

# SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**TWENTY-FIFTH DAY**  
(Thursday, March 19, 2015)

The Senate met at 10:05 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

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

Pastor Lisa Blaylock, University United Methodist Church, Austin, offered the invocation as follows:

God of life, You have created us all, You have surrounded us with an abundance of Your grace, and You have called us according to Your purpose. Guide our steps as we seek to live out Your calling. I pray this day for the Texas Senate and the work they will do together. I lift up to You each Member of this Senate, the Lieutenant Governor, and every person who serves this Senate body in some way. Bless each person in this room today. Fill them with Your peace. Surround them with Your love. Holy God, when they are afraid, give them courage. When they are weary, strength. When they have had enough, give them the will to press on. When they become proud, humble them. In the successes and failures of creating bills and resolutions, bind these women and men together in common cause. Guide them in their work as they care for the people and the land of the State of Texas. May their minds be clear, their hearts be pure, and their actions be just. In the name of the one who came to bring peace. 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.

## PHYSICIAN OF THE DAY

Senator Watson was recognized and presented Dr. Terrance Hines of Austin as the Physician of the Day.

The Senate welcomed Dr. Hines and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

### GUESTS PRESENTED

Senator Campbell was recognized and introduced to the Senate a Texas Military Forces Day delegation.

The Senate welcomed its guests.

### GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate Texas Council on Family Violence members participating in Purple Postcard Day.

The Senate welcomed its guests.

### SENATE RESOLUTION 343

Senator Nelson offered the following resolution:

**SR 343**, Recognizing Leadership Grapevine on the occasion of its visit to the Capitol.

The resolution was again read.

The resolution was previously adopted on Monday, March 9, 2015.

### GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a Leadership Grapevine Day delegation.

The Senate welcomed its guests.

### SENATE RESOLUTION 398

Senator Garcia offered the following resolution:

**SR 398**, Extending condolences to the families of the missing students from Ayotzinapa, Guerrero, Mexico.

GARCIA	HANCOCK	SCHWERTNER
BETTENCOURT	HINOJOSA	SELIGER
BIRDWELL	HUFFINES	L. TAYLOR
BURTON	HUFFMAN	V. TAYLOR
CAMPBELL	KOLKHORST	URESTI
CREIGHTON	LUCIO	WATSON
ELLIS	MENÉNDEZ	WEST
ELTIFE	NELSON	WHITMIRE
ESTES	NICHOLS	ZAFFIRINI
FRASER	PERRY	
HALL	RODRÍGUEZ	

The resolution was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of **SR 398**.

**GUESTS PRESENTED**

Senator Garcia was recognized and introduced to the Senate family and friends of students from the Raúl Isidro Burgos Normal Rural School in Ayotzinapa, Guerrero, Mexico.

The Senate welcomed its guests.

**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.

**SENATE RESOLUTION 399**

Senator Hall offered the following resolution:

**SR 399**, Recognizing March 29, 2015, as Sunnyvale Day.

The resolution was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of **SR 399**.

**GUESTS PRESENTED**

Senator Hall was recognized and introduced to the Senate a Sunnyvale Day delegation.

The Senate welcomed its guests.

**CONCLUSION OF MORNING CALL**

The President at 10:45 a.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE  
SENATE BILL 219 ON SECOND READING**

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 219** at this time on its second reading:

**CSSB 219**, Relating to the provision of health and human services in this state, including the powers and duties of the Health and Human Services Commission and other state agencies, and the licensing of certain health professionals; clarifying certain statutory provisions; authorizing the imposition of fees.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE  
SENATE BILL 219 ON THIRD READING**

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 219** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE  
SENATE BILL 11 ON THIRD READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSSB 11** at this time on its third reading and final passage:

**CSSB 11**, Relating to the carrying of handguns on the campuses of and certain other locations associated with institutions of higher education.

The motion prevailed by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Lucio, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

**SENATE BILL 610 ON SECOND READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **SB 610** at this time on its second reading:

**SB 610**, Relating to limited liability for an agritourism entity involved in an agritourism activity.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**SENATE BILL 610 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 610** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**SENATE RULE 7.07(b) SUSPENDED  
(Permission to Introduce)  
(Motion In Writing)**

Senator Whitmire submitted the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 7.07(b) to permit the introduction of the following bill: **SB 2004**.

WHITMIRE

The Motion In Writing was read and prevailed without objection.

**MOTION TO ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 11:34 a.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 2:00 p.m. Monday, March 23, 2015.

**(Senator V. Taylor in Chair)**

**SENATE BILLS ON FIRST READING**

The following bills, filed on or before Friday, March 13, 2015, were introduced, read first time, and referred to the committees indicated:

**SB 1451** by Ellis

Relating to the disputed payment by a credit card or debit card of a vehicle registration fee.

To Committee on Transportation.

**SB 1452** by Bettencourt

Relating to the power of certain commissioners courts to authorize ad valorem tax sales of real property to be conducted by means of online auctions.

To Committee on Finance.

**SB 1453** by Zaffirini

Relating to the authority of certain municipalities to propose a fire control, prevention, and emergency medical services district.

To Committee on Intergovernmental Relations.

**SB 1454** by Zaffirini

Relating to authorizing counties to require the submission of digital maps in connection with the county plat approval process.

To Committee on Intergovernmental Relations.

**SB 1455** by Zaffirini

Relating to certain required reports, plans, and other documents prepared by state agencies and institutions of higher education.

To Committee on Business and Commerce.

**SB 1456** by Zaffirini

Relating to improving the accountability of local workforce development boards and consumer information regarding job training programs.

To Committee on Natural Resources and Economic Development.

**SB 1457** by Nichols

Relating to bad faith claims of patent infringement; providing a civil penalty; creating a criminal offense.

To Committee on State Affairs.

**SB 1458** by Nichols

Relating to entities operating railroads in this state.

To Committee on Transportation.

**SB 1459** by Bettencourt

Relating to the powers and duties of the West Harris County Regional Water Authority.

To Committee on Agriculture, Water, and Rural Affairs.

**SB 1460** by Bettencourt

Relating to the evaluation and ranking of similar offers submitted to a governmental entity for certain construction-related contracts.

To Committee on Business and Commerce.

**SB 1461** by West

Relating to the appointment and terms of the board of hospital managers of the Dallas County Hospital District.

To Committee on Intergovernmental Relations.

**SB 1462** by West

Relating to the prescription, administration, and possession of certain opioid antagonists for the treatment of suspected opioid overdoses.

To Committee on Health and Human Services.

**SB 1463** by Lucio

Relating to improving the delivery of health care services to veterans in this state.

To Committee on Veteran Affairs and Military Installations.

**SB 1464** by Lucio

Relating to the creation of the organized crime and criminal activity division within the office of the attorney general.

To Committee on Veteran Affairs and Military Installations, Subcommittee on Border Security.

**SB 1465** by Watson

Relating to creating limited purpose disaster declaration authority for the Governor.

To Committee on Natural Resources and Economic Development.

**SB 1466** by Watson

Relating to the definition of medical schools for medical residency programs.

To Committee on Higher Education.

**SB 1467** by Watson

Relating to authorizing the collection of a service charge on certain electronic toll collection customer account payments.

To Committee on Transportation.

**SB 1468** by Watson

Relating to the selection and removal of officials involved in the process of appraising property for ad valorem tax purposes.

To Committee on Finance.

**SB 1469** by Watson

Relating to regular reapplication for certain pollution control exemptions from ad valorem taxation granted for certain property.

To Committee on Finance.

**SB 1470** by Watson

Relating to the establishment of state authorization reciprocity agreements for postsecondary distance learning courses.

To Committee on Higher Education.

**SB 1471** by Watson

Relating to the use of home telemonitoring services under the Medicaid program.

To Committee on Health and Human Services.

**SB 1472** by Garcia

Relating to providing information and other services relating to emergency contraception to sexual assault survivors.

To Committee on Health and Human Services.

**SB 1473** by Garcia, Watson

Relating to liability of persons who lease dwellings to persons with criminal records.

To Committee on State Affairs.

**SB 1474** by Garcia

Relating to the eligibility for participation in veterans court programs.

To Committee on Criminal Justice.

**SB 1475** by Garcia

Relating to establishing an enhanced Medicaid managed care consumer support system.

To Committee on Health and Human Services.

**SB 1476** by Garcia

Relating to strategic plan goals to address hunger, food, nutrition, physical activity, and obesity in this state.

To Committee on Health and Human Services.

**SB 1477** by Garcia

Relating to the continuity of care and service program for offenders with mental impairments.

To Committee on Criminal Justice.

**SB 1478** by Garcia

Relating to coverage of certain eating disorders as serious mental illnesses under certain group health benefit plans.

To Committee on Business and Commerce.

**SB 1479** by Garcia

Relating to reasonable break times and facilities for school district educators expressing breast milk.

To Committee on Education.

**SB 1480** by Garcia

Relating to the development and alignment by the Texas Higher Education Coordinating Board of curricula for certain educational programs.

To Committee on Higher Education.

**SB 1481** by Garcia

Relating to requiring the Teacher Retirement System of Texas to notify employees of an open-enrollment charter school of the revocation, nonrenewal, expiration, or surrender of a charter.

To Committee on State Affairs.

**SB 1482** by Garcia

Relating to alternative education programs for middle school students.

To Committee on Education.

**SB 1483** by Garcia

Relating to community schools.

To Committee on Education.

**SB 1484** by Garcia

Relating to the establishment of a community school grant program.

To Committee on Education.

**SB 1485** by Garcia

Relating to the availability of death records of unidentified persons.

To Committee on Business and Commerce.

**SB 1486** by Garcia

Relating to the presumption of intent in the prosecution of certain criminal cases involving theft by check or issuance of a bad check.

To Committee on Criminal Justice.

**SB 1487** by Garcia

Relating to the licensing and regulation of a journeyman lineman.

To Committee on Business and Commerce.

**SB 1488** by Garcia

Relating to the filing of financial disclosure statements by trustees of an independent school district and a junior college district; creating a criminal offense.

To Committee on Higher Education.

**SB 1489** by Garcia

Relating to information regarding provisional voting.

To Committee on State Affairs.



**SB 1490** by Garcia

Relating to issuance of a receipt for a voter registration application that may be used for the purpose of voting.

To Committee on State Affairs.

**SB 1491** by Garcia

Relating to the use of a mobile phone by a person occupying a voting station.

To Committee on State Affairs.

**SB 1492** by Uresti

Relating to restrictions on future employment for state officers and employees who participate in a procurement or contract negotiation on behalf of a state agency; creating an offense.

To Committee on Business and Commerce.

**SB 1493** by Uresti

Relating to emergency medical air transportation funding.

To Committee on Finance.

**SB 1494** by Uresti

Relating to the educational needs of homeless students.

To Committee on Education.

**SB 1495** by Uresti

Relating to the use of municipal hotel occupancy tax revenue to enhance, upgrade, and maintain sports facilities and fields in certain municipalities.

To Committee on Natural Resources and Economic Development.

**SB 1496** by Uresti

Relating to background checks conducted by the Department of Family and Protective Services for certain child-care providers.

To Committee on Health and Human Services.

**SB 1497** by V. Taylor

Relating to a requirement that a school district, open-enrollment charter school, or shared services arrangement terminate or refuse to hire an employee or applicant convicted of certain offenses.

To Committee on Education.

**SB 1498** by Lucio

Relating to job performance on behalf of a fire fighter or police officer during illness or injury.

To Committee on Intergovernmental Relations.

**SB 1499** by Lucio

Relating to longevity pay for peace officers and firefighters in certain municipalities.

To Committee on Intergovernmental Relations.

**SB 1500** by Lucio

Relating to an electric utility surcharge to assist owners of certain historic structures with electric bill payments and to promote energy conservation and efficiency.

To Committee on Natural Resources and Economic Development.

**SENATE BILL ON FIRST READING**

The following bill was introduced, read first time, and referred to the committee indicated:

**SB 2004** by Eltife, Nelson

Relating to deferred maintenance for state facilities.

To Committee on Finance.

**CO-AUTHORS OF SENATE BILL 10**

On motion of Senator Huffman, Senators Birdwell and Campbell will be shown as Co-authors of **SB 10**.

**CO-AUTHOR OF SENATE BILL 136**

On motion of Senator Perry, Senator Bettencourt will be shown as Co-author of **SB 136**.

**CO-AUTHOR OF SENATE BILL 219**

On motion of Senator Schwertner, Senator West will be shown as Co-author of **SB 219**.

**CO-AUTHOR OF SENATE BILL 752**

On motion of Senator Bettencourt, Senator Creighton will be shown as Co-author of **SB 752**.

**CO-AUTHOR OF SENATE BILL 757**

On motion of Senator Perry, Senator Creighton will be shown as Co-author of **SB 757**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolution**

**SR 401** by Zaffirini, In memory of David Silva.

**Congratulatory Resolutions**

**SR 397** by Schwertner, Recognizing the Aggie Interns for their public service.

**SR 400** by Watson, Recognizing Charles J. Barnett for his accomplishments in the field of health care.

**SR 402** by Seliger, Congratulating Kirk Edwards for being named 2015 Entrepreneur of the Year.

**SR 403** by Seliger, Recognizing the Chuck Wagon Gang of Odessa for 75 years of service to the community.

**SR 404** by Hinojosa, Recognizing Shen Yun Performing Arts on the occasion of its Corpus Christi performances.

**HCR 47** (Zaffirini), Congratulating San Patricio County Judge Terry Simpson on being named the 2014 Newsmaker of the Year by the *Corpus Christi Caller-Times*.

**HCR 100** (Lucio), Commemorating the centennial of the King Ranch Main House.

**Official Designation Resolution**

**SR 396** by Kolkhorst, Recognizing March 24, 2015, as Port Aransas Day.

**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 11:42 a.m. adjourned until 2:00 p.m. Monday, March 23, 2015.

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**APPENDIX**

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**COMMITTEE REPORTS**

The following committee reports were received by the Secretary of the Senate in the order listed:

March 19, 2015

CRIMINAL JUSTICE — **SB 1024, CSSB 630, CSSB 536, SB 345, CSSB 308, SB 147**

**BILLS ENGROSSED**

March 18, 2015

**SB 197, SB 273, SB 288**

**RESOLUTIONS ENROLLED**

March 18, 2015

**SR 331, SR 389, SR 390, SR 391, SR 392, SR 393, SR 394, SR 395**

