVE MURR: We didn't have a detailed conversation about this last night, but I can understand that it is an important topic to all districts around the State of Texas. As you well know, each of you receives phone calls from your constituents about their property taxes. Every one of you has to answer those questions and go through the problems of frustration and anger that a constituent has because the State of Texas is not the entity responsible for assessing and collecting those property taxes. Whenever you break those down across the State of Texas, on average, according to the comptroller's office, 54 percent of all the taxes in the state are paid for public education. And if you also look at the Texas Constitution, you will find that the State of Texas is constitutionally obligated to provide a free public education to our young people. This bill invokes a paradigm shift in how we do things. We have relied a great deal upon property taxes at the local level to help fund our schools to the detriment of property owners and confounding a system of "how do we pay for it" and "what do we do." This bill brings forward a new look at things by eliminating school maintenance and operation property taxes in the State of Texas effective January 1, 2022, and in the meantime sets up a mechanism by which policymakers—that is us—look at other ways to raise those funds because our constituents asked that. And I believe there may be some questions.

REPRESENTATIVE C. TURNER: Thank you, Representative Murr, and I appreciate the detailed layout. You're right, we didn't have a chance to discuss this in detail last night, so I'm glad we have that opportunity this afternoon. First question is—and I understand the motivation of what you're trying to do here. Obviously, we're all concerned about property taxes, and I appreciate you mentioning that 54 percent of our property taxes are school district property taxes, right?

MURR: That is correct—on average. In some places, it's up to two-thirds.

C. TURNER: So when we talk a lot about cities and counties and other local taxing jurisdictions, they all together constitute less than half. Is that right?

MURR: Absolutely.

C. TURNER: All right. So this bill has a fiscal note, I believe.

MURR: It does have a fiscal note but not for the next biennium.

C. TURNER: Not for the next biennium, true, because the next biennium is just the commission doing the study, right?

MURR: It is a review of a different source—a way to pay for this. Correct.

C. TURNER: I want to come back to that in a second, but the fiscal note would kick in in the next biennium, right?

MURR: Correct.

C. TURNER: Because that is when, under the bill, the M&O property tax would be abolished?

MURR: That is correct. And then that's on the state to work out a different way in funding a public education.

C. TURNER: Okay, and what is that fiscal note?

MURR: That is part of that process. And so I set forth in it one of the discussion topics that we always have. And in laying out this similar legislation in 2017, I said I individually don't know the best way to pay for public education. But I can tell you that we owe it to our constituents—our property tax payers—to research, identify, and think outside the box on the best way to do that.

C. TURNER: You bet. But my question is what the fiscal note on the bill—what would it be in the next biennium?

MURR: Oh, amount.

C. TURNER: Yes, what's that amount?

MURR: So if I may—if you'll allow me a little leeway—currently on average we have to raise about \$27 billion in property taxes in the State of Texas.

C. TURNER: For public schools?

MURR: For public schools.

MURR: And so we would need to come up with a mechanism—

C. TURNER: Is that annually or per biennium?

MURR: Annually. So annually, we need to come up with at least \$27 billion. Okay?

C. TURNER: Right, okay.

MURR: So then you're looking at sources of income to replace that. And that's for M&O. We're not talking about I&S—bond indebtedness that's been approved by voters for schools—that's a separate animal and is not intended to be part of this. The other thing that I'll go ahead and emphasize before coming back to the next part of your question is that this bill identifies Tier 2 spending, which we often refer to as an enrichment rate. It remains because the other thing that I want to do in having us consider policy is that we still allow discretionary spending at the local level. Our school board trustees have the opportunity to raise gold pennies and copper pennies, which we've heard about before, and that's up to 17 cents. That remains, and as a discretionary spending, it could be zero or it could be up to 17 cents.

C. TURNER: I think that's an important point, and under **HB 3**, under Chairman Huberty's leadership, we've preserved the ability of the school districts—or the house has, anyway, in what we passed out of here—to keep that Tier 2 component intact. Is that correct? While buying down Tier 1 four cents, right?

MURR: That is my understanding, yes. And in that same vein—the big driver on this especially—I represent dozens of school districts and about half of them send money to the State of Texas under recapture. And if I may—if you'll indulge me on recapture—in 1993, the State of Texas started the policy of recapture. And at that point in time, we only had 35 school districts paying in about \$131 million. You fast-forward and that system has metastasized. We're now expecting \$2.7 billion through Robin Hood, and that's almost 20 percent of our school districts. If you look at this bill, this process would essentially abolish Robin Hood as we know it. All Tier 1 Robin Hood recapture funds would go away.

C. TURNER: I understand. So now we've established what the fiscal impact would be when the M&O tax is abolished and what happens when this bill is enacted. In the intervening two years, you're going to have this commission to look at ways to replace the revenue. Right?

MURR: That is correct. Yes.

C. TURNER: Because as you say, it is a state obligation under our Constitution to provide for a free public education for every child in this state.

MURR: Absolutely.

C. TURNER: Okay, we agree on that. So does your bill envision what those revenue sources would be to make up that \$58 billion per biennium?

MURR: So I tried to keep the language broad. A lot of times a lot of the discussion is on a broad term of consumption taxes—like sales tax, for example—as one of the primary drivers for that.

C. TURNER: Does it say what the sales tax would have to be? If we were to use the sales tax to replace M&O property taxes, what that sales tax rate would be?

MURR: Mr. Turner, if we were to do that today and we keep all things the same and unchanged—so we don't change the exemptions, we don't expand what sales tax applies to—then it would probably go from an interest rate of six and a quarter to 12. And then if you add the local option election, it would be eight and a quarter, and that would take you to 14. And from the get-go, from the moment of drafting and filing this legislation, I said that is not reasonable. But we as policymakers have to put our collective minds together to figure out what may be a better direction.

C. TURNER: So given that we probably—I would think the body, the next legislature, whoever's here—wouldn't want to have a 14 percent sales tax. At least I hope not. I assume the commission is going to look at other revenue sources then, is that right? Is anything off the table? That's my question. Does anything in the bill say you can look at new revenue sources but you can't look at, say, the franchise tax, or you can't look at severance tax, or you can't look at other revenue sources? Is there anything in it?

MURR: No, there's nothing in the language that negatively says it can't be reviewed. And on topic of talking about the sales tax, I want to go back and point out one thing that often comes to mind. The State of Texas, according to the comptroller, in fiscal year 2018, assessed and collected \$46 billion in sales tax, but at the same time, sales tax exemptions—just current exemptions—totaled \$43 billion. And we're only talking about trying to find \$27 billion. Now, I don't advocate eliminating exemptions for basic items that we all take for granted like bread and eggs and milk or some of the agriculture exemptions that we have in place. But I do think that we as policymakers owe it to our constituents to look at that. We follow the sunset process, and we ought to review that on a regular basis as well.

C. TURNER: I'm glad you said that. I actually filed a bill this session to implement a sunset-style review of the Tax Code to look at exemptions, to look at tax credits, to look at loopholes, frankly—special interest tax breaks for lack of a better term—some of which have been on the books for decades. And while we systematically review our state agencies to see if they're efficient and still needed, which is a great process, we don't have a similar process for the Tax Code and the literally hundreds of different carve-outs that have been created over the years. So your commission would enable us to be able to look at those things?

MURR: That is the intent and to make a report for which the 87th Legislature could then take action.

REMARKS ORDERED PRINTED

Representative C. Turner moved to print all remarks on **HB 297**.

The motion prevailed.

Amendment No. 1

Representatives Martinez Fischer, Huberty, and Bernal offered the following amendment to **HB 297**:

Amend **HB 297** (second reading engrossment) on third reading on page 1 by striking lines 10 through 12 and substituting the following:

TAX. (a) Notwithstanding any other law and except as provided by Subsection (b), beginning January 1, 2022:

(1) a school district may not impose a tax for maintenance and operations purposes; and

(2) each school district is entitled to funding under Chapters 42 and 46, Education Code, for each school year as if the district had:

(A) a maintenance and operations tax rate equal to the state maximum compressed tax rate as defined by Section 42.101, Education Code; and

(B) no local share for purposes of Section 42.253, Education Code.

AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE MARTINEZ FISCHER: Members, as you can tell, this is an amendment that was jointly filed by Chairman Huberty and myself. Out of deference to Chairman Huberty's expertise on public education, I'd like to yield to him to do part of the layout, and then I'll come back and address you.

REPRESENTATIVE HUBERTY: Chairman Martinez Fischer and I talked about this today. There was a section at the bottom of the bill where some people were concerned about it tying the tax to the Education Code. As many of you know, one of the taxes we control specifically in the Education Code is maintenance and operation. As we're proceeding along here, we want to be very clear about what the intent of this amendment does to fix the bill. To us it's very clear, and that is that we do not want our school districts to walk out of here and to suggest for one second that we're saying, hey, whatever you're collecting, you're not going to get that money. What we're saying is, if you listen to Mr. Murr's conversation, what we're saying—and I have an amendment later that I'll talk about on the commission piece of this—is that creating this and these ideas and concepts is going to be very important. I know Mr. Martinez Fischer feels the same way because we've had these conversations about the tax swap and various other things. So this clarifies, specifically related to maintenance and operation in the tax, that we're talking about discussion of the code of taxation and making sure that we're staying away from the Education Code specifically. So I want to be clear on this. You might have heard some various groups this morning saying, "Oh, this is not what we're trying to do." That is not at all what Representative Murr is trying to do, and that's not what we're doing. That's why we did this bipartisanship—so it's okay the way that we've fixed this. And at this time I'll yield back to Mr. Martinez Fischer.

MARTINEZ FISCHER: Thank you, Chairman Huberty. I also want to thank Representative Murr and Chairman Burrows. I sort of read this like many of you did. Quite frankly, I'm on the Ways and Means Committee so I looked at this

from a tax perspective. This bill went through our committee, and I think we were talking about an apple when it was in committee, and this has now become an orange. I think it's a worthy endeavor, but I wanted to be very careful. As long as I've been here, I've rarely voted on anything that had a \$58 billion fiscal note. I think Chairman Zerwas would fall out of his chair if we did that routinely. I understand where we're going with this, but I also want to be very, very clear. I was here in the legislature when there was an effort to repeal Robin Hood. The words back then were that we were going to get rid of Robin Hood, and it would put a gun to our heads and force us to come up with a solution. We're still doing recapture, members, in 2019, and this next budget that we'll adopt will also have some semblance of recapture. So it doesn't just go away overnight. And as I see children here in the gallery, children here today as honorary pages, schoolchildren, I don't want any teacher, parent, school board member, superintendent—I don't want someone looking at this and saying we're going to write a budget and we're not going to assume any M&O.

I think what this amendment clearly says is we're going to look at the maximum M&O that you have or are going to get, and you should count on that for future planning. But make no mistake, we're going to study every available nickel out there to come up with a new revenue model potentially. And as I've always said in the tax committee—tax policy isn't right versus left; it's right versus wrong. There are currently \$43 billion in exemptions, exclusions, and discounts. So when you look at \$43 billion on the sidelines and a fiscal note of \$58 billion, this is a discussion that we should have. I just want to make sure we're not doing it at the expense of our children, our students, our teachers, our educators, and our education community, and that's what I hope this amendment does.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Huberty offered the following amendment to **HB 297**:

Amend **HB 297** (second reading engrossment) as follows:

- (1) On page 2, line 6, strike "five" and substitute "four".
- (2) On page 2, line 8, strike "five" and substitute "four".
- (3) On page 2, between lines 9 and 10, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:
(____) three members appointed by the governor;
- (4) On page 3, between 1 and 2, insert the following subsection:
(b-1) The advisory members appointed under Subsection (b) are non-voting members of the committee.

AMENDMENT NO. 2 - REMARKS

HUBERTY: In going back and looking at the bill, one of the experiences that I had last legislative session, as I think many of you know—that Representatives Bernal, Ken King, and I all had—is that we worked on the School Finance Commission. Many of us have gone through interim studies and joint commissions that have never produced anything. But I think through the

leadership that we had, certainly with the members and Chairman Taylor and with Mr. Brister, Mr. Williams, and other members, that commission came up with very good recommendations, and we're adopting that through our school finance plan this session. So what this amendment does is it actually reduces membership from the house from five to four and the senate from five to four. We have also, as Representative Murr had done—he took an amendment from Mr. Lucio—added two advisory members from each. For Mr. Rodriguez, those advisory members are not voting. But we added three members from the governor's office because I think it's important that we have to have the governor in this conversation. Obviously, he gets to call balls and strikes at the end of the day, and I think the governor needs to have appointees associated with this as we continue going along. And again, I think this is very important. The governor, the lieutenant governor, and the speaker worked very hard this session by stating that they were trying to provide meaningful tax relief and reform through our tax swap that we were trying to accomplish and spent a lot of time talking about that. We didn't get there, and so this is not too dissimilar to where we ended last legislative session, where we tried to work on a school finance plan and went to work on a commission. I think we need to open this up and leave it to the members and other public members to have this input in this process to talk about what we want our tax policy to be. So I think it's important to be able to do this.

REPRESENTATIVE BERNAL: Chairman Huberty, at the end of the last session we ended up with the School Finance Commission, is that correct?

HUBERTY: That's correct.

BERNAL: And being honest, speaking only for myself, I wasn't too happy about that.

HUBERTY: Nor were Representative Ken King nor I.

BERNAL: That's right. Yet could you talk about how we felt about that process at the end of the School Finance Commission?

HUBERTY: I think how we went to it originally is that we all got together and said, "geez, we're going to have to write a minority report," because we weren't sure where it was going to land. But at the end we had a unanimous, bipartisan report that came out that was very unique, changing the entirety of the system. But it was a working group. It met, you know, over 25 times, hundreds of hours. So the expectation is if we're going to do this, this is the same way that we need to do it.

BERNAL: Is it safe to say that **HB 3** was the product of that commission?

HUBERTY: One hundred percent.

BERNAL: And is your expectation that we will produce a similar kind of product at the end of this process?

HUBERTY: Absolutely.

BERNAL: And can you explain to me how this amendment and Chairman Martinez Fischer's amendment work together?

HUBERTY: Sure, because what we're talking about is that our taxpayers are expecting us to reduce the maintenance and operations tax. And by the way, members, we did pass tax relief in **HB 3**. That was the mechanism by which we provided tax relief. And all taxpayers across the State of Texas, whether you have a home or business, owners are going to see meaningful property tax relief to that degree. So that's very important. And I think it's important to note that we again tried to work really hard this session, but we recognize that sometimes doing those hard things becomes difficult. So this is another mechanism that Representative Murr has offered up, a solution that says, "look, we need to start." And you know this, Mr. Bernal, that right now we're still at a dollar. We'll get to 94 cents, but we're at a dollar tax rate for Tier 1. So what we're saying is, let's start at zero and see where we land in between, based upon trying to figure out our flawed tax system here in the State of Texas. And the best way to do that is to work together and collaboratively to do that.

BERNAL: Safe to say that this requires the same time and effort as school finance did?

HUBERTY: That's right. And again, I think it's incumbent upon us to look at the leadership that has been provided by the governor, the speaker, and lieutenant governor through this session in taking those hard steps to lead us to a correct tax policy. This is the next step for us to be able to do that.

Amendment No. 2 was adopted.

MURR: Mr. Speaker, members, I want to extend my heartfelt gratitude to Chairman Martinez Fischer and Chairman Huberty for their assistance in making this a better bill. The cups in the lounge say "school tax reform, the time is now." I move passage.

HB 297, as amended, was passed by (Record 1239): 95 Yeas, 46 Nays, 2 Present, not voting.

Yeas — Mr. Speaker(C); Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Craddick; Cyrier; Darby; Davis, S.; Dean; Dutton; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Lucio; Martinez Fischer; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Phelan; Price; Raney; Raymond; Schaefer; Sheffield; Shine; Smith; Smithee; Springer; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Blanco; Bowers; Bucy; Canales; Cole; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dominguez; Farrar; Fierro; González, J.; González, M.; Goodwin; Hernandez; Herrero; Hinojosa; Israel; Johnson, E.;

Johnson, J.E.; Lopez; Martinez; Meza; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Perez; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Turner, C.; Turner, J.; Walle; Wu; Zwiener.

Present, not voting — Minjarez; Stephenson.

Absent, Excused — Howard; Sanford; Shaheen.

Absent — Gutierrez; Johnson, J.D.; Rodriguez; Vo.

STATEMENTS OF VOTE

When Record No. 1239 was taken, I was in the house but away from my desk. I would have voted no.

Rodriguez

When Record No. 1239 was taken, I was shown voting yes. I intended to vote no.

Thierry

When Record No. 1239 was taken, I was shown voting yes. I intended to vote no.

S. Thompson

LEAVE OF ABSENCE GRANTED

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

S. Davis on motion of Wu.

GENERAL STATE CALENDAR (consideration continued)

HB 1662 ON THIRD READING (by Herrero)

HB 1662, A bill to be entitled An Act relating to grants awarded to reimburse counties for the cost of monitoring defendants and victims in criminal cases involving family violence.

HB 1662 was passed by (Record 1240): 143 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Hernandez; Herrero; Hinojosa; Holland; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lucio; Martinez; Martinez Fischer;

Metcalf; Meyer; Meza; Middleton; Miller; Minjarez; Moody; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sheffield; Sherman; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused — Howard; Sanford; Shaheen.

Absent, Excused, Committee Meeting — Davis, S.

HB 3266 ON THIRD READING

(by Raney, Larson, Sheffield, Flynn, C. Bell, et al.)

HB 3266, A bill to be entitled An Act relating to fees charged to students enrolled at component institutions of The Texas A&M University System.

HB 3266 was passed by (Record 1241): 97 Yeas, 39 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bowers; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Clardy; Collier; Cortez; Craddick; Cyrier; Darby; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Flynn; Frullo; González, J.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Harris; Hernandez; Herrero; Hinojosa; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales; Morrison; Murphy; Neave; Ortega; Pacheco; Paddie; Parker; Raney; Raymond; Reynolds; Rodriguez; Romero; Rosenthal; Sheffield; Sherman; Shine; Springer; Stucky; Swanson; Talarico; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; White; Wray; Wu; Zerwas; Zwiener.

Nays — Biedermann; Bohac; Bonnen; Buckley; Cain; Frank; Geren; Goldman; Hefner; Holland; King, K.; King, P.; Krause; Lang; Leach; Leman; Metcalf; Middleton; Miller; Muñoz; Murr; Noble; Oliverson; Patterson; Paul; Phelan; Price; Ramos; Schaefer; Smith; Smithee; Stickland; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Toth; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Howard; Sanford; Shaheen.

Absent, Excused, Committee Meeting — Davis, S.

Absent — Anderson; Cole; Coleman; Gervin-Hawkins; González, M.; Nevárez; Perez; Rose; Stephenson.

STATEMENTS OF VOTE

When Record No. 1241 was taken, I was in the house but away from my desk. I would have voted no.

Anderson

When Record No. 1241 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 1241 was taken, I was shown voting yes. I intended to vote no.

Parker

When Record No. 1241 was taken, I was temporarily out of the house chamber. I would have voted yes.

Stephenson

When Record No. 1241 was taken, I was shown voting yes. I intended to vote no.

Swanson

POSTPONED BUSINESS

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

**HB 1133 ON SECOND READING
(by Stickland)**

HB 1133, A bill to be entitled An Act relating to public school class size limits.

HB 1133 was read second time on May 8 and was postponed until 11:30 p.m. May 8.

Amendment No. 1

Representative Stickland offered the following amendment to **HB 1133**:

Amend **HB 1133** (house committee printing) as follows:

(1) On page 1, line 4, strike "Sections 25.112(a) and (d), Education Code, are" and substitute "Section 25.112(a), Education Code is".

(2) On page 1, strike lines 6-10 and substitute the following:

(a) Except as otherwise authorized by this section or provided by Section 25.1121, a school district may not enroll more than 22 students in a kindergarten, first, second, third, or fourth grade class.

(3) On page 1, strike lines 17 through 21.

(4) On page 2, line 1, between "25.112(d)" and "from", insert "or 25.1121(e)".

(5) On page 2, line 5, strike "grade level [~~class~~]" and substitute "class or grade level, as applicable".

(6) On page 2, line 6, between "25.112(a)" and "was", insert "or 25.1121(b)".

(7) On page 2, lines 7 and 8, strike "each ~~the~~ class at the grade level" and substitute "the class or in each class at the grade level, as applicable,".

(8) On page 2, line 20, strike "and 25.112" and substitute "25.112, and 25.1121".

(9) On page 2, strike lines 21 through 27 and substitute the following:

(A) the number of campuses and the number of classes or grade levels, as applicable, at each campus granted an exception from Section 25.112 or 25.1121; and

(B) for each campus granted an exception from Section 25.112 or 25.1121, a statement of whether the campus has been awarded a distinction designation under Subchapter G or has been identified as an unacceptable campus under Chapter 39A;

(10) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS appropriately:

SECTION _____. Section 7.056(e), Education Code, is amended to read as follows:

(e) Except as provided by Subsection (f), a school campus or district may not receive an exemption or waiver under this section from:

(1) a prohibition on conduct that constitutes a criminal offense;

(2) a requirement imposed by federal law or rule, including a requirement for special education or bilingual education programs; or

(3) a requirement, restriction, or prohibition relating to:

(A) essential knowledge or skills under Section 28.002 or high school graduation requirements under Section 28.025;

(B) public school accountability as provided by Subchapters B, C, D, and J, Chapter 39, and Chapter 39A;

(C) extracurricular activities under Section 33.081 or participation in a University Interscholastic League area, regional, or state competition under Section 33.0812;

(D) health and safety under Chapter 38;

(E) purchasing under Subchapter B, Chapter 44;

(F) elementary school class size limits, except as provided by Section 25.112 or 25.1121;

(G) removal of a disruptive student from the classroom under Subchapter A, Chapter 37;

(H) at-risk programs under Subchapter C, Chapter 29;

(I) prekindergarten programs under Subchapter E, Chapter 29;

(J) educator rights and benefits under Subchapters A, C, D, E, F, G, and I, Chapter 21, or under Subchapter A, Chapter 22;

(K) special education programs under Subchapter A, Chapter 29;

(L) bilingual education programs under Subchapter B, Chapter 29;

or

(M) the requirements for the first day of instruction under Section 25.0811.

SECTION _____. Subchapter D, Chapter 25, Education Code, is amended by adding Section 25.1121 to read as follows:

Sec. 25.1121. CLASS SIZE IN CERTAIN DISTRICTS. (a) This section applies only to a school district that has adopted a local innovation plan under Chapter 12A that:

(1) does not exempt the district from the limitation on class size under Section 25.112; and

(2) includes:

(A) for teacher certification innovations:

(i) an exemption from teacher certification requirements under Section 21.003; and

(ii) an implementation consideration to develop local certification criteria for teachers of foreign languages that include establishing language proficiency standards focused on identified critical world languages poised for curricular inclusion;

(B) for minimum attendance for class credit or final grade innovations:

(i) exemptions from the minimum number of minutes of instruction under Section 25.081 and the minimum attendance for class credit or a final grade under Section 25.092; and

(ii) an implementation consideration to apply flexible school day standards similar to a flexible school day program authorized under Section 29.0822, allowing the district to use uniquely identified Public Education Information Management System (PEIMS) coding for purposes of reporting average daily attendance; and

(C) for last day of instruction innovations:

(i) an exemption from the requirements regarding the last day of school under Section 25.0812; and

(ii) an implementation consideration to provide students in 11th or 12th grade with opportunities to advance academically by taking mini-semester courses in the winter, May, or the summer, that may include special programs to be developed in partnerships with four-year postsecondary educational institutions.

(b) A school district to which this section applies may not enroll at a campus in classes in the kindergarten, first, second, third, or fourth grade levels more than a campus-wide average in each of those grade levels of 22 students per class. That limitation does not apply during:

(1) any 12-week period of the school year selected by the district, in the case of a district whose average daily attendance is adjusted under Section 42.005(c); or

(2) the last 12 weeks of any school year in the case of any other district.

(c) Not later than the 30th day after the first day of the 12-week period for which a school district whose average daily attendance is adjusted under Section 42.005(c) is claiming an exemption under Subsection (b), the district shall notify the commissioner in writing that the district is claiming an exemption for the period stated in the notice.

(d) In determining the number of students to enroll in any class, a school district to which this section applies shall consider the subject to be taught, the teaching methodology to be used, and any need for individual instruction.

(e) On application of a school district to which this section applies, the commissioner may except the district from the limit in Subsection (b) for the school year if the commissioner finds the limit works an undue hardship on the district. An exception expires at the end of the school year for which it is granted.

(f) A school district seeking an exception under Subsection (e) shall notify the commissioner and apply for the exception not later than the later of:

(1) October 1; or

(2) the 30th day after the first school day the district exceeds the limit in Subsection (b).

(g) If a school district to which this section applies repeatedly fails to comply with this section, the commissioner may take any appropriate action authorized to be taken by the commissioner under Section 39.131.

SECTION _____. Section 39.232(b), Education Code, is amended to read as follows:

(b) A school campus or district is not exempt under this section from:

(1) a prohibition on conduct that constitutes a criminal offense;

(2) requirements imposed by federal law or rule, including requirements for special education or bilingual education programs; or

(3) a requirement, restriction, or prohibition relating to:

(A) curriculum essential knowledge and skills under Section 28.002 or high school graduation requirements under Section 28.025;

(B) public school accountability as provided by Subchapters B, C, D, and J and Chapter 39A;

(C) extracurricular activities under Section 33.081;

(D) health and safety under Chapter 38;

(E) purchasing under Subchapter B, Chapter 44;

(F) elementary school class size limits, except as provided by Subsection (d) or Section 25.112 or 25.1121;

(G) removal of a disruptive student from the classroom under Subchapter A, Chapter 37;

(H) at risk programs under Subchapter C, Chapter 29;

(I) prekindergarten programs under Subchapter E, Chapter 29;

(J) rights and benefits of school employees;

(K) special education programs under Subchapter A, Chapter 29;

or

(L) bilingual education programs under Subchapter B, Chapter 29.

Amendment No. 1 - Point of Order

Representative C. Turner raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 6(e), of the House Rules on the grounds that the amendment is more than one page in length and is a substantial substitute and was not prefiled with the chief clerk.

(Talarico in the chair)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Craddick requested permission for the Committee on Land and Resource Management to meet while the house is in session, at 3:30 p.m. today, in 1W.14, to consider referred and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Land and Resource Management, 3:30 p.m. today, 1W.14, for a formal meeting, to consider referred and pending business.

(Geren in the chair)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Burrows requested permission for the Committee on Ways and Means to meet while the house is in session, at 3:45 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Ways and Means, 3:45 p.m. today, 3W.15, for a formal meeting, to consider pending business.

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).

(Talarico in the chair)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Collier requested permission for the Committee on Criminal Jurisprudence to meet while the house is in session, at 3:45 p.m. today, in 3W.3, to consider referred business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Criminal Jurisprudence, 3:45 p.m. today, 3W.3, for a formal meeting, to consider referred business.

(Goldman in the chair)

HB 1133 - (consideration continued)**Amendment No. 1 - Point of Order Disposition**

The point of order was withdrawn.

Amendment No. 1 was adopted. (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

Representative Stickland moved to postpone consideration of **HB 1133** until 4:15 p.m. today.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

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

Hunter on motion of Middleton.

POSTPONED BUSINESS (consideration continued)

HB 3622 ON SECOND READING (by Paddie and Geren)

HB 3622, A bill to be entitled An Act relating to the adoption of certain plumbing codes by the Texas State Board of Plumbing Examiners.

HB 3622 was read second time on May 8 and was postponed until 8:30 a.m. today.

HB 3622 - POINT OF ORDER

Representative Walle raised a point of order against further consideration of **HB 3622** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is inaccurate and misleading.

(Hunter now present)

The point of order was withdrawn.

Representative Paddie moved to postpone consideration of **HB 3622** until 10 a.m. Friday, July 5.

The motion prevailed.

CSHB 3193 ON SECOND READING (by Hinojosa, Raymond, Muñoz, and Guillen)

CSHB 3193, A bill to be entitled An Act relating to the licensing of a home and community support services agency; increasing fees.

CSHB 3193 was read second time on May 7 and was postponed until 9 a.m. today.

CSHB 3193 was passed to engrossment.

HB 4163 ON SECOND READING (by S. Thompson and Collier)

HB 4163, A bill to be entitled An Act relating to the authority of a court to grant a commutation of punishment for certain persons released on parole.

HB 4163 was read second time on May 8 and was postponed until 9 a.m. today.

Amendment No. 1

Representatives S. Thompson and Wu offered the following amendment to **HB 4163**:

Amend **HB 4163** (house committee report) on page 1 as follows:

(1) Strike lines 11 and 12, substitute the following appropriately numbered subdivisions, and renumber subsequent subdivisions of added Article 48.07(a), Code of Criminal Procedure, accordingly:

() the person is 65 years of age or older;

() the actual calendar time the person was confined plus the time during which the person has been released on parole equals not less than one-half of the person's sentence;

(2) On line 14, strike "during the period described by Subdivision (1)".

Amendment No. 1 was adopted.

Representative S. Thompson moved to postpone consideration of **HB 4163** until 12 p.m. Tuesday, January 12, 2021.

The motion prevailed.

(S. Davis now present)

HB 1133 ON SECOND READING
(by Stickland)

HB 1133, A bill to be entitled An Act relating to public school class size limits.

HB 1133 was read second time on May 8, postponed until 11:30 p.m. May 8, an amendment was offered and disposed of, and **HB 1133** was again postponed until this time.

Representative Stickland moved to postpone consideration of **HB 1133** until 5:30 p.m. today.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

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

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

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

POSTPONED BUSINESS
(consideration continued)

CSHB 2020 ON SECOND READING
(by Kacal and Harris)

CSHB 2020, A bill to be entitled An Act relating to the release of defendants on bail.

CSHB 2020 was read second time on May 8, amendments were offered and disposed of, **CSHB 2020** was postponed until 6:45 p.m. May 8, and was again postponed until 8:45 p.m. May 8.

Amendment No. 4 - Vote Reconsidered

Representative Moody moved to reconsider the vote by which Amendment No. 4 was adopted on May 8.

The motion to reconsider prevailed.

Amendment No. 6

Representative Moody offered the following amendment to Amendment No. 4:

Amend Amendment No. 4 by Moody to **CSHB 2020** on page 1, line 16, between "necessary," and "modify", by inserting "in consultation with the district and county court at law judges and the county bail bond board, if one exists,".

Amendment No. 6 was adopted.

Amendment No. 4, as amended, was adopted.

Amendment No. 7

Representative Longoria offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** (house committee printing) as follows:

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

SECTION _____. Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.0281 to read as follows:

Art. 17.0281. DEFENDANT RELEASED IN ACCORDANCE WITH BAIL SCHEDULE. Notwithstanding Article 17.028 or any other provision of this chapter, a magistrate is not required to order a pretrial risk assessment for a defendant if the defendant is released on bail in accordance with a standing order setting out a schedule of suggested bail amounts.

SECTION _____. Article 17.03(b-1), Code of Criminal Procedure, is amended to read as follows:

(b-1) A defendant is not eligible to be released ~~[magistrate may not release]~~ on personal bond if the ~~[a]~~ defendant:

(1) ~~[who]~~ at the time of the commission of the charged offense, is civilly committed as a sexually violent predator under Chapter 841, Health and Safety Code;

(2) has, in the preceding two years, failed to appear after being released on personal bond or has had a bond found to be insufficient;

(3) is charged with committing any offense while released on bail, community supervision, or parole for another offense;

(4) is charged with any offense under Title 5, Penal Code, in which there is an identifiable victim;

(5) is charged with an offense that involves possession of four or more grams of a controlled substance;

(6) is charged with, or in the preceding five years was charged with, an offense under Section 38.06, Penal Code;

(7) has been charged with or convicted of an offense under Section 22.011 or 22.021, Penal Code, that caused serious bodily injury to a child; or

(8) is charged with any offense involving the use of a firearm.

Amendment No. 7 was adopted.

Amendment No. 8

Representative Dutton offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** (house committee printing) on page 4, between lines 7 and 8, by inserting the following appropriately lettered subsection and relettering subsequent subsections and cross-references to those subsections accordingly:

() The commission shall make the factors considered in developing the tool available to the public.

Amendment No. 8 was adopted.

Amendment No. 9

Representative Moody offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** (house committee printing) as follows:

(1) On page 6, line 17, between "bail" and "of a defendant", insert ", other than a release on personal bond,".

Amendment No. 9 failed of adoption.

Amendment No. 10

Representative Moody offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** (house committee report) as follows:

Add the following appropriately numbered article:

Art. (). RULES FOR SETTING AMOUNT OF BAIL: PRETRIAL RISK ASSESSMENT; EXCEPTION. Notwithstanding any other provision of this chapter, a validated pretrial risk assessment tool developed by a county before May 1, 2019, may be used as required by law in lieu of the validated pretrial risk assessment tool adopted for statewide use under Article 17.021(k).

Amendment No. 10 failed of adoption.

Amendment No. 11

Representative Moody offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS and cross-references to those SECTIONS accordingly:

SECTION _____. Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.081 to read as follows:

Art. 17.081. MONETARY BAIL BOND: WRITTEN FINDING. Before imposing a monetary bail bond, the court or magistrate must first make a written finding concerning whether the defendant is able to pay the amount imposed, based on the findings made under Article 17.15(a)(4). If the court or magistrate determines that the defendant is unable to pay the amount imposed, the court or magistrate may impose the monetary bail bond in that amount only on a finding by clear and convincing evidence that a lower bail amount would not reasonably ensure:

- (1) the safety of the community or of the victim of the alleged offense;
- and
- (2) the defendant's appearance in court.

Amendment No. 11 failed of adoption.

Amendment No. 12

Representative Moody offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill and cross-references to those SECTIONS accordingly:

SECTION _____. Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.1501 to read as follows:

Art. 17.1501. BAIL ADJUSTMENT HEARING. (a) This article applies to a defendant:

- (1) for whom a monetary bail has been set; and
- (2) who has not given bail within 48 hours of charges being filed or after being arrested, whichever is later.

(b) Except as provided by Subsection (c), a defendant to whom this article applies is entitled to a hearing at which the court shall:

- (1) determine the amount the defendant is able to pay; and
- (2) either:
 - (A) release the defendant on personal bond, with or without conditions; or
 - (B) adjust the amount of the monetary bail as appropriate based on the defendant's ability to pay.

(c) The court is not required to hold a hearing or take an action described by Subsection (b)(2) if the court, after considering the results of a pretrial risk assessment of the defendant, makes a written finding that:

- (1) there is a high likelihood that the defendant's release would endanger public safety or result in the defendant failing to appear; and

(2) the likelihood described by Subdivision (1) is substantially greater than the likelihood described by that subdivision that would result if the defendant were released pursuant to the amount of monetary bail as originally set.

Amendment No. 12 failed of adoption.

Amendment No. 13

Representative J. González offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS and cross-references to those SECTIONS accordingly:

SECTION _____. Chapter 17, Code of Criminal Procedure, is amended by adding Article 17.50 to read as follows:

Art. 17.50. PROCEEDING OPEN TO PUBLIC. (a) Any hearing or other proceeding at which a magistrate sets the amount of bail for a defendant, including a proceeding under this chapter or Article 15.17, must be open to the public.

(b) A magistrate may satisfy the requirements of this article by ordering that the proceeding be broadcast by closed circuit equipment to a location that is reasonably close to the proceeding.

(c) A broadcast made under Subsection (b) must be recorded by the magistrate and the recording maintained for a period of not less than one year.

SECTION _____. Article 17.50, Code of Criminal Procedure, as added by this Act, applies only to a hearing or proceeding that occurs on or after the effective date of this Act.

A record vote was requested by Representative J. González.

Amendment No. 13 failed of adoption by (Record 1242): 65 Yeas, 76 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Blanco; Bowers; Bucy; Calanni; Canales; Cole; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Dominguez; Dutton; Farrar; Fierro; Frullo; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Israel; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Stickland; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Craddick; Cyrier; Darby; Dean; Flynn; Frank; Geren; Harless; Harris; Hefner; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker;

Patterson; Paul; Perez; Phelan; Price; Raney; Schaefer; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Wilson; Wray; Zedler; Zerwas.

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

Absent, Excused — Howard; Sanford; Shaheen.

Absent — Deshotel; Johnson, E.; Johnson, J.D.; Meza.

STATEMENTS OF VOTE

When Record No. 1242 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1242 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1242 was taken, I was shown voting yes. I intended to vote no.

Frullo

When Record No. 1242 was taken, I was shown voting yes. I intended to vote no.

Martinez

CSHB 2020, as amended, was passed to engrossment.

SB 1793 ON SECOND READING (Longoria - House Sponsor)

SB 1793, A bill to be entitled An Act relating to purchasing and contracting by governmental entities; authorizing fees.

SB 1793 was considered in lieu of **HB 3852**.

SB 1793 was read second time.

Amendment No. 1

Representative VanDeaver offered the following amendment to **SB 1793**:

Amend **SB 1793** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 44.0331(a), Education Code, is amended to read as follows:

(a) A school district that enters into a purchasing contract valued at \$25,000 or more under Section 44.031(a)(5), under Subchapter F, Chapter 271, Local Government Code, or under any other cooperative purchasing program authorized for school districts by law shall document any contract-related fee, including any management fee, paid by the district and the purpose of each fee under the contract.

Amendment No. 1 was adopted.

SB 1793, as amended, was passed to third reading.

HB 3852 - LAID ON THE TABLE SUBJECT TO CALL

Representative Longoria moved to lay **HB 3852** on the table subject to call.

The motion prevailed.

HB 802 ON SECOND READING

(by Huberty)

HB 802, A bill to be entitled An Act relating to voting rights and eligibility for office of residents of certain districts subject to a strategic partnership agreement.

HB 802 was read second time on May 7, postponed until 7 a.m. May 8, postponed until 6 p.m. May 8, and was again postponed until 10 a.m. today.

The chair recognized Representative Huberty who addressed the house, speaking as follows:

I've postponed this bill several times. I'm going to tell you what the bill does, and I plan on postponing it again. What this bill does is many MUD districts in the Harris Country area created strategic partnership agreements in and around our areas. And when they did that, the City of Houston came in and worked with our MUDs and created an additional tax of one penny that was split between the MUDs and split between the City of Houston. It generates about \$100 million a year right now for the City of Houston. We looked at it constitutionally and said, is this taxation without representation? We thought it was, and we thought it was a good way to continue moving forward. I've been talking to my MUDs about this, and I've been talking to City of Houston, in particular Andy Icken and certainly Mayor Turner about this. And they've agreed to work with me over the next several months to work with our MUDs as the strategic partnership ends, so that they're not going to come in and forcibly annex us at the end of our strategic partnership agreements, which is ultimately the goal.

When we passed annexation reform last legislative session, one of the things that didn't get caught were these agreements that were in place. And so they have given me their commitment and their word that they would agree to work with us and those of us that have MUDs. Mr. Bohac, perhaps you have some of these. I do. There's some in Fort Bend County. Mr. Paul has some of these as well. But this would have created the right for our citizens to be able to vote in these elections. However, we don't pay property taxes, so I understand that, and so there could have been some challenges associated with that. And so instead, over the last several days I've worked with Mr. Icken on this, and again, he's given me his word that we are going to get this done. I've worked with Andy for many years, and so I take him at his word about this.

Representative Huberty moved to postpone consideration of **HB 802** until 10 a.m. Thursday, June 27.

The motion prevailed.

CSHB 3204 ON SECOND READING
(by Sanford and Swanson)

CSHB 3204, A bill to be entitled An Act relating to the form of ballot propositions and certain voter information document requirements for an election seeking authorization for the issuance of school district bonds supported by property taxes.

CSHB 3204 was read second time on May 8 and was postponed until 10 a.m. today.

Representative Murr moved to postpone consideration of **HB 3204** until 10 a.m. Thursday, April 23, 2020.

The motion prevailed.

CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING

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

HJR 38 ON SECOND READING
(by Leach and Metcalf)

HJR 38, A joint resolution proposing a constitutional amendment prohibiting the imposition of an individual income tax.

HJR 38 - POINT OF ORDER

Representative Rodriguez raised a point of order against further consideration of **HJR 38** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is inaccurate.

The point of order was withdrawn.

LEAVE OF ABSENCE GRANTED

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

T. King on motion of Geren.

HJR 38 - (consideration continued)

Amendment No. 1

Representative Gutierrez offered the following amendment to **HJR 38**:

Amend **HJR 38** (house committee printing) by adding the following appropriately numbered SECTION to the joint resolution and renumbering SECTIONS of the joint resolution accordingly:

SECTION _____. Article VIII, Texas Constitution, is amended by adding Section 7-d to read as follows:

Sec. 7-d. The legislature may not impose a sales and use tax on the sale, storage, use, or other consumption of goods in this state.

Amendment No. 1 - Point of Order

Representative Cain raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane to the bill.

The point of order was withdrawn.

Amendment No. 1 was withdrawn.

HJR 38 was adopted by (Record 1243): 100 Yeas, 42 Nays, 3 Present, not voting.

Yeas — Mr. Speaker; Allison; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Biedermann; Bohac; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Calanni; Capriglione; Clardy; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Dominguez; Dutton; Flynn; Frank; Frullo; Geren; Guerra; Guillen; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hunter; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lozano; Lucio; Metcalf; Meyer; Middleton; Miller; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Romero; Schaefer; Sheffield; Shine; Smith; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Toth; VanDeaver; White; Wilson; Wray; Zedler; Zerwas.

Nays — Allen; Anchia; Bernal; Blanco; Bucy; Canales; Cole; Coleman; Collier; Davis, Y.; Deshotel; Farrar; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Gutierrez; Hernandez; Hinojosa; Israel; Lopez; Martinez; Martinez Fischer; Minjarez; Moody; Morales; Nevárez; Ortega; Ramos; Reynolds; Rodriguez; Rose; Sherman; Talarico; Thierry; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Goldman(C); Meza; Rosenthal.

Absent, Excused — Howard; King, T.; Sanford; Shaheen.

Absent — Johnson, E.

STATEMENTS OF VOTE

When Record No. 1243 was taken, I was shown voting yes. I intended to vote no.

Dutton

When Record No. 1243 was taken, I was shown voting present, not voting while presiding in the chair. I intended to vote yes.

Goldman

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

CSHB 3303 ON SECOND READING
(by Bowers)

CSHB 3303, A bill to be entitled An Act relating to certain procedures involving a violation of a condition of community supervision committed by a defendant who is the sole caretaker of a child.

CSHB 3303 was passed to engrossment.

(Speaker in the chair)

CSHB 3284 ON SECOND READING
(by Sheffield, Price, Burns, Howard, and Stucky)

CSHB 3284, A bill to be entitled An Act relating to prescribing and dispensing controlled substances and monitoring the prescribing and dispensing of controlled substances under the Texas Controlled Substances Act; providing for administrative penalties.

CSHB 3284 was passed to engrossment.

CSHB 3285 ON SECOND READING
(by Sheffield, Zerwas, Price, Moody, and Klick)

CSHB 3285, A bill to be entitled An Act relating to programs and initiatives to prevent and respond to opioid addiction, misuse, abuse, and overdose and identify and treat co-occurring substance use disorders and mental illness.

CSHB 3285 was passed to engrossment.

CSHB 545 ON SECOND READING
(by Nevárez and Calanni)

CSHB 545, A bill to be entitled An Act relating to the prosecution of the offense of unlawful transfer of a firearm.

Representative Nevárez moved to postpone consideration of **CSHB 545** until 10 a.m. Sunday, January 10, 2021.

The motion prevailed.

CSHB 769 ON SECOND READING
(by S. Davis and K. Bell)

CSHB 769, A bill to be entitled An Act relating to the termination of the contract of a superintendent of a school district based on malfeasance.

Amendment No. 1

Representative S. Davis offered the following amendment to **CSHB 769**:

Amend **CSHB 769** (house committee printing) by striking SECTION 1 of the bill and substituting the following:

SECTION 1. Section 11.201(c), Education Code, is amended to read as follows:

(c) For purposes of this subsection, "severance payment" means any amount paid by the board of trustees of an independent school district to or in behalf of a superintendent on early termination of the superintendent's contract

that exceeds the amount earned by the superintendent under the contract as of the date of termination, including any amount that exceeds the amount of earned standard salary and benefits that is paid as a condition of early termination of the contract. The board of trustees that makes a severance payment to a superintendent shall report the terms of the severance payment to the commissioner. The commissioner shall reduce the district's Foundation School Program funds by any amount that the amount of the severance payment to the superintendent exceeds an amount equal to one year's salary and benefits under the superintendent's terminated contract. The board of trustees may not make any severance payment if the superintendent's contract was terminated for cause under Section 21.211 or not renewed for cause or if the superintendent resigned in lieu of termination or nonrenewal for cause. The commissioner may adopt rules as necessary to administer this subsection.

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Calanni, Toth, Longoria, Nevárez, Ramos, Bowers, Goodwin, Reynolds, Middleton, J.E. Johnson, Israel, and Bucy 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 11.201(c), Education Code, is amended to read as follows:

(c) For purposes of this subsection, "severance payment" means any amount paid by the board of trustees of an independent school district to or in behalf of a superintendent on early termination of the superintendent's contract that exceeds the amount earned by the superintendent under the contract as of the date of termination, including any amount that exceeds the amount of earned standard salary and benefits that is paid as a condition of early termination of the contract. The board of trustees may not make a severance payment to a superintendent in an amount greater than one year's salary under the superintendent's terminated contract. The board of trustees that makes a severance payment to a superintendent shall report the terms of the severance payment to the commissioner. ~~[The commissioner shall reduce the district's Foundation School Program funds by any amount that the amount of the severance payment to the superintendent exceeds an amount equal to one year's salary and benefits under the superintendent's terminated contract.]~~ The commissioner may adopt rules as necessary to administer this subsection.

SECTION _____. Section 12.104, Education Code, is amended by adding Subsection (b-4) to read as follows:

(b-4) Section 11.201(c) applies to an open-enrollment charter school as though the governing body of the school were the board of trustees of a school district and to the superintendent or, as applicable, the administrator serving as educational leader and chief executive officer of the school as though that person were the superintendent of a school district.

SECTION _____. (a) Section 11.201(c), Education Code, as amended by this Act, applies only to a severance payment made by the board of trustees of an independent school district to a superintendent under an agreement entered into on or after the effective date of this Act. A severance payment made by the board of trustees of an independent school district to a superintendent under an agreement entered into before the effective date of this Act is governed by the law in effect at the time the agreement was made, and that law is continued in effect for that purpose.

(b) Section 12.104(b-4), Education Code, as added by this Act, applies only to a severance payment made by the governing body of an open-enrollment charter school to a superintendent or administrator serving as educational leader and chief executive officer under an agreement entered into on or after the effective date of this Act. A severance payment made by the governing body of an open-enrollment charter school to a superintendent or administrator serving as educational leader and chief executive officer under an agreement entered into before the effective date of this Act is governed by the law in effect at the time the agreement was made, and that law is continued in effect for that purpose.

Amendment No. 2 was adopted.

CSHB 769, as amended, was passed to engrossment.

CSHB 737 ON SECOND READING
(by Cortez)

CSHB 737, A bill to be entitled An Act relating to the issuance of specialty license plates for classroom teachers and retired classroom teachers; imposing a fee.

CSHB 737 was passed to engrossment. (Flynn recorded voting no.)

CSHB 2205 ON SECOND READING
(by Clardy)

CSHB 2205, A bill to be entitled An Act relating to the informal dispute resolution process for certain disputes between the Health and Human Services Commission and long-term care facilities.

CSHB 2205 was passed to engrossment. (Flynn 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).

GENERAL STATE CALENDAR
(consideration continued)

HB 3088 ON SECOND READING
(by Martinez)

HB 3088, A bill to be entitled An Act relating to an exemption for certain purchasing personnel of the Texas Department of Transportation from training on state purchasing.

HB 3088 was passed to engrossment. (Flynn recorded voting no.)

CSHB 62 ON SECOND READING**(by Zerwas, Reynolds, Miller, Stephenson, and Bailes)**

CSHB 62, A bill to be entitled An Act relating to certain meetings of a commissioners court during a disaster or emergency.

CSHB 62 was passed to engrossment.

HB 4493 ON SECOND READING**(by Deshotel)**

HB 4493, A bill to be entitled An Act relating to supplemental environmental projects authorized by the Texas Commission on Environmental Quality.

HB 4493 was passed to engrossment.

CSHB 3172 ON SECOND READING**(by Krause, Sanford, Phelan, Oliverson, et al.)**

CSHB 3172, A bill to be entitled An Act relating to the protection of membership in and support to religious organizations.

CSHB 3172 - POINT OF ORDER

Representative J.E. Johnson raised a point of order against further consideration of **CSHB 3172** under Rule 4, Section 40, and Rule 11, Section 2, of the House Rules. The point of order was overruled and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on House Bill 3172

Announced in the House on May 9, 2019

Representative Julie Johnson of Dallas raises a point of order against further consideration of **CSHB 3172** under Rule 4, Section 40, and Rule 11, Section 2, of the House Rules on the grounds that it is not germane.

The original bill prohibited governmental entities from taking an adverse action against any person based wholly or partly on that person's belief or action in accordance with the person's sincerely held religious belief or moral conviction, including beliefs or convictions regarding marriage. The substitute prohibits governmental entities from taking an adverse action against any person based wholly or partly on that person's membership in, affiliation with, or contribution, donation, or other support provided to a religious organization.

Ms. Johnson of Dallas argues that substitute language expands the class of persons covered by the original bill to include persons who may have no sincerely held belief or conviction and that, under a prior precedent, this expansion is outside the scope of the bill. *See* 77 H. Jour. 3767 (2001).

It is well-settled that a committee substitute may differ from the original bill in one or more major particulars and still be germane. *See, e.g.,* 77 H. Jour. 1711 (2001). The substitute's definition of the covered class is different, but it is on the same subject as the bill. On these facts, the substitute is germane.

Accordingly, the point of order is respectfully overruled.

CSHB 3172 - POINT OF ORDER

Representative J.E. Johnson raised a point of order against further consideration of **CSHB 3172** under Rule 4, Section 32(c)(5), of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on House Bill 3172

Announced in the House on May 9, 2019

Representative Julie Johnson of Dallas raises a point of order against further consideration of **CSHB 3172** under Rule 4, Section 32(c)(5), of the House Rules on the grounds that the bill analysis's comparison of the original to the substitute is inaccurate.

Ms. Johnson of Dallas notes that the committee substitute omits original provisions that authorized compensatory damages and all other appropriate relief for plaintiffs who successfully sue to enforce the bill's provisions. The comparison of the original to the substitute simply states that the bill "revises the relief that a person may obtain under the bill."

The Chair finds that this statement is insufficient to explain the changes made by the substitute, especially in light of the additional, specific details provided in the comparison section for the remaining changes made by the substitute. The availability of legal relief to a litigant is a key element for the enforcement of civil rights. A change to the types of available relief, such as the substitute's elimination of compensatory damages authorized by the bill, is a substantial difference. The bill analysis is substantially and materially misleading because it omits this information. See 80 H.Jour. Reg. 5084 (2007).

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

CSHB 3172 was returned to the Committee on State Affairs.

POSTPONED BUSINESS

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

HB 1133 ON SECOND READING

(by Stickland)

HB 1133, A bill to be entitled An Act relating to public school class size limits.

HB 1133 was read second time on May 8, postponed until 11:30 p.m. May 8, an amendment was offered and disposed of, **HB 1133** was postponed until 4:15 p.m. today, and was again postponed until this time.

Representative Stickland moved to postpone consideration of **HB 1133** until 7:30 p.m. today.

The motion prevailed.

GENERAL STATE CALENDAR
(consideration continued)
CSHB 2987 ON SECOND READING
(by Ramos)

CSHB 2987, A bill to be entitled An Act relating to requiring the posting of certain information on an open-enrollment charter school's Internet website regarding the school's governing body.

Amendment No. 1

Representative Ramos offered the following amendment to **CSHB 2987**:

Amend **CSHB 2987** (house committee report) on page 1, line 15, by striking "including" and substituting "related to".

Amendment No. 1 was adopted.

CSHB 2987, as amended, was passed to engrossment.

HB 981 ON SECOND READING
(by Parker, et al.)

HB 981, A bill to be entitled An Act relating to the offense of money laundering.

HB 981 was passed to engrossment.

HB 798 ON SECOND READING
(by Walle)

HB 798, A bill to be entitled An Act relating to plot plan requirements for an application for a standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality.

HB 798 was passed to engrossment. (Flynn recorded voting no.)

HB 1143 ON SECOND READING
(by Hefner, Huberty, Springer, et al.)

HB 1143, A bill to be entitled An Act relating to the transportation or storage of a handgun or other firearm or ammunition by a handgun license holder in a school parking area.

Representative Hefner moved to postpone consideration of **HB 1143** until 7:45 p.m. today.

The motion prevailed.

HB 1761 ON SECOND READING
(by Coleman)

HB 1761, A bill to be entitled An Act relating to credit toward a defendant's sentence for time confined in jail or prison before sentencing.

HB 1761 was passed to engrossment. (Flynn recorded voting no.)

CSHB 1185 ON SECOND READING
(by Cyrier)

CSHB 1185, A bill to be entitled An Act relating to limitations on adjudication awards arising from certain written contracts with state agencies.

Amendment No. 1

Representative Cyrier offered the following amendment to **CSHB 1185**:

Amend **CSHB 1185** (house committee printing) as follows:

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

SECTION _____. Section 114.002, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 114.002. APPLICABILITY. This chapter applies only to a claim for breach of a written contract that is related to real property or improvements to real property and is for engineering, architectural, or construction services or for materials related to engineering, architectural, or construction services, brought by a party to the written contract, in which the amount in controversy is not less than \$250,000, excluding penalties, costs, expenses, prejudgment interest, and attorney's fees.

(2) On page 2, line 7, strike "Section 114.004" and substitute "Chapter 114".

(3) Renumber SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

CSHB 1185, as amended, was passed to engrossment.

CSHB 4428 ON SECOND READING
(by Tinderholt)

CSHB 4428, A bill to be entitled An Act relating to the application for and expiration of a license to carry a handgun.

CSHB 4428 was passed to engrossment.

HB 1320 ON SECOND READING
(by Moody)

HB 1320, A bill to be entitled An Act relating to the operation of, participation in, and effects of successful completion of a mental health court program.

HB 1320 was passed to engrossment. (Flynn recorded voting no.)

CSHB 2971 ON SECOND READING
(by Holland, Canales, Oliverson, Leman, Murr, et al.)

CSHB 2971, A bill to be entitled An Act relating to powers and duties concerning records of the General Land Office.

CSHB 2971 was passed to engrossment.

HB 975 ON SECOND READING**(by Metcalf, Huberty, Allen, G. Bonnen, and Dutton)**

HB 975, A bill to be entitled An Act relating to training requirements for a member of the board of trustees of an independent school district.

HB 975 was passed to engrossment.

HB 1885 ON SECOND READING**(by G. Bonnen and Guillen)**

HB 1885, A bill to be entitled An Act relating to the waiver of penalties and interest if an error by a mortgagee results in failure to pay an ad valorem tax.

HB 1885 was passed to engrossment.

POSTPONED BUSINESS

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

HB 1133 ON SECOND READING**(by Stickland)**

HB 1133, A bill to be entitled An Act relating to public school class size limits.

HB 1133 was read second time on May 8, postponed until 11:30 p.m. May 8, an amendment was offered and disposed of, **HB 1133** was postponed until 4:15 p.m. today, postponed until 5:30 p.m. today, and was again postponed until this time.

Amendment No. 1 - Vote Reconsidered

Representative Stickland moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Dutton offered the following amendment to **HB 1133**:

Amend **HB 1133** (house committee printing) as follows:

(1) On page 1, line 4, strike "Sections 25.112(a) and (d), Education Code, are" and substitute "Section 25.112(a), Education Code is".

(2) On page 1, strike lines 6-10 and substitute the following:

(a) Except as otherwise authorized by this section or provided by Section 25.1121, a school district may not enroll more than 22 students in a kindergarten, first, second, third, or fourth grade class.

(3) On page 1, strike lines 17 through 21.

(4) On page 2, line 1, between "25.112(d)" and "from", insert "or 25.1121(e)".

(5) On page 2, line 5, strike "grade level [~~class~~]" and substitute "class or grade level, as applicable,".

(6) On page 2, line 6, between "25.112(a)" and "was", insert "or 25.1121(b)".

(7) On page 2, lines 7 and 8, strike "each [the] class at the grade level" and substitute "the class or in each class at the grade level, as applicable,".

(8) On page 2, line 20, strike "and 25.112" and substitute "25.112, and 25.1121".

(9) On page 2, strike lines 21 through 27 and substitute the following:

(A) the number of campuses and the number of classes or grade levels, as applicable, at each campus granted an exception from Section 25.112 or 25.1121; and

(B) for each campus granted an exception from Section 25.112 or 25.1121, a statement of whether the campus has been awarded a distinction designation under Subchapter G or has been identified as an unacceptable campus under Chapter 39A;

(10) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS appropriately:

SECTION _____. Section 7.056(e), Education Code, is amended to read as follows:

(e) Except as provided by Subsection (f), a school campus or district may not receive an exemption or waiver under this section from:

(1) a prohibition on conduct that constitutes a criminal offense;

(2) a requirement imposed by federal law or rule, including a requirement for special education or bilingual education programs; or

(3) a requirement, restriction, or prohibition relating to:

(A) essential knowledge or skills under Section 28.002 or high school graduation requirements under Section 28.025;

(B) public school accountability as provided by Subchapters B, C, D, and J, Chapter 39, and Chapter 39A;

(C) extracurricular activities under Section 33.081 or participation in a University Interscholastic League area, regional, or state competition under Section 33.0812;

(D) health and safety under Chapter 38;

(E) purchasing under Subchapter B, Chapter 44;

(F) elementary school class size limits, except as provided by Section 25.112 or 25.1121;

(G) removal of a disruptive student from the classroom under Subchapter A, Chapter 37;

(H) at-risk programs under Subchapter C, Chapter 29;

(I) prekindergarten programs under Subchapter E, Chapter 29;

(J) educator rights and benefits under Subchapters A, C, D, E, F, G, and I, Chapter 21, or under Subchapter A, Chapter 22;

(K) special education programs under Subchapter A, Chapter 29;

(L) bilingual education programs under Subchapter B, Chapter 29;

or

(M) the requirements for the first day of instruction under Section 25.0811.

SECTION _____. Subchapter D, Chapter 25, Education Code, is amended by adding Sections 25.1121 and 25.1122 to read as follows:

Sec. 25.1121. CLASS SIZE IN CERTAIN DISTRICTS. (a) This section applies only to a school district that has adopted a local innovation plan under Chapter 12A that:

(1) does not exempt the district from the limitation on class size under Section 25.112; and

(2) includes:

(A) for teacher certification innovations:

(i) an exemption from teacher certification requirements under Section 21.003; and

(ii) an implementation consideration to develop local certification criteria for teachers of foreign languages that include establishing language proficiency standards focused on identified critical world languages poised for curricular inclusion;

(B) for minimum attendance for class credit or final grade innovations:

(i) exemptions from the minimum number of minutes of instruction under Section 25.081 and the minimum attendance for class credit or a final grade under Section 25.092; and

(ii) an implementation consideration to apply flexible school day standards similar to a flexible school day program authorized under Section 29.0822, allowing the district to use uniquely identified Public Education Information Management System (PEIMS) coding for purposes of reporting average daily attendance; and

(C) for last day of instruction innovations:

(i) an exemption from the requirements regarding the last day of school under Section 25.0812; and

(ii) an implementation consideration to provide students in 11th or 12th grade with opportunities to advance academically by taking mini-semester courses in the winter, May, or the summer, that may include special programs to be developed in partnerships with four-year postsecondary educational institutions.

(b) A school district to which this section applies may not enroll at a campus in classes in the kindergarten, first, second, third, or fourth grade levels more than a campus-wide average in each of those grade levels of 22 students per class. That limitation does not apply during:

(1) any 12-week period of the school year selected by the district, in the case of a district whose average daily attendance is adjusted under Section 42.005(c); or

(2) the last 12 weeks of any school year in the case of any other district.

(c) Not later than the 30th day after the first day of the 12-week period for which a school district whose average daily attendance is adjusted under Section 42.005(c) is claiming an exemption under Subsection (b), the district shall notify the commissioner in writing that the district is claiming an exemption for the period stated in the notice.

(d) In determining the number of students to enroll in any class, a school district to which this section applies shall consider the subject to be taught, the teaching methodology to be used, and any need for individual instruction.

(e) On application of a school district to which this section applies, the commissioner may except the district from the limit in Subsection (b) for the school year if the commissioner finds the limit works an undue hardship on the district. An exception expires at the end of the school year for which it is granted.

(f) A school district seeking an exception under Subsection (e) shall notify the commissioner and apply for the exception not later than the later of:

(1) October 1; or

(2) the 30th day after the first school day the district exceeds the limit in Subsection (b).

(g) If a school district to which this section applies repeatedly fails to comply with this section, the commissioner may take any appropriate action authorized to be taken by the commissioner under Section 39.131.

(h) This section expires September 1, 2023.

Sec. 25.1122. CLASS SIZE LIMITATION FOR CERTAIN DISTRICTS BASED ON PERFORMANCE. (a) Notwithstanding Section 25.112 or 25.1121, a school district may not enroll more than 22 students per class if:

(1) for a class at the kindergarten, first, or second grade level, a reading instrument administered to diagnose student reading development and comprehension under Section 28.006 indicates that a student enrolled in the class is not reading at grade level; or

(2) for a class at the third or fourth grade level, a student enrolled in the class fails to perform satisfactorily on an assessment instrument administered under Section 39.023.

(b) This section expires September 1, 2023.

SECTION ____. Section 39.232(b), Education Code, is amended to read as follows:

(b) A school campus or district is not exempt under this section from:

(1) a prohibition on conduct that constitutes a criminal offense;

(2) requirements imposed by federal law or rule, including requirements for special education or bilingual education programs; or

(3) a requirement, restriction, or prohibition relating to:

(A) curriculum essential knowledge and skills under Section 28.002 or high school graduation requirements under Section 28.025;

(B) public school accountability as provided by Subchapters B, C, D, and J and Chapter 39A;

(C) extracurricular activities under Section 33.081;

(D) health and safety under Chapter 38;

(E) purchasing under Subchapter B, Chapter 44;

(F) elementary school class size limits, except as provided by Subsection (d) or Section 25.112 or 25.1121;

(G) removal of a disruptive student from the classroom under Subchapter A, Chapter 37;

(H) at risk programs under Subchapter C, Chapter 29;

- (I) prekindergarten programs under Subchapter E, Chapter 29;
- (J) rights and benefits of school employees;
- (K) special education programs under Subchapter A, Chapter 29;

or

- (L) bilingual education programs under Subchapter B, Chapter 29.

Amendment No. 2 was adopted.

A record vote was requested by Representative C. Turner.

HB 1133, as amended, failed to pass to engrossment by (Record 1244): 44 Yeas, 97 Nays, 1 Present, not voting.

Yeas — Anderson; Ashby; Beckley; Bell, C.; Biedermann; Bonnen; Burrows; Cain; Dutton; Frank; Frullo; Goldman; Harless; Harris; Hefner; Holland; Huberty; Kacal; King, K.; King, P.; Klick; Kuempel; Landgraf; Lang; Larson; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Raney; Raymond; Schaefer; Smithee; Stephenson; Stickland; Swanson; Tinderholt; Toth; White; Zedler.

Nays — Allen; Allison; Anchia; Bailes; Bell, K.; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Button; Calanni; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Dean; Deshotel; Dominguez; Farrar; Fierro; Flynn; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Gutierrez; Hernandez; Herrero; Hinojosa; Hunter; Israel; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Lambert; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Miller; Minjarez; Moody; Morales; Muñoz; Neave; Nevárez; Ortega; Pacheco; Patterson; Paul; Perez; Phelan; Price; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Springer; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wilson; Wray; Wu; Zerwas; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Howard; King, T.; Sanford; Shaheen.

Absent — Davis, Y.; Guillen; Krause; Meza.

STATEMENTS OF VOTE

When Record No. 1244 was taken, I was shown voting yes. I intended to vote no.

Beckley

When Record No. 1244 was taken, I was in the house but away from my desk. I would have voted no.

Meza

When Record No. 1244 was taken, I was shown voting yes. I intended to vote no.

Raney

When Record No. 1244 was taken, I was shown voting no. I intended to vote yes.

Wilson

GENERAL STATE CALENDAR
(consideration continued)

CSHB 3800 ON SECOND READING
(by S. Thompson)

CSHB 3800, A bill to be entitled An Act relating to required reporting of human trafficking cases by certain law enforcement entities and by prosecutors.

CSHB 3800 was passed to engrossment.

POSTPONED BUSINESS

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

HB 1143 ON SECOND READING
(by Hefner, Huberty, Springer, et al.)

HB 1143, A bill to be entitled An Act relating to the transportation or storage of a handgun or other firearm or ammunition by a handgun license holder in a school parking area.

HB 1143 was read second time earlier today and was postponed until this time.

HB 1143 was passed to engrossment.

GENERAL STATE CALENDAR
(consideration continued)

CSHB 2101 ON SECOND READING
(by Capriglione, et al.)

CSHB 2101, A bill to be entitled An Act relating to the regulation of reroofing contractors; providing administrative and civil penalties; authorizing fees; requiring an occupational registration.

Amendment No. 1

Representative Anderson offered the following amendment to **CSHB 2101**:

Amend **CSHB 2101** (house committee printing) on page 4, between lines 4 and 5, by inserting the following:

(c) In adopting rules under Subsection (a), the commission may not require an applicant for the renewal of a registration issued under this chapter to meet any requirements, including continuing education requirements, that exceed the requirements prescribed for the issuance of the registration.

Amendment No. 1 was adopted.

(Speaker pro tempore in the chair)

A record vote was requested by Representative Schaefer.

CSHB 2101, as amended, failed to pass to engrossment by (Record 1245): 33 Yeas, 99 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bohac; Calanni; Capriglione; Clardy; Collier; Darby; Davis, S.; Fierro; Flynn; Gutierrez; Hefner; Hernandez; Holland; Huberty; Hunter; Israel; Leach; Lozano; Meyer; Meza; Miller; Murphy; Parker; Ramos; Smithee; Stephenson; Thompson, E.; Walle; Wray; Zwiener.

Nays — Allen; Anchia; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Blanco; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Canales; Cole; Coleman; Cortez; Craddick; Cyrier; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Frank; Frullo; Gervin-Hawkins; Goodwin; Guerra; Guillen; Harless; Herrero; Hinojosa; Johnson, E.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Kuempel; Lambert; Landgraf; Lang; Leman; Longoria; Lopez; Martinez; Martinez Fischer; Metcalf; Middleton; Minjarez; Morales; Morrison; Muñoz; Murr; Neave; Nevárez; Noble; Oliverson; Ortega; Pacheco; Paddie; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sheffield; Sherman; Shine; Smith; Springer; Stickland; Stucky; Talarico; Thierry; Toth; Turner, C.; Turner, J.; VanDeaver; White; Wilson; Wu; Zedler; Zerwas.

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

Absent, Excused — Howard; King, T.; Sanford; Shaheen.

Absent — Geren; Goldman; González, J.; González, M.; Harris; Krause; Larson; Lucio; Swanson; Thompson, S.; Tinderholt; Vo.

STATEMENTS OF VOTE

When Record No. 1245 was taken, I was shown voting yes. I intended to vote no.

Ashby

When Record No. 1245 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 1245 was taken, I was shown voting yes. I intended to vote no.

Ramos

When Record No. 1245 was taken, I was in the house but away from my desk. I would have voted no.

Swanson

When Record No. 1245 was taken, I was in the house but away from my desk. I would have voted no.

Tinderholt

HB 907 ON SECOND READING**(by Huberty)**

HB 907, A bill to be entitled An Act relating to the penalty for failure to register certain aggregate production operations with the Texas Commission on Environmental Quality.

HB 907 was passed to engrossment.

CSHB 4533 ON SECOND READING**(by Klick and Raymond)**

CSHB 4533, A bill to be entitled An Act relating to the system redesign for delivery of Medicaid acute care services and long-term services and supports to persons with an intellectual or developmental disability or with similar functional needs.

CSHB 4533 was passed to engrossment.

CSHB 876 ON SECOND READING**(by Allen and Wu)**

CSHB 876, A bill to be entitled An Act relating to the model training curriculum and required training for school district peace officers and school resource officers.

CSHB 876 was passed to engrossment. (Flynn recorded voting no.)

HB 2286 ON SECOND READING**(by Oliverson, Nevárez, Springer, Phelan, et al.)**

HB 2286, A bill to be entitled An Act relating to the criminal consequences of engaging in certain conduct with respect to certain firearm accessories and prohibiting the enforcement of certain federal laws related to certain firearm accessories.

Amendment No. 1

Representative Oliverson offered the following amendment to **HB 2286**:

Amend **HB 2286** (house committee report) as follows:

(1) On page 2, line 12, strike "No" and substitute "Except as provided by Subsection (c-1), no".

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

(c-1) Notwithstanding any other provision of this chapter, a law enforcement officer may enforce a federal statute, order, rule, or regulation described by Subsection (b) if the officer is cooperating with an agent of the federal government as a member of a task force.

Amendment No. 1 was adopted.

A record vote was requested by Representative Stickland.

HB 2286, as amended, was passed to engrossment by (Record 1246): 101 Yeas, 33 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anderson; Bailes; Bell, C.; Bell, K.; Bernal; Biedermann; Bohac; Bonnen; Bowers; Buckley; Burns; Burrows; Button; Cain; Calanni; Canales; Capriglione; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Dean; Deshotel; Dutton; Farrar; Flynn; Frank; Frullo; Geren; Goldman; González, J.; González, M.; Guerra; Guillen; Gutierrez; Harless; Harris; Hefner; Herrero; Holland; Huberty; Hunter; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Leman; Longoria; Lopez; Lozano; Metcalf; Meyer; Middleton; Miller; Morrison; Murphy; Murr; Nevárez; Noble; Oliverson; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Phelan; Price; Raney; Raymond; Rodriguez; Schaefer; Sheffield; Shine; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Toth; VanDeaver; Vo; White; Wilson; Wray; Zedler; Zerwas.

Nays — Anchia; Beckley; Blanco; Bucy; Cole; Davis, S.; Davis, Y.; Dominguez; Fierro; Gervin-Hawkins; Goodwin; Hinojosa; Israel; Johnson, E.; Johnson, J.E.; Martinez; Meza; Minjarez; Morales; Muñoz; Neave; Ortega; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, J.; Zwiener.

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

Absent, Excused — Howard; King, T.; Sanford; Shaheen.

Absent — Ashby; Clardy; Hernandez; Johnson, J.D.; Lucio; Martinez Fischer; Smith; Turner, C.; Walle; Wu.

STATEMENTS OF VOTE

When Record No. 1246 was taken, I was shown voting yes. I intended to vote no.

Allen

When Record No. 1246 was taken, I was temporarily out of the house chamber. I would have voted yes.

Ashby

When Record No. 1246 was taken, I was shown voting yes. I intended to vote no.

Bernal

When Record No. 1246 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 1246 was taken, I was shown voting yes. I intended to vote no.

Calanni

When Record No. 1246 was taken, I was shown voting yes. I intended to vote no.

Collier

When Record No. 1246 was taken, I was shown voting yes. I intended to vote no.

Farrar

When Record No. 1246 was taken, I was shown voting yes. I intended to vote no.

Lopez

When Record No. 1246 was taken, I was shown voting yes. I intended to vote no.

Perez

When Record No. 1246 was taken, I was shown voting yes. I intended to vote no.

Rodriguez

CSHB 1880 ON SECOND READING

(by S. Davis)

CSHB 1880, A bill to be entitled An Act relating to health benefit plan provider networks; providing an administrative penalty; authorizing an assessment.

CSHB 1880 was passed to engrossment.

REMARKS ORDERED PRINTED

Representative Murphy moved to print remarks by Representative Huberty on **HB 802**.

The motion prevailed.

(Paddie in the chair)

GENERAL STATE CALENDAR

(consideration continued)

CSHB 2288 ON SECOND READING

(by Moody, Blanco, Ortega, and Fierro)

CSHB 2288, A bill to be entitled An Act relating to the area of operation of certain municipal housing authorities.

CSHB 2288 was passed to engrossment. (Flynn recorded voting no.)

CSHB 4013 ON SECOND READING

(by Miller, Thierry, Zerwas, Oliverson, Springer, et al.)

CSHB 4013, A bill to be entitled An Act relating to sales and use taxes on e-cigarettes and vapor products; imposing taxes; providing an administrative penalty; authorizing the imposition of a fee.

CSHB 4013 - POINT OF ORDER

Representative Stickland raised a point of order against further consideration of **CSHB 4013** under Rule 4, Section 18(a)(4), of the House Rules.

(Speaker pro tempore in the chair)

The point of order was sustained and the speaker submitted the following ruling:

RULING BY THE SPEAKER

on House Bill 4013

Announced in the House on May 9, 2019

(Speaker pro tempore in the chair)

Representative Stickland raises a point of order against further consideration of **CSHB 4013** under Rule 4, Section 18(a)(4), of the House Rules on the grounds that the minutes do not correctly recite the notice posted for the public hearing.

Notice of the April 17th public hearing was properly posted on April 12th. On April 15th, the 5-day posting rule was suspended to permit the committee to hear a bill that was not included on the first posting. A revised posting notice was created that included that bill and deleted another. The revised notice is marked "REVISION" at the top of the first page.

The purpose of the cited section of the rule is to state the authority under which a committee is assembled to consider the posted business. In this case, the authority under which the committee assembled on April 17th was the April 12th notice, the April 15th posting rule suspension, and the subsequent revised notice. The minutes do not accurately reflect the complete authority for the public hearing.

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

CSHB 4013 was returned to the Committee on Ways and Means.

LEAVE OF ABSENCE GRANTED

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

J.D. Johnson on motion of C. Bell.

HB 2797 - NOTICE GIVEN

At 9:16 p.m., pursuant to the provisions of Rule 7, Section 37(c), of the House Rules, Representative Kacal gave notice that he would, in one hour, move to reconsider the vote by which **HB 2797** failed to pass by Record No. 1179.

GENERAL STATE CALENDAR

(consideration continued)

CSHB 2504 ON SECOND READING

(by Springer)

CSHB 2504, A bill to be entitled An Act relating to requiring candidates to pay a filing fee or submit a petition in lieu of a filing fee to appear on the ballot for the general election for state and county officers.

Amendment No. 1

Representative Springer offered the following amendment to **CSHB 2504**:

Amend **CSHB 2504** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 181.005, Election Code, is amended by adding Subsection (c) to read as follows:

(c) A political party is entitled to have the names of its nominees placed on the general election ballot, without qualifying under Subsection (a) or (b), if the party had a nominee for a statewide office who received a number of votes equal to at least two percent of the total number of votes received by all candidates for that office at least once in the five previous general elections.

Amendment No. 1 was adopted.

CSHB 2504, as amended, was passed to engrossment.

CSHB 3490 ON SECOND READING
(by Cole)

CSHB 3490, A bill to be entitled An Act relating to the prosecution and punishment of the criminal offense of harassment; creating a criminal offense.

Amendment No. 1

Representative Cole offered the following amendment to **CSHB 3490**:

Amend **CSHB 3490** (house committee report) by striking page 2, lines 10-13, and substituting the following:
manner reasonably likely to harass, abuse, or torment another person.

Amendment No. 1 was adopted.

CSHB 3490, as amended, was passed to engrossment.

CSHB 2536 ON SECOND READING
(by Oliverson and Blanco)

CSHB 2536, A bill to be entitled An Act relating to transparency related to drug costs.

Amendment No. 1

Representative Oliverson offered the following amendment to **CSHB 2536**:

Amend **CSHB 2536** (house committee report) as follows:

(1) On page 1, between lines 8 and 9, insert the following appropriately numbered subdivision and renumber the subdivisions of the section accordingly:

() "Animal health product" means a medical product approved and licensed for use in animal or veterinary medicine, including a pharmaceutical, a biologic, an insecticide, and a parasiticide.

(2) On page 1, line 17, between "device" and the underlined period, insert "or an animal health product".

(3) On page 3, between lines 21 and 22, insert the following appropriately numbered subdivision and renumber the subdivisions of the section accordingly:

() "Animal health product" means a medical product approved and licensed for use in animal or veterinary medicine, including a pharmaceutical, a biologic, an insecticide, and a parasiticide.

(4) On page 4, line 12, between "device" and the underlined period, insert "or an animal health product".

Amendment No. 1 was adopted.

Amendment No. 2

Representative S. Thompson offered the following amendment to **CSHB 2536**:

Amend **CSHB 2536** (house committee report) as follows:

(1) On page 2, strike lines 13 through 16, and substitute the following:

(c) This subsection applies only to a drug with a wholesale acquisition cost of at least \$100 for a 30-day supply before the effective date of an increase described by this subsection. Not later than the 30th day after the effective date of an increase of 40 percent or more over the preceding five calendar years or 10 percent or more in the preceding 12 months in the wholesale acquisition cost of a drug to which this subsection applies, a pharmaceutical drug manufacturer shall submit a report to

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

(3) On page 3, line 4, between "years" and the underlined period insert the following:

;

(7) all factors that caused the increase in the wholesale acquisition cost;

(8) the percentage of the total increase in the wholesale acquisition cost that is attributable to each factor listed in Subdivision (7); and

(9) an explanation of the role of each factor listed in Subdivision (7) in contributing to the increase in the wholesale acquisition cost

Representative Oliverson moved to table Amendment No. 2.

A record vote was requested by Representative S. Thompson.

The motion to table was lost by (Record 1247): 19 Yeas, 117 Nays, 2 Present, not voting.

Yeas — Biedermann; Bonnen; Cain; Harris; Hefner; Holland; Hunter; Lang; Leman; Middleton; Noble; Oliverson; Patterson; Raymond; Sheffield; Shine; Stephenson; Stickland; Toth.

Nays — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, K.; Bernal; Blanco; Bohac; Bowers; Buckley; Bucy; Burns; Burrows; Button; Calanni; Canales; Capriglione; Cole; Coleman; Collier; Cortez; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dominguez; Dutton; Farrar; Fierro; Frank; Frullo; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Hinojosa; Huberty; Israel; Johnson, E.; Johnson, J.E.; Kacal; King, K.; King, P.; Klick; Krause;

Kuempel; Lambert; Landgraf; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Miller; Minjarez; Morales; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Schaefer; Sherman; Smith; Smithee; Springer; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, J.; VanDeaver; Vo; White; Wilson; Wray; Wu; Zedler; Zerwas; Zwiener.

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

Absent, Excused — Howard; Johnson, J.D.; King, T.; Sanford; Shaheen.

Absent — Bell, C.; Clardy; Flynn; Geren; Phelan; Raney; Walle.

Amendment No. 2 was adopted.

A record vote was requested by Representative Allen.

CSHB 2536, as amended, was passed to engrossment by (Record 1248):
134 Yeas, 4 Nays, 2 Present, not voting.

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

Nays — Cain; Middleton; Stickland; Thompson, S.

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

Absent, Excused — Howard; Johnson, J.D.; King, T.; Sanford; Shaheen.

Absent — González, J.; Huberty; Leman; Martinez Fischer; Walle.

STATEMENTS OF VOTE

When Record No. 1248 was taken, I was in the house but away from my desk. I would have voted yes.

Leman

When Record No. 1248 was taken, I was shown voting no. I intended to vote yes.

S. Thompson

CSHB 2942 ON SECOND READING
(by Guillen)

CSHB 2942, A bill to be entitled An Act relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land if the land is temporarily used for sand mining operations; authorizing a fee.

CSHB 2942 was passed to engrossment.

CSHB 2897 ON SECOND READING
(by Parker)

CSHB 2897, A bill to be entitled An Act relating to the provision of services by the Texas Department of Criminal Justice's developmentally disabled offender program.

CSHB 2897 was passed to engrossment.

(Speaker in the chair)

HB 288 ON SECOND READING
(by S. Thompson and Moody)

HB 288, A bill to be entitled An Act relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.

A record vote was requested by Representative Leach.

HB 288 was passed to engrossment by (Record 1249): 122 Yeas, 20 Nays, 1 Present, not voting.

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

Nays — Biedermann; Bonnen; Burns; Cain; Cyrier; Holland; Krause; Landgraf; Lang; Leman; Metcalf; Middleton; Murr; Oliverson; Patterson; Paul; Schaefer; Smith; Stickland; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Howard; Johnson, J.D.; King, T.; Sanford; Shaheen.

Absent — Bowers; Sheffield.

STATEMENTS OF VOTE

When Record No. 1249 was taken, my vote failed to register. I would have voted yes.

Bowers

When Record No. 1249 was taken, I was shown voting yes. I intended to vote no.

Buckley

When Record No. 1249 was taken, I was shown voting yes. I intended to vote no.

Capriglione

When Record No. 1249 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1249 was taken, I was shown voting yes. I intended to vote no.

Harris

When Record No. 1249 was taken, I was shown voting yes. I intended to vote no.

Hefner

When Record No. 1249 was taken, I was shown voting yes. I intended to vote no.

Lambert

When Record No. 1249 was taken, I was shown voting yes. I intended to vote no.

Stucky

When Record No. 1249 was taken, I was shown voting yes. I intended to vote no.

Toth

When Record No. 1249 was taken, I was shown voting yes. I intended to vote no.

Wilson

HB 2912 ON SECOND READING
(by Zerwas and Reynolds)

HB 2912, A bill to be entitled An Act relating to certain images captured by an unmanned aircraft.

HB 2912 - POINT OF ORDER

Representative Stickland raised a point of order against further consideration of **HB 2912** under Rule 8, Section 10(b), of the House Rules on the grounds that the bill is limited in application to one or more political subdivisions by means of artificial devices.

The point of order was withdrawn.

Representative Zerwas moved to postpone consideration of **HB 2912** until 12:01 a.m. tomorrow.

The motion prevailed.

HB 2797 - VOTE RECONSIDERED

Representative Kacal moved to reconsider the vote by which **HB 2797** failed to pass by Record No. 1179.

The motion to reconsider prevailed.

HB 2797 ON THIRD READING
(by Hinojosa)

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

HB 2797, A bill to be entitled An Act relating to evaluation under the state accountability system of school district campuses that enroll certain students who receive special education services.

HB 2797 was read third time earlier today and failed to pass by Record No. 1179.

HB 2797 was passed by (Record 1250): 140 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Howard; Johnson, J.D.; King, T.; Sanford; Shaheen.

Absent — Lozano; Middleton; Pacheco.

STATEMENTS OF VOTE

When Record No. 1250 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 1250 was taken, I was in the house but away from my desk. I would have voted yes.

Middleton

When Record No. 1250 was taken, I was in the house but away from my desk. I would have voted yes.

Pacheco

When Record No. 1250 was taken, I was shown voting present, not voting. I intended to vote yes.

Zwiener

GENERAL STATE CALENDAR (consideration continued)

CSHB 2931 ON SECOND READING

(by Parker, Craddick, Capriglione, Deshotel, and Stucky)

CSHB 2931, A bill to be entitled An Act relating to the administration of an examination and issuance of a temporary receipt for a driver's license by an entity other than the Department of Public Safety.

CSHB 2931 was passed to engrossment.

HB 4513 ON SECOND READING (by Hunter, Flynn, and Lozano)

HB 4513, A bill to be entitled An Act relating to employing and training mental health professionals for the mental health program for veterans.

HB 4513 was passed to engrossment.

HB 3553 ON SECOND READING (by Farrar)

HB 3553, A bill to be entitled An Act relating to filing fees for the electronic filing system established by the Supreme Court of Texas.

HB 3553 was passed to engrossment. (Flynn recorded voting no.)

CSHB 3001 ON SECOND READING
(by Morrison)

CSHB 3001, A bill to be entitled An Act relating to the fiscal transparency of special purpose districts and other political subdivisions.

CSHB 3001 was passed to engrossment.

CSHB 3147 ON SECOND READING
(by Parker, et al.)

CSHB 3147, A bill to be entitled An Act relating to a cancer clinical trial participation program.

CSHB 3147 was passed to engrossment.

CSHB 1381 ON SECOND READING
(by Wray)

CSHB 1381, A bill to be entitled An Act relating to enhancing the criminal penalty for aggravated assault committed in or on school property or on a passenger transportation vehicle of a primary or secondary school.

Representative Wray moved to postpone consideration of **CSHB 1381** until 11 p.m. today.

The motion prevailed.

CSHB 3578 ON SECOND READING
(by Klick, et al.)

CSHB 3578, A bill to be entitled An Act relating to the cancellation of the voter registration of a person finally convicted of a felony.

CSHB 3578 was passed to engrossment.

CSHB 1477 ON SECOND READING
(by Price, et al.)

CSHB 1477, A bill to be entitled An Act relating to the use of grants under the emergency medical services assistance program and the distribution of certain revenue received by the comptroller.

CSHB 1477 was passed to engrossment.

HB 3397 ON SECOND READING
(by Bailes)

HB 3397, A bill to be entitled An Act relating to an appropriation of money from the emergency radio infrastructure account for the planning, development, and provision of an interoperable statewide emergency radio infrastructure.

HB 3397 was passed to engrossment.

HB 4032 ON SECOND READING
(by Guillen, Morrison, and G. Bonnen)

HB 4032, A bill to be entitled An Act relating to the permitting and taxation of certain boats and boat motors; imposing a fee.

HB 4032 was passed to engrossment.

HB 3424 ON SECOND READING
(by S. Thompson)

HB 3424, A bill to be entitled An Act relating to postconviction forensic DNA testing.

HB 3424 was passed to engrossment.

HB 2642 ON SECOND READING
(by Allison)

HB 2642, A bill to be entitled An Act relating to reporting the number of incidents of bullying and cyberbullying in a school district and open-enrollment charter school through the Public Education Information Management System.

HB 2642 was passed to engrossment.

CSHB 2884 ON SECOND READING
(by Miller, Capriglione, Phelan, Howard, Longoria, et al.)

CSHB 2884, A bill to be entitled An Act relating to statewide technology centers and cloud computing services.

Amendment No. 1

Representative Miller offered the following amendment to **CSHB 2884**:

Amend **CSHB 2884** by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. The heading to Subchapter L, Chapter 2054, Government Code, is amended to read as follows:

SUBCHAPTER L. STATEWIDE TECHNOLOGY CENTERS AND CLOUD
COMPUTING SERVICES

SECTION _____. Section 2054.375, Government Code, is amended by amending Subdivision (1) and adding Subdivision (1-a) to read as follows:

(1) "Cloud computing service" has the meaning assigned by Section 2157.007.

(1-a) "Governmental entity" means a state agency or local government.

SECTION _____. Section 2054.378, Government Code, is amended to read as follows:

Sec. 2054.378. AUTHORIZATION FOR CLOUD COMPUTING SERVICES OR SELECTION FOR CENTER SERVICES; SCOPE OF OPERATION OF CENTERS. (a) The department shall allow a state agency at the agency's discretion to:

(1) contract with a cloud computing service provider for services described by Subsection (b); or

(2) use a statewide technology center for the services described by Subsection (b).

(b) The department may operate statewide technology centers to provide two or more governmental entities, on a cost-sharing basis, services relating to:

(1) information resources and information resources technology; and

(2) the deployment, development, and maintenance of software applications.

(c) ~~(b)~~ The department may operate a statewide technology center directly or contract with a cloud computing service provider ~~[another person]~~ to operate the center.

SECTION _____. Section 2054.382(a), Government Code, is amended to read as follows:

(a) The department, or a cloud computing service provider under contract with the department, may ~~[shall]~~ manage the operations of statewide technology centers that provide data center services or disaster recovery services for two or more state agencies, including management of the operations of the center on the campus of Angelo State University.

SECTION _____. Section 2054.384, Government Code, is amended to read as follows:

Sec. 2054.384. COST AND REQUIREMENTS ANALYSIS. (a) Each state agency the department considers for participation under this subchapter ~~[The department]~~ shall conduct a cost and requirements analysis to determine the agency's information resource technology needs and shall consider using a cloud computing service, including any security benefits and cost savings associated with purchasing the service from a cloud computing service provider, or ~~[for each state agency that the department intends to select for participation in]~~ a statewide technology center.

(b) A ~~[selected]~~ state agency shall identify the agency's ~~[its]~~ particular technology requirements, operations costs, and requested service levels for the department. The department may require a state agency to validate or resubmit data related to these factors. ~~[The department shall fulfill the requirements and service levels of each state agency to the extent possible.]~~

SECTION _____. Section 2054.390, Government Code, is amended to read as follows:

Sec. 2054.390. PRIORITIZATION AND USE OF EXISTING CAPACITY REQUIRED ~~[MIGRATION OF SERVICES]~~. If the ~~[(a) The]~~ department adopts a ~~[shall prioritize the migration of services to the statewide technology center system established under this subchapter based on the size of the current technology center operational environment at a state agency, with the largest 25 technology center environments ranking highest in priority.]~~

~~[(c) A state agency shall comply with the department's request to migrate under this section.]~~

~~[(d) Any]~~ consolidation plan to migrate services to a statewide technology center established under this subchapter, the department shall ~~[adopted by the department to execute this section must]~~ prioritize and fully use the existing capacity of the State Data Center located on the campus of Angelo State University.

SECTION _____. Section 2054.392, Government Code, is amended to read as follows:

Sec. 2054.392. STATEWIDE TECHNOLOGY ACCOUNT. The comptroller shall establish in the state treasury the statewide technology account. The account is a revolving fund account for the administration of this subchapter. The account is the depository for all money received from entities

served under this subchapter. Money in the account may be used only for a ~~the operation and management of a statewide technology center or for any other~~ purpose specified by the legislature.

SECTION _____. Subchapter L, Chapter 2054, Government Code, is amended by adding Section 2054.393 to read as follows:

Sec. 2054.393. CLOUD COMPUTING SERVICE POLICY; REPORT. (a) The department shall adopt a policy on state agency use of a cloud computing service that encourages state agencies to only contract with cloud computing service providers with internationally recognized accreditations validated by an independent assessor.

(b) The policy must require a state agency selecting a cloud computing service provider to:

(1) use to the extent possible the Federal Risk and Authorization Management Program (FedRAMP) authorizations and marketplace to maximize efficiency and alignment with national cloud computing standards and guidelines;

(2) examine the connectivity of state agency computing networks with the cloud computing service;

(3) examine the transparency of cloud computing service providers related to cloud computing performance and service;

(4) optimize cloud computing service costs;

(5) examine cloud computing service development practices; and

(6) evaluate cloud computing service security.

(c) The department may review a state agency's request for proposals for a cloud computing service to ensure compliance with the policy adopted under this section.

(d) A state agency may use a department-awarded statewide contract to purchase a cloud computing service.

(e) Not later than the 90th day after the date a state agency contracts with a provider for a cloud computing service, the agency shall submit to the department a report on the security of the cloud computing service and the cloud computing service provider's compliance with the policy adopted under this section.

(f) The department may select an accredited third-party assessment organization to review a cloud computing service provider's available documentation, including a system and organization controls report, to ensure that the provider has sufficient service controls to maintain the integrity, security, and confidentiality of state agency information. The department shall coordinate any review of a cloud computing service provider, including identifying and selecting an appropriate third-party assessment organization familiar with the cloud computing service provider to conduct the review.

SECTION _____. The following provisions of the Government Code are repealed:

(1) Sections 2054.382(c) and (d); and

(2) Section 2054.391.

Amendment No. 1 was adopted.

CSHB 2884, as amended, failed to pass to engrossment.

HB 3657 ON SECOND READING**(by C. Turner)**

HB 3657, A bill to be entitled An Act relating to the establishment of the Texas Competency-Based Education Grant Program for certain students enrolled in competency-based baccalaureate degree programs and to formula funding and dropped and repeated course restrictions for students enrolled in those degree programs at public institutions of higher education.

HB 3657 was passed to engrossment. (Flynn recorded voting no.)

HB 3738 ON SECOND READING**(by Goldman)**

HB 3738, A bill to be entitled An Act relating to creating an Internet website of certain day-care providers and parenting resources.

HB 3738 was passed to engrossment. (Flynn recorded voting no.)

CSHB 2782 ON SECOND READING**(by Wray)**

CSHB 2782, A bill to be entitled An Act relating to decedents' estates, transfer on death deeds, and matters involving probate courts.

Amendment No. 1

Representative Wray offered the following amendment to **CSHB 2782**:

Amend **CSHB 2782** (house committee report) as follows:

(1) On page 3, line 13, strike "any" and substitute "a subsequent grantee of an [any]".

(2) Strike SECTION 42 of the bill (page 29, line 22, through page 30, line 2) and renumber subsequent SECTIONS of the bill as appropriate.

(3) On page 34, line 3, strike "309.056(e), 351.106," and substitute "351.106".

(4) On page 34, line 14, strike ", 403.05851,".

(5) On page 35, between lines 2 and 3, insert the following:

(l) The addition by this Act of Section 309.056(e), Estates Code, is intended to clarify rather than change existing law.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Landgraf offered the following amendment to **CSHB 2782**:

Amend **CSHB 2782** (house committee report) as follows:

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

SECTION _____. Section 351.052(a), Estates Code, is amended to read as follows:

(a) A personal representative of an estate may, without application to or order of the court:

(1) release a lien on payment at maturity of the debt secured by the lien;

- (2) vote stocks by limited or general proxy;
- (3) pay calls and assessments;
- (4) insure the estate against liability in appropriate cases;
- (5) insure estate property against fire, theft, and other hazards; [✖]
- (6) pay taxes, court costs, and bond premiums;
- (7) hire an accountant, bookkeeper, or other tax professional to assist with any tax filing required for the decedent or the estate;
- (8) hire a real estate agent to assist with the marketing and selling of any real property of the estate;
- (9) hire an appraiser to assist with any valuations required for estate property for which the court has not appointed an appraiser to appraise the property;
- (10) pay all reasonable costs necessary to exercise the personal representative's duty of care under Section 351.101; or
- (11) pay all reasonable costs related to the exercise of any power listed in Subdivisions (1)-(9).

(2) Add the following appropriately lettered subsection to SECTION 49 of the bill and reletter subsequent subsections of that SECTION as appropriate:

() The changes in law made by this Act to Section 351.052(a), Estates Code, apply only to the administration of the estate of a decedent who dies on or after the effective date of this Act. The administration of the estate of a decedent who dies before the effective date of this Act is governed by the law in effect on the date of the decedent's death, and the former law is continued in effect for that purpose.

Amendment No. 2 was adopted.

CSHB 2782, as amended, was passed to engrossment.

HB 3750 ON SECOND READING **(by Kuempel and Stickland)**

HB 3750, A bill to be entitled An Act relating to the applicability of certain municipal ordinances in the municipality's extraterritorial jurisdiction.

Amendment No. 1

Representative Kuempel offered the following amendment to **HB 3750**:

Amend **HB 3750** (house committee printing) as follows:

- (1) On page 1, line 8, strike "extend into" and substitute "enforce in".
- (2) On page 1, line 9, between "ordinance" and "that", insert ", regulation, or other measure".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Israel offered the following amendment to **HB 3750**:

Amend **HB 3750** (introduced version) by the following:

- (1) On page 1, line 13, between "contributing zone" and the period, insert:

" , or in the drainage basin of a river designated by the Texas Commission on Environmental Quality as having exceptional aquatic life use in the Texas Surface Water Quality Standards"

Amendment No. 2 was adopted.

HB 3750, as amended, was passed to engrossment.

CSHB 4441 ON SECOND READING

(by Neave)

CSHB 4441, A bill to be entitled An Act relating to requests for certain information by the Texas Judicial Council regarding reductions of state jail felony punishment to misdemeanor punishment.

CSHB 4441 was passed to engrossment.

HB 3755 ON SECOND READING

(by Shaheen)

HB 3755, A bill to be entitled An Act relating to a study on the improvement of driver's license issuance in this state.

HB 3755 was passed to engrossment.

CSHB 3810 ON SECOND READING

(by Paul)

CSHB 3810, A bill to be entitled An Act relating to the residential building codes of municipalities.

CSHB 3810 was passed to engrossment.

HB 2250 ON SECOND READING

(by Lucio)

HB 2250, A bill to be entitled An Act relating to the prescribing and ordering of Schedule II controlled substances by certain advanced practice registered nurses and physician assistants.

HB 2250 was passed to engrossment.

CSHB 2154 ON SECOND READING

(by Landgraf, Craddick, Nevárez, Paddie, T. King, et al.)

CSHB 2154, A bill to be entitled An Act relating to a commission to study the needs of areas of the state significantly affected by oil and gas production.

Amendment No. 1

Representative Landgraf offered the following amendment to **CSHB 2154**:

Amend **CSHB 2154** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. (a) In this section, "task force" means the generate recurring oil wealth for Texas (GROW Texas) task force established under this section.

(b) The generate recurring oil wealth for Texas (GROW Texas) task force is established to:

(1) serve as the state's primary point of contact for local governments representing areas of this state experiencing high growth associated with the rapid expansion of energy production;

(2) coordinate with those local governments to identify for implementation programs to address the increased demand for education, housing, health care, and workforce training resulting from increased energy production, as permitted by the laws of this state; and

(3) assist those local governments in leveraging federal programs to address the increased demands described by Subdivision (2) of this subsection.

(c) The task force is composed of 13 members appointed by the chief executive officer of the following state agencies and university systems:

(1) the Texas Department of Transportation;

(2) the Texas Workforce Commission;

(3) the Texas Commission on Environmental Quality;

(4) the Public Utility Commission of Texas;

(5) the Texas Department of Housing and Community Affairs;

(6) the Texas Department of Public Safety;

(7) the Department of State Health Services;

(8) the Health and Human Services Commission;

(9) The University of Texas System;

(10) The Texas A&M University System;

(11) the Texas Tech University System;

(12) the Texas State University System; and

(13) the Texas Education Agency.

(d) The governor shall designate a member of the task force as the presiding officer of the task force.

(e) Each state agency and university system the chief executive officer of which is required to appoint a member to the task force shall provide administrative support for the task force. The administrative and operational expenses of the task force shall be divided equally among those agencies and systems and paid from existing appropriations.

(f) The task force may consult with relevant experts and stakeholders as the task force determines is appropriate, including the representatives of state professional associations and organizations.

(g) The task force is subject to Chapter 552, Government Code, but is not subject to Chapter 551 of that code.

(h) The task force is abolished and this section expires January 1, 2023.

SECTION 2. (a) Not later than the 30th day after the effective date of this Act:

(1) the speaker of the house of representatives shall appoint seven state representatives to a House Select Transportation Committee to Generate Recurring Oil Wealth for Texas (GROW Texas) and designate one member as the presiding officer; and

(2) the lieutenant governor shall appoint five senators to a Senate Select Transportation Committee to Generate Recurring Oil Wealth for Texas (GROW Texas) and designate one member as the presiding officer.

(b) In making appointments under Subsection (a) of this section to the respective select committees, the speaker of the house of representatives and the lieutenant governor shall ensure that the members appointed to a select committee:

(1) reflect, to the extent possible, the ethnic and geographic diversity of this state; and

(2) represent areas of the state:

(A) in which there is significant road degradation due to the production of oil and natural gas;

(B) with the highest rates of production of oil and natural gas; and

(C) that are engaged in the refining and export of oil and gas.

(c) The committees established under this section may meet separately at the call of the presiding officer of the committee or jointly at the call of both presiding officers. In joint meetings, the presiding officers shall act as joint presiding officers.

(d) The committees established under this section, meeting separately or jointly, shall:

(1) study and make recommendations regarding:

(A) specific issues that affect areas of the state from which oil and natural gas are produced, including:

(i) infrastructure degradation caused by oil and natural gas production activities;

(ii) the need for increased commercial motor vehicle standards enforcement; and

(iii) the need for increased workforce education and training to facilitate the efficient completion of transportation projects;

(B) specific issues that affect areas of the state engaged in the refining and export of oil and gas, including:

(i) facilitating the efficient export of oil and gas at Texas ports; and

(ii) the need for additional infrastructure to facilitate future oil and gas exports; and

(C) whether railroads are being effectively used to reduce increased commercial vehicle traffic attributable to oil and natural gas production activities; and

(2) identify county roads that are essential to the efficient transport of oil and gas and recommend whether the identified roads should be temporarily or permanently transferred to the state farm-to-market road system.

(e) In making the recommendations required under Subsection (d)(2) of this section with respect to a county road, the committees established under this section shall consider:

(1) the amount of daily commercial vehicle traffic on the county road due to the production of oil and natural gas;

(2) the severity of the degradation to the county road;

(3) the proximity of the county road to major state and United States highways;

(4) whether it is in the best interest of the state to temporarily designate the road as part of the farm-to-market road system for purposes of reconstruction but allow counties to be responsible for ongoing maintenance; and

(5) whether the county road is so essential to the production of oil and natural gas that the road should be permanently designated as part of the farm-to-market road system.

(f) Not later than December 1, 2020, the committees established under this section shall prepare and deliver a written report on the committees' findings and recommendations, including proposed legislation regarding necessary statutory changes and appropriations of state money, to the governor and the legislature.

(g) A committee established under this section may exercise any power of a committee of the committee members' legislative chamber and any power of a joint committee. For the purposes of this section, the committees established under this section are considered a joint committee and the cost of operation of each committee may be borne in the same manner as the cost of a joint committee. The Texas Legislative Council shall provide funding for the operations of the committees. To the extent not inconsistent with this section, the joint rules adopted by the 86th Legislature for the administration of joint interim legislative study committees apply to the committees established under this section.

(h) This section expires January 11, 2021.

SECTION 3. Section 316.093(e), Government Code, is repealed.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

Amendment No. 1 was adopted.

CSHB 2154, as amended, was passed to engrossment.

HB 2835 ON SECOND READING

(by Canales)

HB 2835, A bill to be entitled An Act relating to a defense to prosecution for the criminal offense of operating a vehicle with an expired license plate.

HB 2835 was passed to engrossment.

CSHB 1791 ON SECOND READING

(by Krause, Lang, et al.)

CSHB 1791, A bill to be entitled An Act relating to the carrying of handguns by license holders on property owned or leased by a governmental entity.

CSHB 1791 was passed to engrossment. (Collier recorded voting no.)

CSHB 3863 ON SECOND READING
(by Wilson)

CSHB 3863, A bill to be entitled An Act relating to granting limited state law enforcement authority to special agents of the Office of Inspector General of the United States Department of Agriculture.

Amendment No. 1

Representative Y. Davis offered the following amendment to **CSHB 3863**:

Amend **CSHB 3863** (house committee report) as follows:

(1) On page 1, line 6, strike "Article 2.122(a), Code of Criminal Procedure, is" and substitute "Articles 2.122(a) and (b), Code of Criminal Procedure, are".

(2) On page 2, between lines 17 and 18, insert the following:

(b) An officer or agent [A person] designated by the Secretary of Homeland Security [as a special policeman by the Federal Protective Services division of the General Services Administration] under 40 U.S.C. Section 1315 for duty in connection with the protection of property owned or occupied by the federal government and persons on the property [318 or 318d] is not a peace officer but has the powers of arrest and search and seizure as to any offense under the laws of this state.

Amendment No. 1 was adopted.

CSHB 3863, as amended, was passed to engrossment.

CSHB 3390 ON SECOND READING
(by Sanford, Noble, and Wray)

CSHB 3390, A bill to be entitled An Act relating to identifying relative and other designated caregivers for children in the conservatorship of the Department of Family and Protective Services.

Amendment No. 1

Representative Klick offered the following amendment to **CSHB 3390**:

Amend **CSHB 3390** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 261.3017, Family Code, as added by Chapter 502 (**HB 2848**), Acts of the 85th Legislature, Regular Session, 2017, is amended by amending Subsections (b) and (c) and adding Subsections (b-1), (c-1), (c-2), and (e) to read as follows:

(b) Any agreement between the department and the network or between the Department of State Health Services and the system to provide assistance in connection with abuse and neglect investigations conducted by the department must require the network and the system to have the ability to obtain consultations with physicians licensed to practice medicine in this state and board certified in the relevant field or specialty, including radiologists, geneticists, orthopedists, and endocrinologists, to diagnose and treat certain [who specialize in identifying] unique health conditions, including:

(1) rickets;
(2) Ehlers-Danlos Syndrome;
(3) osteogenesis imperfecta;
(4) vitamin D deficiency; and
(5) other medical conditions that mimic child maltreatment or increase the risk of misdiagnosis of child maltreatment [~~similar metabolic bone diseases or connective tissue disorders~~].

(b-1) The department may only refer a case the department is required to refer for a specialty consultation under Subsection (c) to a physician who:

(1) is licensed to practice medicine in this state under Subtitle B, Title 3, Occupations Code;

(2) is board certified in a field or specialty relevant to diagnosing and treating the conditions described by Subsection (b); and

(3) was not involved with the report of suspected abuse or neglect.

(c) During [~~if, during~~] an abuse or neglect investigation authorized by this subchapter or an assessment provided under Subsection (b), the department [~~or a physician in the network determines that a child requires a specialty consultation with a physician, the department or the physician~~] shall refer the child's case [~~to the system~~] for a specialty [~~the~~] consultation[~~;~~] if:

(1) the department determines the child requires a specialty consultation with a physician;

(2) the child's primary care physician or other primary health care provider who provided health care or treatment or otherwise evaluated the child recommends a specialty consultation; or

(3) the child's parent or legal guardian or, if represented by an attorney, the attorney of the parent or legal guardian requests a specialty consultation [~~the system has available capacity to take the child's case~~].

(c-1) Before referring a child's case under Subsection (c), the department shall provide to the child's parent or legal guardian or, if represented by an attorney, the attorney of the parent or legal guardian written notice of the name, contact information, and credentials of the specialist. The parent, legal guardian, or attorney, as applicable, may object to the proposed referral and request referral to another specialist.

(c-2) If a parent or legal guardian or, if represented by an attorney, the attorney of the parent or legal guardian objects to the proposed referral under Subsection (c-1), the department may object to the specialist proposed by the parent, legal guardian, or attorney, as applicable, and propose two alternative specialists. The department and the parent, legal guardian, or attorney, as applicable, shall collaborate in good faith to select an acceptable specialist from the proposed specialists.

(e) This section may not be construed to prohibit a child's parent or legal guardian or, if represented by an attorney, the attorney of the parent or legal guardian from otherwise obtaining an alternative opinion at the parent's, legal guardian's, or attorney's, as applicable, own initiative and expense.

SECTION _____. Subchapter D, Chapter 261, Family Code, is amended by adding Section 261.30175 to read as follows:

Sec. 261.30175. MITIGATION OF PROVIDER CONFLICTS IN ABUSE OR NEGLECT INVESTIGATION CONSULTATIONS. (a) In this section:

(1) "Forensic assessment" means a medical examination, psychosocial evaluation, medical case review, specialty evaluation, or other forensic evaluation service conducted by a physician in connection with any investigation of a suspected case of abuse or neglect for the primary purpose of providing the department, law enforcement, or the court with expert advice, recommendations, or testimony on the case.

(2) "Health care practitioner" means an individual licensed, certified, or otherwise authorized to administer health care services in the ordinary course of business or professional practice. The term includes a physician, medical student, resident physician, child abuse fellow, advanced practice registered nurse, nurse, and physician assistant.

(3) "Network" has the meaning assigned by Section 261.3017, as added by Chapter 502 (HB 2848), Acts of the 85th Legislature, Regular Session, 2017.

(4) "System" has the meaning assigned by Section 261.3017, as added by Chapter 502 (HB 2848), Acts of the 85th Legislature, Regular Session, 2017.

(b) A health care practitioner who reports suspected abuse or neglect of a child may not provide forensic assessment services in connection with an investigation resulting from the report. This subsection applies regardless of whether the practitioner is a member of the network or system.

(c) When referring a case for forensic assessment, the department shall refer the case to a physician authorized to practice medicine in this state under Subtitle B, Title 3, Occupations Code, who was not involved with the report of suspected abuse or neglect.

(d) This section may not be construed to:

(1) prohibit the department from interviewing the health care practitioner in the practitioner's capacity as a principal or collateral source; or

(2) otherwise restrict the department's ability to conduct an investigation as provided by this subchapter.

Amendment No. 1 was adopted.

CSHB 3390, as amended, was passed to engrossment.

HB 4258 ON SECOND READING
(by Murphy and Gervin-Hawkins)

HB 4258, A bill to be entitled An Act relating to approval by the attorney general of certain bonds financing an educational facility for certain charter schools.

HB 4258 was passed to engrossment.

HB 4566 ON SECOND READING
(by Allen)

HB 4566, A bill to be entitled An Act relating to the award of diligent participation credit to defendants confined in a state jail felony facility.

HB 4566 was passed to engrossment. (Flynn and Hunter recorded voting no.)

POSTPONED BUSINESS

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

**CSHB 1381 ON SECOND READING
(by Wray)**

CSHB 1381, A bill to be entitled An Act relating to enhancing the criminal penalty for aggravated assault committed in or on school property or on a passenger transportation vehicle of a primary or secondary school.

CSHB 1381 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representatives Wray, Moody, Talarico, Ramos, and Bernal offered the following amendment to **CSHB 1381**:

Amend **CSHB 1381** (house committee report) as follows:

On page 2, strike lines 5-14 and substitute the following:

(3) for an offense committed under Subsection (a)(1), the offense is committed:

(A) in or on any property, including a parking lot, parking garage, or other parking area, that is owned or leased by a public or private primary or secondary school; or

(B) on a passenger transportation vehicle that is owned or operated by a public or private primary or secondary school or owned or operated by another entity under contract with a public or private primary or secondary school and is being used to transport persons to or from the school or school-sponsored activities; or

(4) [2] the actor is in a motor vehicle, as defined by

Amendment No. 1 was adopted.

CSHB 1381, as amended, was passed to engrossment.

**GENERAL STATE CALENDAR
(consideration continued)****HB 744 ON SECOND READING
(by Rose, Walle, Farrar, Reynolds, and Neave)**

HB 744, A bill to be entitled An Act relating to the Medicaid eligibility of certain women after a pregnancy.

HB 744 was passed to engrossment. (Flynn and Hunter recorded voting no.)

**HB 2863 ON SECOND READING
(by Landgraf)**

HB 2863, A bill to be entitled An Act relating to the applicability of competitive bidding requirements to expenditures for certain municipal utility facility relocations.

HB 2863 was passed to engrossment.

CSHB 2463 ON SECOND READING
(by T. King)

CSHB 2463, A bill to be entitled An Act relating to the deposit and allocation of certain funds to the horse industry escrow account.

Amendment No. 1

Representative Geren offered the following amendment to **CSHB 2463**:

Amend **CSHB 2463** (house committee report) as follows:

(1) On page 3, line 8, strike "lesser" and insert "greater".

(2) On page 3, line 12, strike "lesser" and insert "greater".

(3) On page 3, between lines 17 and 18, insert the following new subsection:

"(c) The balance of the escrow account established under Section 2028.204(b) shall not exceed \$50 million."

Amendment No. 1 was adopted.

Amendment No. 2

Representative Middleton offered the following amendment to **CSHB 2463**:

Amend **CSHB 2463** (house committee printing) on page 2, line 25, by striking "70 percent" and substituting "0.1 percent".

Amendment No. 2 failed of adoption.

CSHB 2463, as amended, was passed to engrossment.

HB 1938 ON SECOND READING
(by Deshotel)

HB 1938, A bill to be entitled An Act relating to the expiration date of a commercial driver's license; increasing a fee.

HB 1938 was passed to engrossment.

CSHB 1681 ON SECOND READING
(by Ashby)

CSHB 1681, A bill to be entitled An Act relating to peer assistance programs for employees of local law enforcement agencies.

CSHB 1681 was passed to engrossment.

CSHB 2143 ON SECOND READING
(by J. Turner, Wray, Darby, et al.)

CSHB 2143, A bill to be entitled An Act relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.

Amendment No. 1

Representatives Landgraf and J. Turner offered the following amendment to **CSHB 2143**:

Amend **CSHB 2143** (house committee report) as follows:

(1) On page 1, strike lines 5-6 and substitute the following:

SECTION 1. Section 504.019, Labor Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(2) On page 1, between lines 15 and 16, insert the following:

(c) For purposes of this subtitle, the date of injury for post-traumatic stress disorder suffered by a first responder is the date on which the first responder first knew or should have known that the disorder may be related to the first responder's employment.

Amendment No. 1 was adopted.

CSHB 2143, as amended, was passed to engrossment.

CSHB 1607 ON SECOND READING

(by Goldman, Geren, Price, C. Turner, Miller, et al.)

CSHB 1607, A bill to be entitled An Act relating to a deduction under the franchise tax for certain contracts with the federal government.

CSHB 1607 was passed to engrossment.

CSHB 1771 ON SECOND READING

(by Thierry, Dutton, S. Thompson, Shaheen, and Miller)

CSHB 1771, A bill to be entitled An Act relating to a prohibition on prosecuting or referring to juvenile court certain persons for certain conduct constituting the offense of prostitution and to the provision of services to those persons.

CSHB 1771 was passed to engrossment. (Flynn and Hunter recorded voting no.)

CSHB 1493 ON SECOND READING

(by Krause)

CSHB 1493, A bill to be entitled An Act relating to weight limitations for over-the-road buses.

CSHB 1493 was passed to engrossment.

HB 2831 ON SECOND READING

(by Canales)

HB 2831, A bill to be entitled An Act relating to the service of notice of a special commissioners' hearing in an eminent domain proceeding.

HB 2831 was passed to engrossment.

CSHB 2609 ON SECOND READING

(by K. King, M. González, and Bernal)

CSHB 2609, A bill to be entitled An Act relating to permissible teachers assigned to a bilingual education program and the permissible uses of the bilingual education allotment provided under the foundation school program.

CSHB 2609 was passed to engrossment.

CSHB 2784 ON SECOND READING
(by Phelan, Romero, Blanco, and Burrows)

CSHB 2784, A bill to be entitled An Act relating to the creation of the Texas Industrial Workforce Apprenticeship Grant Program.

CSHB 2784 was passed to engrossment.

HB 464 ON SECOND READING
(by Moody and Guillen)

HB 464, A bill to be entitled An Act relating to an application for a writ of habeas corpus based on certain relevant scientific evidence that was not available at the applicant's trial.

Amendment No. 1

Representative J. González offered the following amendment to **HB 464**:

Amend **HB 464** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 11.074, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) If at any time the state represents to the convicting court that an eligible indigent defendant under Article 1.051 has under a writ of habeas corpus a potentially meritorious claim for relief from a judgment described by Subsection (a) [who was sentenced or had a sentence suspended is not guilty, is guilty of only a lesser offense, or was convicted or sentenced under a law that has been found unconstitutional by the court of criminal appeals or the United States Supreme Court], the court shall appoint an attorney to investigate the claim and represent the indigent defendant for purposes of filing an application for a writ of habeas corpus, if an application has not been filed, or to otherwise represent the indigent defendant in a proceeding based on the application for the writ.

(b-1) For purposes of Subsection (b), a potentially meritorious claim is any claim the court determines is likely to provide relief, including a claim that the defendant:

- (1) is or may be actually innocent of the offense;
- (2) is or may be guilty of only a lesser offense;
- (3) was or may have been convicted or sentenced under a law that has been found unconstitutional by the court of criminal appeals or the United States Supreme Court; or
- (4) was or may have been convicted or sentenced in violation of the constitution of this state or the United States.

SECTION _____. The change in law made by this Act to Article 11.074, Code of Criminal Procedure, relating to an application filed for a writ of habeas corpus applies regardless of whether the offense for which the applicant is in custody was committed before, on, or after the effective date of this Act.

Amendment No. 1 was adopted.

HB 464, as amended, was passed to engrossment.

CSHB 1752 ON SECOND READING
(by Clardy)

CSHB 1752, A bill to be entitled An Act relating to the construction manager-at-risk method of contracting for governmental construction projects.

CSHB 1752 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **CSHB 1752** under Rule 4, Section 32(b)(10), of the House Rules on the grounds that the witness list is incorrect.

The point of order was withdrawn.

Representative Clardy moved to postpone consideration of **CSHB 1752** until 11:58 p.m. today.

The motion prevailed.

CSHB 496 ON SECOND READING
(by Gervin-Hawkins, Bernal, and Allison)

CSHB 496, A bill to be entitled An Act relating to the placement of bleeding control stations in public schools and to required training of public school personnel and students.

Amendment No. 1

Representative Gervin-Hawkins offered the following amendment to **CSHB 496**:

Amend **CSHB 496** (house committee report) as follows:

(1) On page 2, between lines 23 and 24, insert the following:

(b-1) A district's school safety and security committee or the charter school's governing body may select, as easily accessible areas of the campus at which bleeding control stations may be stored, areas of the campus where automated external defibrillators are stored.

(2) On page 3, strike lines 10 through 23 and substitute the following:

(d-1) A bleeding control station required under this section must contain a first aid bleeding control kit that includes each of the items required under Subsection (e), in appropriate quantities as provided by that subsection, based on one of three options selected by the district or school. A district or school may select:

(1) as option one, that each bleeding control station located at the district or school include a first aid bleeding control kit containing the appropriate quantity of required supplies to treat eight injured persons;

(2) as option two, that each bleeding control station of the district or school include a first aid bleeding control kit containing the appropriate quantity of required supplies to treat five injured persons; or

(3) as option three, that each bleeding control station of the district or school include a first aid bleeding control kit containing all required supplies in quantities determined appropriate by the superintendent of the district or the director of the school.

(e) A first aid bleeding control kit must include the following supplies, in quantities applicable to the option selected under Subsection (e), as follows:

(1) tourniquets that include a locking mechanism:

(A) eight, if option one is selected;

(B) five, if option two is selected; or

(C) the quantity determined appropriate by the superintendent or director, if option three is selected;

(2) chest seals:

(A) eight, if option one is selected;

(B) five, if option two is selected; or

(C) the quantity determined appropriate by the superintendent or director, if option three is selected;

(3) patient care cards:

(A) eight, if option one is selected;

(B) five, if option two is selected; or

(C) the quantity determined appropriate by the superintendent or director, if option three is selected;

(4) pairs of latex-free gloves:

(A) five, if option one or option two is selected; or

(B) the quantity determined appropriate by the superintendent or director, if option three is selected;

(5) space emergency blankets:

(A) five, if option one or option two is selected; or

(B) the quantity determined appropriate by the superintendent or director, if option three is selected;

(6) hemostatic-impregnated gauze dressings:

(A) two, if option one or option two is selected; or

(B) the quantity determined appropriate by the superintendent or director, if option three is selected;

(7) permanent markers:

(A) two, if option one or option two is selected; or

(B) the quantity determined appropriate by the superintendent or director, if option three is selected;

(8) pairs of trauma shears:

(A) two, if option one or option two is selected; or

(B) the quantity determined appropriate by the superintendent or director, if option three is selected;

(9) compression bandages:

(A) two, if option one or option two is selected; or

(B) the quantity determined appropriate by the superintendent or director, if option three is selected;

(10) one hard-shell case, regardless of the option selected; and

(11) one emergency alerting device, regardless of the option selected.

(3) On page 5, line 1, between "person" and the underlined period, insert "including instruction on proper chest seal placement".

Amendment No. 1 was adopted.

A record vote was requested by Representative Stickland.

CSHB 496, as amended, was passed to engrossment by (Record 1251): 98 Yeas, 43 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Blanco; Bohac; Bonnen; Bowers; Buckley; Bucy; Burns; Button; Calanni; Canales; Clardy; Cole; Coleman; Collier; Cortez; Cyrier; Darby; Davis, S.; Davis, Y.; Deshotel; Dominguez; Dutton; Farrar; Fierro; Frullo; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Israel; Johnson, J.E.; Kacal; King, K.; Kuempel; Lambert; Leach; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Paddie; Perez; Phelan; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sheffield; Sherman; Shine; Smith; Stephenson; Stucky; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wilson; Wray; Wu; Zerwas; Zwiener.

Nays — Anderson; Biedermann; Burrows; Cain; Capriglione; Craddick; Dean; Flynn; Frank; Geren; Harless; Harris; Hefner; Holland; Huberty; Hunter; King, P.; Krause; Landgraf; Lang; Larson; Leman; Lozano; Middleton; Miller; Morrison; Murr; Noble; Parker; Patterson; Paul; Price; Raney; Schaefer; Smithee; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; Toth; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Howard; Johnson, J.D.; King, T.; Sanford; Shaheen.

Absent — Johnson, E.; Klick; Pacheco.

STATEMENTS OF VOTE

When Record No. 1251 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 1251 was taken, I was shown voting no. I intended to vote yes.

Holland

When Record No. 1251 was taken, I was shown voting no. I intended to vote yes.

Huberty

HB 324 ON SECOND READING (by Murr)

HB 324, A bill to be entitled An Act relating to the prosecution of the criminal offense of improper relationship between educator and student.

HB 324 was passed to engrossment.

CSHB 873 ON SECOND READING**(by Allen)**

CSHB 873, A bill to be entitled An Act relating to behavior improvement plans and behavioral intervention plans for certain public school students and notification and documentation requirements regarding certain behavior management techniques.

CSHB 873 was passed to engrossment.

CSHB 431 ON SECOND READING**(by Shaheen)**

CSHB 431, A bill to be entitled An Act relating to ineligibility to serve as a poll watcher.

Representative Klick moved to postpone consideration of **CSHB 431** until 12:01 a.m. tomorrow.

The motion was withdrawn.

CSHB 431 - POINT OF ORDER

Representative Hefner raised a point of order against further consideration of **CSHB 431** under Rule 8, Section 13(b), of the House Rules on the grounds that the deadline for consideration of house bills on second reading had passed.

The chair sustained the point of order, which precluded further consideration of the bill.

**SB 2 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Burrows, the house granted the request of the senate for the appointment of a Conference Committee on **SB 2**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 2**: Burrows, chair; Canales, Guillen, Murphy, and Noble.

PROVIDING FOR RECESS

At 12:04 a.m., Representative Leach moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house recess until 10 a.m. today.

The motion prevailed.

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

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

(Geren in the chair)

RECESS

In accordance with a previous motion, the house, at 12:09 a.m., recessed until 10 a.m. today, Friday, May 10.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

SB 691 to Homeland Security and Public Safety.

SB 815 to Criminal Jurisprudence.

SB 968 to Public Education.

SB 1182 to Pensions, Investments, and Financial Services.

SB 1217 to Corrections.

SB 1404 to Public Health.

SB 1719 to Ways and Means.

SB 1728 to House Administration.

SB 1732 to County Affairs.

SB 1758 to Higher Education.

SB 2093 to Criminal Jurisprudence.

SB 2101 to Ways and Means.

SB 2243 to Public Health.

SB 2254 to Judiciary and Civil Jurisprudence.

SB 2285 to Public Education.

SB 2551 to State Affairs.

SB 2552 to Natural Resources.

SB 2553 to County Affairs.

SJR 67 to Ways and Means.

SJR 79 to Natural Resources.

SCR 62 to Resolutions Calendars.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 25

HB 125, HB 145, HB 852, HB 3348

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, May 9, 2019

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:**HB 1142**

Lambert

SPONSOR: Buckingham

Relating to the creation and operations of health care provider participation programs in certain counties.

(Amended)

HCR 47

Bailes

SPONSOR: Kolkhorst

Paying tribute to the history of the Texas Prison Rodeo.

SB 694

Campbell

Relating to the regulation of aggregate production operations by the Texas Commission on Environmental Quality; increasing a fee; increasing administrative penalties.

SB 1428

Hancock

Relating to the authority of a property owner to bring suit to compel an appraisal district, chief appraiser, or appraisal review board to comply with a procedural requirement applicable to an ad valorem tax protest.

SB 1463

Hughes

Relating to the availability of financial information of nonprofit corporations for public inspection.

SB 2558

Zaffirini

Relating to the creation of the Lone Oak Farm Municipal Utility District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 9, 2019 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 303 Paul SPONSOR: Taylor
Relating to entities eligible to authorize the creation of spaceport development corporations and to the powers of those corporations.
(Committee Substitute)

HB 380 Geren SPONSOR: Hancock
Relating to the authority of a district court to hear and determine certain ad valorem tax appeals.

HB 1476 Anderson, Charles "Doc" SPONSOR: Birdwell
Relating to the regulation of game rooms in certain counties.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 8

County Affairs - **HB 815, HB 1473, HB 2527, HB 3690, HB 3727, HB 4022, SB 239, SB 1236, SB 1480, SB 1950, SB 2505**

Criminal Jurisprudence - **SB 803, SB 1801, SB 1802**

Culture, Recreation, and Tourism - **SB 810, SB 1511, SB 1693**

Defense and Veterans' Affairs - **SB 822**

Elections - **HB 2552, HB 3724, HB 4128**

Higher Education - **SB 2231**

Human Services - **SB 781, SB 821, SB 1780**

Insurance - **SB 1739**

International Relations and Economic Development - **SB 2038**

Judiciary and Civil Jurisprudence - **SB 891, SB 1293, SB 1500, SB 1755, SB 2342**

Juvenile Justice and Family Issues - **HB 926, HB 4665**

Land and Resource Management - **SB 871, SB 2504**

Public Education - **SB 54, SB 372, SB 435, SB 522, SB 1230, SB 1451, SB 1557, SB 1746, SB 2075, SB 2135, SB 2293, SB 2432**

Public Health - **HB 1014**

Transportation - **HB 3446**

ENGROSSED

May 8 - HB 37, HB 292, HB 634, HB 739, HB 831, HB 897, HB 993, HB 1116, HB 1215, HB 1342, HB 1387, HB 1401, HB 1469, HB 1495, HB 1631, HB 1850, HB 1888, HB 1914, HB 1930, HB 1941, HB 2165, HB 2177, HB 2184, HB 2210, HB 2248, HB 2362, HB 2478, HB 2497, HB 2503, HB 2715, HB 2754, HB 2802, HB 2813, HB 2872, HB 2898, HB 3069, HB 3091, HB 3345, HB 3496, HB 3614, HB 3672, HB 3683, HB 3703, HB 3759, HB 3855, HB 3991, HB 4132, HB 4183, HB 4242, HB 4280, HB 4289, HB 4298, HB 4345, HB 4531

ENROLLED

May 8 - HB 125, HB 145, HB 852, HB 3348

RECOMMENDATIONS FILED WITH THE SPEAKER

May 8 - HB 4709, HB 4710, HB 4711, HB 4713, HB 4714, HB 4718, HB 4719, HB 4720, HB 4721, HB 4722, HB 4723, HB 4724, HB 4725, HB 4726