

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-SEVENTH DAY

(Thursday, April 11, 2019)

The Senate met at 6:48 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Absent-excused: Kolkhorst.

The President announced that a quorum of the Senate was present.

Senator Paxton offered the invocation as follows:

Our Father and creator, maker of heaven and Earth, we thank You for the privilege of serving together today. Lord, I pray that You would give each of us wisdom, that You would give us courage, and that You would give us strength, make the right endure. And it is in the name of Your son, Jesus, who has saved us, who keeps us saved, who is coming again, that I pray. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Kolkhorst was granted leave of absence for today on account of important business.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

CONCLUSION OF MORNING CALL

The President at 6:50 p.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 926 ON THIRD READING**

Senator Hall moved to suspend the regular order of business to take up for consideration **CSSB 926** at this time on its third reading and final passage:

CSSB 926, Relating to the operation of a public school transportation system.

The motion prevailed by the following vote: Yeas 19, Nays 11.

Yeas: Alvarado, Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Paxton, Perry, Powell, Schwertner, Taylor, Watson.

Nays: Hinojosa, Johnson, Lucio, Menéndez, Miles, Nichols, Rodríguez, Seliger, West, Whitmire, Zaffirini.

Absent-excused: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 11. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1189 ON THIRD READING**

Senator Buckingham moved to suspend the regular order of business to take up for consideration **CSSB 1189** at this time on its third reading and final passage:

CSSB 1189, Relating to certain deceptive advertising of legal services.

The motion prevailed by the following vote: Yeas 20, Nays 10.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor, Zaffirini.

Nays: Alvarado, Hinojosa, Johnson, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire.

Absent-excused: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 10. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 2485 ON THIRD READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 2485** at this time on its third reading and final passage:

CSSB 2485, Relating to a prohibition against certain local regulation of certain employment benefits provided by private employers.

The motion prevailed by the following vote: Yeas 18, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Absent-excused: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 12. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 2487 ON THIRD READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 2487** at this time on its third reading and final passage:

CSSB 2487, Relating to a prohibition against certain local regulation of employment leave provided by private employers.

The motion prevailed by the following vote: Yeas 18, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Absent-excused: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 12. (Same as previous roll call)

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Thursday, April 11, 2019 - 3

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 5 Phelan
Relating to debris management and other disaster recovery efforts.

HB 6 Morrison
Relating to developing a disaster recovery task force to assist with long-term disaster recovery.

HB 13 Phelan
Relating to flood planning, mitigation, and infrastructure projects; making an appropriation.

HB 26

Metcalf

Relating to the notification of affected persons of certain releases of water from certain dams.

HB 48

González, Mary

Relating to a database of employers penalized for failure to pay wages or convicted of certain offenses involving wage theft.

HB 302

Paul

Relating to the carrying, storage, or possession of a firearm or firearm ammunition by certain persons on certain residential or commercial property.

HB 507

White

Relating to a task force to coordinate and make recommendations on parent engagement and education programs provided by state agencies.

HB 793

King, Phil

Relating to certain government contracts with companies that boycott Israel.

HB 799

Landgraf

Relating to liability for certain damage caused by vehicles exceeding maximum height limitations; creating a criminal offense.

HB 917

Craddick

Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities and counties.

HB 996

Collier

Relating to the collection of consumer debt by debt buyers.

HB 1028

Guillen

Relating to increasing the criminal penalties for certain offenses committed in a disaster area or an evacuated area.

HB 1053

Guillen

Relating to the disposition of real property interests by the Willacy County Navigation District.

HB 1159

Price

Relating to the acknowledgment of a written instrument on behalf of a limited liability company or partnership.

HB 1256

Phelan

Relating to access by certain persons to a first responder's immunization history.

HB 1525

Burrows

Relating to the administration and collection of sales and use taxes applicable to sales involving marketplace providers.

HB 1820

Bailes

Relating to the creation of the Liberty County Drainage District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes; granting a limited power of eminent domain.

- HB 1964** Ashby
Relating to the procedure for action on certain applications for an amendment to a water right.
- HB 1965** Thompson, Senfronia
Relating to the sales and use tax exemption for certain amusement services.
- HB 2016** Guillen
Relating to the sale of certain wine by the holder of a wine and beer retailer's permit or mixed beverage permit.
- HB 2153** Burrows
Relating to a single local use tax rate as an alternative to combined local use tax rates for computing the amount of local use taxes remote sellers are required to collect and to the allocation of tax revenue collected at that rate.
- HB 2305** Morrison
Relating to a work group on enhancing the training and credentialing of emergency management personnel.
- HB 2310** Vo
Relating to the information necessary to appropriately title certain flood damaged vehicles that have been repaired with federal financial assistance.
- HB 2315** Thompson, Ed
Relating to evidence of ownership of temporary housing provided by a government agency in response to a natural disaster or other declared emergency.
- HB 2320** Paul
Relating to services provided during and following a disaster.
- HB 2325** Metcalf
Relating to providing information and communication regarding and during a disaster.
- HB 2330** Walle
Relating to a study of an intake system and state case management system for state and federal disaster assistance.
- HB 2335** Walle
Relating to the disaster supplemental nutrition assistance program.
- HB 2340** Dominguez
Relating to emergency and disaster management, response, and recovery.
- HB 2345** Walle
Relating to resources to facilitate disaster mitigation, response, and recovery.
- HB 2594** Holland
Relating to disposal of controlled substance prescription drugs by hospice service providers.
- HB 2952** Guillen
Relating to the establishment of an emergency radio infrastructure grant program.
- HB 3022** Miller
Relating to emergency warning systems operated by municipalities and counties.

HB 3162 Flynn
Relating to prepaid funeral benefits.

HB 3348 Guillen
Relating to the eligibility of land on which the Texas Animal Health Commission has established a temporary quarantine for ticks for appraisal for ad valorem tax purposes as agricultural or open-space land.

HJR 11 González, Mary
Proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board to provide financial assistance for the development of certain projects in economically distressed areas.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)

On motion of Senator Creighton and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Higher Education and the Committee on Texas Ports permission to meet while the Senate was meeting today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Creighton and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Higher Education and the Committee on Texas Ports might meet today.

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)

On motion of Senator Taylor and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Education permission to meet while the Senate was meeting today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Taylor and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet today.

RECESS

On motion of Senator Whitmire, the Senate at 7:04 p.m. recessed, in memory of Johnny "Lam" Jones, until 2:00 p.m. Monday, April 15, 2019.