

# SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FORTY-FIRST DAY**

(Monday, April 27, 2015)

The Senate met at 2:00 p.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, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Seliger.

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

Pastor Jimmy Seibert, Antioch Community Church, Waco, was introduced by Senator Birdwell and offered the invocation as follows:

Lord, we come today humbled in Your presence. We thank You for creating us, for loving us, for forgiving us, and leading us. We pray on this historic 84th opening of the Texas Legislature that You would visit this Chamber with wisdom, counsel, understanding, might, knowledge, and the fear of the Lord, that You would guide and direct the men and women in this Senate Chamber to rightly make laws and to lead from a place of righteousness. I pray in this hour in our state and in our nation that these leaders would have great courage, that they would have the courage of our forefathers who knew that without You there would be no moral law and without moral law there would be no democracy that could stand. I pray, Lord, that You would fill the hearts and the minds of the leaders in this Chamber with clarity, righteousness, justice, and truth in every decision that is made. Thank You that You promise that if we call on Your name and seek You with all of our heart, we will know Your purpose and plan in all things. So, Lord, I ask that Your spirit will be poured out in this place, that when this session ends we would know that You have led us rightly. I pray all these things in the name that loves us and saves us and carries us. In the name of Jesus, 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 Seliger was granted leave of absence for today on account of important business.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Monday, April 27, 2015 - 1

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 229**

Guillen

Relating to the disposition of certain surplus motor vehicles and other law enforcement equipment by the Texas Facilities Commission.

**HB 280**

Simmons

Relating to the information required to be posted by the Texas Water Development Board on the board's Internet website regarding the use of the state water implementation fund for Texas.

**HB 311**

Canales

Relating to an executory contract for the conveyance of real property; providing a penalty.

**HB 482**

Geren

Relating to allowing the holder of a brewpub license to sell ale and malt liquor to certain wholesalers.

**HB 520**

Moody

Relating to the assignment of certain judges as a visiting judge.

**HB 578**

White, James

Relating to an exemption from the cosmetologist licensing law for persons who provide certain services at a special event.

**HB 698**

King, Tracy O.

Relating to the regulation of the fitting and dispensing of hearing instruments.

**HB 700**

Giddings

Relating to the repeal of the Texas B-On-time student loan program.

**HB 744**

Huberty

Relating to the purchase of certain insurance by public school districts.

**HB 804**

Geren

Relating to the forms of payment that the operator of a vehicle storage facility must accept.

- HB 824** Kuempel  
Relating to the sale of alcoholic beverages to customers of a package store during certain hours.
- HB 943** Thompson, Senfronia  
Relating to the applicability of a wage and salary presumption to an incarcerated person for purposes of determining child support obligations.
- HB 992** Bonnen, Dennis  
Relating to the exemption from ad valorem taxation of the total appraised value of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.
- HB 1040** Paddie  
Relating to the liability of certain sports officials and organizations.
- HB 1042** Frank  
Relating to the designation of a site of unique value for the construction of a reservoir.
- HB 1049** Rodriguez, Eddie  
Relating to the classification of licensed massage therapy programs as postsecondary education programs.
- HB 1050** White, James  
Relating to liability of food donors.
- HB 1061** Turner, Chris  
Relating to the prosecution of the offense of interference with public duties.
- HB 1068** Zerwas  
Relating to the creation of the Fort Bend County Municipal Utility District No. 216; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 1080** Hughes  
Relating to the definition of a state judge for purposes of state driver's license and personal identification laws.
- HB 1129** Sheets  
Relating to an exemption from the attorney occupation tax for attorneys exclusively offering pro bono legal services.
- HB 1246** Koop  
Relating to the methods of delivery for required financial statement forms sent to certain municipal officeholders and candidates for municipal office.
- HB 1261** King, Susan  
Relating to the comptroller's report on the effect of certain tax provisions.
- HB 1287** Simmons  
Relating to a requirement that each state university's Internet website include a link to certain employment data.
- HB 1290** Keffer  
Relating to the sunset review of river authorities.

- HB 1309** Turner, Sylvester  
Relating to the notification of certain legislators of the death of a child in foster care.
- HB 1321** Bonnen, Dennis  
Relating to route designation for the issuance of a permit for the movement of oversize and overweight vehicles in certain counties.
- HB 1331** King, Phil  
Relating to the treatment and recycling for beneficial use of certain waste arising out of or incidental to the drilling for or production of oil or gas.
- HB 1378** Flynn  
Relating to the fiscal transparency and accountability of certain entities responsible for public money.
- HB 1418** Bell  
Relating to the annexation of certain territory by general law municipalities.
- HB 1430** King, Susan  
Relating to the inclusion of mental health in the public services endorsement on a public school diploma and in information about health science career pathways.
- HB 1463** Raymond  
Relating to the procedure for canceling an exemption from ad valorem taxation of the residence homestead of an individual who is 65 years of age or older.
- HB 1560** Hernandez  
Relating to investment options for property recovered in a suit by a next friend or guardian ad litem on behalf of a minor or incapacitated person.
- HB 1595** Murr  
Relating to testing certain defendants or confined persons for communicable diseases.
- HB 1662** Sheets  
Relating to the exemption of certain property from municipal drainage service charges.
- HB 1665** Bonnen, Dennis  
Relating to notice of water level fluctuations to purchasers of real property adjoining an impoundment of water.
- HB 1717** Oliveira  
Relating to the use of municipal hotel occupancy taxes by certain municipalities for ecological and space exploration-related tourism.
- HB 1740** Thompson, Senfronia  
Relating to the administration of rabies vaccine under a local rabies control program.
- HB 1804** Naishtat  
Relating to notice by campuses and open-enrollment charter schools about events that may significantly impact the education of certain foster children.
- HB 1814** Farney  
Relating to the online renewal of driver's licenses of certain active duty military personnel and relatives.

- HB 1833** Pickett  
Relating to agreements of certain counties to acquire, construct, maintain, or operate a toll bridge.
- HB 1912** Elkins  
Relating to employment of a statewide data coordinator in the Department of Information Resources.
- HB 1933** Darby  
Relating to installment payments of ad valorem taxes.
- HB 1937** Darby  
Relating to procedures and eligibility for terminating participation in the Teacher Retirement System of Texas deferred retirement option plan.
- HB 1964** Clardy  
Relating to the definitions of "convention center facilities" and "eligible central municipality" for purposes of the municipal hotel occupancy tax.
- HB 1993** Sheffield  
Relating to the authorization of independent school districts to use electronic means to notify parents of a student's academic performance.
- HB 2002** Keffer  
Relating to the recycling of county surplus or salvage property.
- HB 2019** Craddick  
Relating to the authority of certain counties to impose a hotel occupancy tax.
- HB 2027** Bonnen, Greg  
Relating to establishing precincts for elections held on a uniform election date by certain political subdivisions.
- HB 2033** Raymond  
Relating to authorizing counties to require the submission of digital maps in connection with the county plat approval process.
- HB 2038** Geren  
Relating to legal representation for certain emergency services districts.
- HB 2050** Rodriguez, Eddie  
Relating to voter information provided by a voter registrar to the secretary of state.
- HB 2051** Crownover  
Relating to a volume-based exemption from reporting requirements for certain accidental discharges or spills from wastewater facilities.
- HB 2065** Coleman  
Relating to automatic employee participation in and administration of a deferred compensation plan provided by the Harris County Hospital District.
- HB 2089** Darby  
Relating to the repeal of certain occupational license fees and taxes.
- HB 2133** Raymond  
Relating to health benefit plan coverage for certain equipment and supplies associated with diabetes treatment.

- HB 2134** Burkett  
Relating to allowing a governmental body to request clarification of a request for public information by electronic mail.
- HB 2152** Fletcher  
Relating to the confidentiality of certain information concerning service members of the state military forces.
- HB 2167** Smith  
Relating to certain images captured by an unmanned aircraft.
- HB 2201** Phillips  
Relating to vacancies on the governing body of a Type A general-law municipality.
- HB 2213** Metcalf  
Relating to the tow rotation list in certain counties.
- HB 2278** Muñoz, Jr.  
Relating to authorizing certain current and retired associate judges to conduct a marriage ceremony.
- HB 2280** VanDeaver  
Relating to the creation and operations of health care provider participation programs in certain counties.
- HB 2332** Miller, Doug  
Relating to the naming by the Texas Historical Commission of certain areas without historical value that are on historic sites.
- HB 2339** Smith  
Relating to consumption of alcoholic beverages in public entertainment facilities.
- HB 2410** Nevárez  
Relating to the annual audit of the books and records of the Maverick County Hospital District.
- HB 2464** Smith  
Relating to the transfer of a plumber's license on the retirement or death of the plumber.
- HB 2472** Zerwas  
Relating to the automatic admission of undergraduate students to The University of Texas at Austin.
- HB 2476** Guerra  
Relating to the repeal of the statutory provision regarding the abolishment of health care funding districts in certain counties located on the Texas-Mexico border.
- HB 2491** Pickett  
Relating to licensing and appointment of title insurance escrow officers; changing the limit applicable to a fee; authorizing a fee.
- HB 2494** Ashby  
Relating to the licensing and regulation of associate auctioneers; amending provisions subject to a criminal penalty; requiring an occupational license.

**HB 2501**

Parker

Relating to the powers and duties of the Shale Creek Water Control and Improvement District; providing authority to issue bonds, impose a tax, and levy assessments for roadway purposes.

**HB 2508**

Parker

Relating to the powers and duties of the Alpha Ranch Water Control and Improvement District of Denton and Wise Counties; providing authority to issue bonds, impose a tax, and levy assessments for roadway purposes.

**HB 2509**

Parker

Relating to the powers and duties of the Brookfield Water Control and Improvement District; providing authority to issue bonds, impose a tax, and levy assessments for roadway purposes.

**HB 2533**

Goldman

Relating to the repeal of an offense prohibiting offensive noise on a premises covered by an alcoholic beverage license or permit.

**HB 2538**

Oliveira

Relating to the designation of certain customer bill payment assistance program costs as an expense of operation that is a first lien against revenue securing certain public securities or obligations in certain municipalities.

**HB 2552**

Parker

Relating to the powers and duties of the Canyon Falls Municipal Utility District No. 1 of Denton County; providing authority to issue bonds and impose a tax.

**HB 2628**

Clardy

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

**HB 2630**

Thompson, Senfronia

Relating to certain programs provided to families of children at risk for abuse and neglect.

**HB 2679**

Flynn

Relating to the powers of a public facility corporation.

**HB 2717**

Goldman

Relating to the deregulation of hair braiding.

**HB 2789**

Raymond

Relating to trauma-informed care training for certain employees of state supported living centers and intermediate care facilities.

**HB 2809**

Anderson, Charles "Doc"

Relating to the creation and operations of health care provider participation programs in certain counties.

**HB 2827**

Phillips

Relating to the definition of homeland security activity.

- HB 2828** Phillips  
Relating to the authority of a municipality or county to obtain criminal history record information for certain persons, including employees, independent contractors, and volunteers.
- HB 2913** Aycock  
Relating to the creation and operations of health care provider participation programs in certain counties.
- HB 2935** Sheffield  
Relating to a study of the use of a patient-reported outcomes registry in conjunction with health coverage for certain governmental employees.
- HB 3031** Thompson, Senfronia  
Relating to the decertification of a certified capital company.
- HB 3062** Clardy  
Relating to the Jobs and Education for Texans Grant Program.
- HB 3081** Thompson, Ed  
Relating to the creation of the Brazoria County Municipal Utility District No. 68; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.
- HB 3091** Miles  
Relating to the standards for boiler inspection agencies.
- HB 3132** Parker  
Relating to eligibility requirements to act as a financial adviser or investment adviser in relation to certain public securities.
- HB 3185** Raney  
Relating to the creation and operations of health care provider participation programs in certain counties.
- HB 3283** Zerwas  
Relating to contributions and registrations for an anatomical gift registry; authorizing a fee.
- HB 3286** Miller, Doug  
Relating to the dissolution of the Rebecca Creek Municipal Utility District.
- HB 3315** Gutierrez  
Relating to changing the name of the Medical Advisory Committee appointed by the Texas Commission of Licensing and Regulation to the Combative Sports Advisory Board and allowing the board to address a broader range of issues.
- HB 3513** Springer  
Relating to the Fisher County Hospital District.
- HB 3545** Oliveira  
Relating to the establishment of an infrastructure improvement council by the Rio Grande Regional Water Authority; providing authority to impose a voluntary assessment.

**HB 3707** Gonzales, Larry

Relating to cloud computing services.

**HB 3741** Smith

Relating to standards for elevators, escalators, and related equipment; authorizing a fee.

**HB 3742** Smith

Relating to the authority of the Texas Department of Licensing and Regulation to determine applicant eligibility for a license.

**HB 3911** Paul

Relating to the appointment by insurers, health maintenance organizations, and their agents of holders of a temporary agent's license.

**HB 4001** Raymond

Relating to the provision of habilitation and certain health care services by a home and community support services agency; authorizing a fee, providing penalties, and requiring an occupational license.

**HB 4127** Metcalf

Relating to the creation of the Foster Municipal Utility District No. 1 of Montgomery County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

**HB 4131** Wu

Relating to competitive bidding procedures and election requirements for the Westchase District.

**HCR 84** Clardy

Commending mental health professionals on the occasion of National Mental Health Month.

**HJR 75** Bonnen, Dennis

Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran who died before the law authorizing a residence homestead exemption for such a veteran took effect.

**SB 903** Hancock

Sponsor: Lucio III

Relating to procedures for the management, sale, or lease of certain state-owned real property and the management or collection of related funds, including disputed oil and gas royalties owed to the state.

**SB 1985** Uresti

Sponsor: Bonnen, Dennis

Relating to the appraisal for ad valorem tax purposes of a real property interest in oil or gas in place.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**RESOLUTION SIGNED**

The President announced the signing of the following enrolled resolution in the presence of the Senate: **HCR 99**.

**PHYSICIAN OF THE DAY**

Senator Watson was recognized and presented Dr. Larry Kravitz of Austin as the Physician of the Day.

The Senate welcomed Dr. Kravitz, accompanied by his daughter, Elizabeth, and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

**SENATE RESOLUTION 611**

Senator L. Taylor offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the fourth class of Governor William P. Clements Jr. Scholars for their commitment to public service and public policy; and

WHEREAS, These young students are participating in the Clements Legislative Study Program, which is hosted by the Texas Conservative Coalition Research Institute; this exemplary program seeks to train, support, and sustain the next generation of leaders and public servants and instill in them the values and work ethic of former governor William P. Clements Jr.; and

WHEREAS, Governor Clements overcame the misfortunes that befell his family during the Great Depression to create the world's largest offshore drilling company; he won an upset victory to become the state's first Republican governor since Reconstruction, and he brought his business acumen to state government and focused on such issues as sound budgeting, crime prevention, and economic diversification; and

WHEREAS, The Clements Legislative Study Program is the only program of its kind to bring conservative students to Austin so that they may gain valuable experience in leadership and public service by working directly with members of the Texas Legislature; and

WHEREAS, The members of the fourth class of this special program are Jessica Bearden, Trey Brown, Michelle Brucato, Richard Gee, Krista Harvey, Bradley Hurt, Ross Leake, and Jeff Stice; their time at the Texas Legislature will augment their college coursework in civics, government, and history and will provide a unique learning experience as they pursue their interest in public service; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 84th Legislature, hereby commend the Governor William P. Clements Jr. Scholars on their dedication to public policy and service to their state and nation and extend to them best wishes for success in all their future endeavors; and, be it further

RESOLVED, That a copy of this Resolution be prepared for them as an expression of high regard from the Texas Senate.

**SR 611** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution except as follows:

Absent-excused: Seliger.

### **GUESTS PRESENTED**

Senator L. Taylor, joined by the President and Senator V. Taylor, was recognized and introduced to the Senate a delegation of Governor William P. Clements Jr. Scholars: Bradley Hurt, Jessica Bearden, Trey Brown, Michelle Brucato, Richard Gee, Krista Harvey, Ross Leake, and Jeff Stice.

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.

### **CONCLUSION OF MORNING CALL**

The President at 2:25 p.m. announced the conclusion of morning call.

### **COMMITTEE SUBSTITUTE SENATE BILL 367 ON SECOND READING**

Senator Garcia moved to suspend the regular order of business to take up for consideration **CSSB 367** at this time on its second reading:

**CSSB 367**, Relating to the unauthorized use of an alcoholic beverage permit or license; providing a criminal penalty.

The motion prevailed.

Senators Birdwell, Hancock, Huffines, and Perry asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Garcia offered the following amendment to the bill:

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

Amend **CSSB 367** (senate committee printing) in SECTION 7 of the bill, in added Section 101.76(a), Alcoholic Beverage Code (page 2, line 2), between "person" and "allows", by inserting "knowingly".

The amendment to **CSSB 367** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Seliger.

On motion of Senator Garcia and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**CSSB 367** as amended was passed to engrossment by the following vote: Yeas 26, Nays 4.

Yeas: Bettencourt, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Rodríguez, Schwertner, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Hancock, Huffines, Perry.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE  
SENATE BILL 367 ON THIRD READING**

Senator Garcia moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 367** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Bettencourt, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Rodríguez, Schwertner, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Hancock, Huffines, Perry.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 4. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1081 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 1081** at this time on its second reading:

**CSSB 1081**, Relating to the disclosure of certain information under a consolidated insurance program.

The motion prevailed.

Senator Huffines asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Huffines.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1081 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1081** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Huffines.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 239 ON SECOND READING**

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSSB 239** at this time on its second reading:

**CSSB 239**, Relating to student loan repayment assistance for certain mental health professionals.

The motion prevailed by the following vote: Yeas 23, Nays 7.

Yeas: Bettencourt, Campbell, Creighton, Ellis, Eltife, Estes, Garcia, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Fraser, Hall, Hancock, Huffines, V. Taylor.

Absent-excused: Seliger.

The bill was read second time.

Senator Schwertner offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 239** (senate committee printing) in SECTION 1 of the bill, in added Section 61.602, Education Code (page 1, lines 43 through 45), by striking "The board shall establish a program to provide, using funds appropriated for that purpose and" and substituting "If the legislature appropriates funds for purposes of this subchapter, the board shall establish a program to provide,".

The amendment to **CSSB 239** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Seliger.

On motion of Senator Schwertner and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**CSSB 239** as amended was passed to engrossment by the following vote: Yeas 23, Nays 7.

Yeas: Bettencourt, Campbell, Creighton, Ellis, Eltife, Estes, Garcia, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Fraser, Hall, Hancock, Huffines, V. Taylor.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 239 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 239** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Bettencourt, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Hall, Hancock, Huffines, V. Taylor.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 7.

Yeas: Bettencourt, Campbell, Creighton, Ellis, Eltife, Estes, Garcia, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Fraser, Hall, Hancock, Huffines, V. Taylor.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 1070 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1070** at this time on its second reading:

**CSSB 1070**, Relating to allowing certain defendants to successfully complete education at a substance abuse treatment facility in lieu of attending an education program; changing required conditions of community supervision for certain defendants.

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 except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1070 ON THIRD READING**

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1070** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1139 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1139** at this time on its second reading:

**CSSB 1139**, Relating to the operation and administration of and practice in courts in the judicial branch of state government and the composition of certain juvenile boards.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 1139** (senate committee printing) as follows:

(1) In ARTICLE 1 of the bill, in the recital to SECTION 1.05(a) (page 4, line 14), strike "2017" and substitute "2016".

(2) In ARTICLE 1 of the bill, in SECTION 1.05(b) (page 4, line 19), strike "2017" and substitute "2016".

(3) In ARTICLE 2 of the bill, in the recital to SECTION 2.04(a) (page 5, line 41), strike "2017" and substitute "2016".

(4) In ARTICLE 2 of the bill, in SECTION 2.04(b) (page 6, line 8), strike "2017" and substitute "2016".

The amendment to **CSSB 1139** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Seliger.

Senator Campbell offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSSB 1139** (Senate committee report) on page 3, by striking lines 10 through 12.

The amendment to **CSSB 1139** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent-excused: Seliger.

Senator Hinojosa offered the following amendment to the bill:

**Floor Amendment No. 3**

Amend **CSSB 1139** (senate committee printing) as follows:

(1) Strike SECTION 4.01 of the bill, amending Article 2.09, Code of Criminal Procedure, and adding proposed Subchapter MM, Chapter 54, Government Code (page 8, line 47, through page 11, line 19).

(2) Renumber the SECTIONS of ARTICLE 4 accordingly.

The amendment to **CSSB 1139** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 3 except as follows:

Absent-excused: Seliger.

Senator Rodríguez offered the following amendment to the bill:

**Floor Amendment No. 4**

Amend **CSSB 1139** (senate committee printing) in SECTION 4.02(o) of the bill, in proposed Section 54.759(b), Government Code (page 14, line 5), by striking "and includes secure Internet videoconferencing".

The amendment to **CSSB 1139** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 4 except as follows:

Absent-excused: Seliger.

Senator West offered the following amendment to the bill:

**Floor Amendment No. 5**

Amend **CSSB 1139** (senate committee report) by adding the following appropriately numbered ARTICLE to the bill and renumbering the remaining ARTICLES of the bill accordingly:

ARTICLE \_\_\_\_ . TELEPHONE INTERPRETER SERVICES IN CRIMINAL  
PROCEEDING

SECTION \_\_\_\_ .01. Article 38.30(a-1), Code of Criminal Procedure, is amended to read as follows:

(a-1) A qualified telephone interpreter may be sworn to interpret for the person in any criminal ~~[the trial of a Class C misdemeanor or a]~~ proceeding before a judge or magistrate if an interpreter is not available to appear in person at the proceeding ~~[before the court]~~ or if the only available interpreter is not considered to possess adequate interpreting skills for the particular situation or is unfamiliar with the use of slang. In this subsection, "qualified telephone interpreter" means a telephone service that employs:

- (1) licensed court interpreters as defined by Section 157.001, Government Code; or
- (2) federally certified court interpreters.

The amendment to **CSSB 1139** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 5 except as follows:

Absent-excused: Seliger.

Senator Rodríguez offered the following amendment to the bill:

### **Floor Amendment No. 6**

Amend **CSSB 1139** (senate committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering the remaining ARTICLES of the bill accordingly:

#### ARTICLE \_\_. COURTS AUTHORIZED TO HEAR MATTERS RELATED TO CAPIAS PRO FINE

SECTION \_\_.01. Article 43.05(b), Code of Criminal Procedure, is amended to read as follows:

(b) A capias pro fine authorizes a peace officer to place the defendant in jail until the business day following the date of the defendant's arrest if the defendant cannot be brought before the court immediately. Instead of placing the defendant in jail as authorized by this subsection, the peace officer may bring the defendant before another court that is in the same territorial jurisdiction as, and that has concurrent jurisdiction with, the court that issued the capias pro fine.

SECTION \_\_.02. Article 45.045, Code of Criminal Procedure, is amended by adding Subsection (a-1) to read as follows:

(a-1) Instead of placing the defendant in jail as authorized by Subsection (a), the peace officer may bring the defendant before another court that is in the same county as, and that has concurrent jurisdiction with, the court that issued the capias pro fine.

SECTION \_\_.03. Article 45.046, Code of Criminal Procedure, is amended by adding Subsection (d) to read as follows:

(d) For purposes of a hearing described by Subsection (a), if the defendant cannot be immediately brought before the court that entered the judgment and sentence against the defendant, another court that is in the same county as, and that has concurrent jurisdiction with, the court that entered the judgment and sentence may conduct the hearing.

The amendment to **CSSB 1139** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 6 except as follows:

Absent-excused: Seliger.

On motion of Senator Huffman and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**CSSB 1139** as amended was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1139 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1139** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**SENATE BILL 1461 ON SECOND READING**

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1461** at this time on its second reading:

**SB 1461**, Relating to the appointment and terms of the board of hospital managers of the Dallas County Hospital District.

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 except as follows:

Absent-excused: Seliger.

**SENATE BILL 1461 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1461** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1881 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 1881** at this time on its second reading:

**CSSB 1881**, Relating to authorizing supported decision-making agreements for certain adults with disabilities.

The motion prevailed.

Senator Huffines asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Huffines.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1881 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1881** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Huffines.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

**(Senator Kolkhorst in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE JOINT RESOLUTION 66 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business to take up for consideration **CSSJR 66** at this time on its second reading:

**CSSJR 66**, Proposing a constitutional amendment to provide for the governor's and lieutenant governor's terms of office to begin at 10 a.m. on the day preceding the day the regular legislative session convenes.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Garcia, Hall, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodriguez, Schwertner, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Eltife, Estes, Fraser, Hancock, L. Taylor, V. Taylor.

Absent-excused: Seliger.

The resolution was read second time.

Senator Huffines offered the following amendment to the resolution:

**Floor Amendment No. 1**

Amend **CSSJR 66** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 4, Article IV, Texas Constitution (page 1, line 26), between "Sec. 4" and "The Governor", insert "(a)".

(2) In SECTION 1 of the bill, in amended Section 4, Article IV, Texas Constitution (page 1, between lines 35 and 36), insert the following:

(b) A person who has been elected to serve two consecutive terms as Governor is not eligible for election to serve a third consecutive term.

(3) Strike the recital to SECTION 2 of the bill (page 1, lines 36 and 37) and substitute "Section 16, Article IV, Texas Constitution, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:".

(4) In SECTION 2 of the bill, in amended Section 16, Article IV, Texas Constitution (page 1, between lines 47 and 48), insert the following:

(a-1) A person who has been elected to serve two consecutive terms as Lieutenant Governor is not eligible for election to serve a third consecutive term.

(5) In SECTION 3 of the bill, in Subsection (b) of the TEMPORARY PROVISION (page 1, line 55), strike "16(a)" and substitute "16".

The amendment to **CSSJR 66** was read.

Senator Huffines withdrew Floor Amendment No. 1.

**CSSJR 66** was passed to engrossment by the following vote: Yeas 24, Nays 6.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Garcia, Hall, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Eltife, Estes, Fraser, Hancock, L. Taylor, V. Taylor.

Absent-excused: Seliger.

### **COMMITTEE SUBSTITUTE SENATE JOINT RESOLUTION 66 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSJR 66** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Garcia, Hall, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Eltife, Estes, Fraser, Hancock, L. Taylor, V. Taylor.

Absent-excused: Seliger.

The resolution was read third time and was passed by the following vote: Yeas 24, Nays 6. (Same as previous roll call)

**(President in Chair)**

### **COMMITTEE SUBSTITUTE SENATE BILL 1984 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business to take up for consideration **CSSB 1984** at this time on its second reading:

**CSSB 1984**, Relating to the canvass of election returns for the offices of governor and lieutenant governor.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Garcia, Hall, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Eltife, Estes, Fraser, Hancock, L. Taylor, V. Taylor.

Absent-excused: Seliger.

The bill was read second time and was passed to engrossment by the following vote: Yeas 24, Nays 6. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1984 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1984** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Garcia, Hall, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Eltife, Estes, Fraser, Hancock, L. Taylor, V. Taylor.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 6. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 900 ON THIRD READING**

Senator L. Taylor moved to suspend the regular order of business to take up for consideration **CSSB 900** at this time on its third reading and final passage:

**CSSB 900**, Relating to the operation of the Texas Windstorm Insurance Association and the renaming of the Texas Windstorm Insurance Association as the Texas Coastal Insurance Association.

The motion prevailed by the following vote: Yeas 21, Nays 9.

Yeas: Bettencourt, Campbell, Creighton, Ellis, Eltife, Fraser, Garcia, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nichols, Rodríguez, Schwertner, L. Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Estes, Hall, Huffines, Nelson, Perry, V. Taylor, Uresti.

Absent-excused: Seliger.

The bill was read third time.

Senator Fraser offered the following amendment to the bill:

**Floor Amendment No. 1 on Third Reading**

Amend **CSSB 900** on third reading as follows:

(1) In SECTION 13 of the bill, in amended Section 2210.102(b), Insurance Code, strike "who actively write and renew windstorm and hail insurance in the first tier coastal counties" and substitute "who do not reside in the seacoast territory".

(2) In SECTION 13 of the bill, strike amended Section 2210.102(d), Insurance Code, and substitute the following:

(d) One member must reside in a second tier coastal county [~~be a representative of an area of this state that is not located in the seacoast territory with demonstrated expertise in insurance and actuarial principles~~].

(3) In SECTION 13 of the bill, strike added Sections 2210.102(d-1) and (d-2), Insurance Code, and substitute the following:

(d-1) Two members must represent and reside in an area located more than 100 miles from the Texas coastline.

The amendment to **CSSB 900** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 on Third Reading except as follows:

Absent-excused: Seliger.

Senator Fraser offered the following amendment to the bill:

**Floor Amendment No. 2 on Third Reading**

Amend **CSSB 900** (senate committee printing) on third reading as follows:

(1) In the recital to SECTION 8 of the bill (page 2, line 42), after "2210.0715", insert ", 2210.07151,".

(2) In SECTION 8 of the bill, following added Section 2210.0715, Insurance Code (page 2, between lines 55 and 56), insert the following:

Sec. 2210.07151. PAYMENT FROM CLASS 1-A PUBLIC SECURITIES; FINANCIAL INSTRUMENTS. (a) Losses not paid under Section 2210.0715 shall be paid as provided by this section from the proceeds from Class 1-A public securities authorized to be issued in accordance with Subchapter M before, on, or after the date of any occurrence or series of occurrences that results in insured losses. Public securities issued under this section must be paid within a period not to exceed 10 years and may be paid sooner if the board of directors elects to do so and the commissioner approves.

(b) Public securities described by Subsection (a) that are issued before an occurrence or series of occurrences that results in incurred losses:

(1) may be issued on the request of the board of directors with the approval of the commissioner; and

(2) may not, in the aggregate, exceed \$250 million at any one time, regardless of the calendar year or years in which the outstanding public securities were issued.

(b-1) Public securities described by Subsection (a):

(1) shall be issued as necessary in a principal amount not to exceed \$250 million per catastrophe year, in the aggregate, for securities issued during that catastrophe year before the occurrence or series of occurrences that results in incurred losses in that year and securities issued on or after the date of that occurrence or series of occurrences, and regardless of whether for a single occurrence or a series of occurrences; and

(2) subject to the maximum described by Subdivision (1), may be issued, in one or more issuances or tranches, during the calendar year in which the occurrence or series of occurrences occurs or, if the public securities cannot reasonably be issued in that year, during the following calendar year.

(c) If public securities are issued as described by this section, the public securities shall be paid in the manner prescribed by Subchapter M.

(d) The association may borrow from, or enter into other financing arrangements with, any market source, under which the market source makes interest-bearing loans or other financial instruments to the association to enable the association to pay losses under this section or to obtain public securities under this section. For purposes of this subsection, financial instruments includes commercial paper.

(e) The proceeds of any outstanding public securities described by Subsection (a) that are issued before an occurrence or series of occurrences shall be depleted before the proceeds of any securities issued after an occurrence or series of occurrences may be used. This subsection does not prohibit the association from issuing securities after an occurrence or series of occurrences before the proceeds of outstanding public securities issued during a previous catastrophe year have been depleted.

(f) If, under Subsection (e), the proceeds of any outstanding public securities issued during a previous catastrophe year must be depleted, those proceeds shall count against the limit on public securities described by this section in the catastrophe year in which the proceeds must be depleted.

(3) In SECTION 8 of the bill, in added Section 2210.0716, Insurance Code (page 2, line 57), strike "Section 2210.0715" and substitute "Sections 2210.0715 and 2210.07151".

(4) Following SECTION 8 of the bill (page 3, between lines 4 and 5), insert the following appropriately numbered SECTION:

SECTION \_\_\_\_. The heading to Section 2210.072, Insurance Code, is amended to read as follows:

Sec. 2210.072. PAYMENT FROM CLASS 1-B [+] PUBLIC SECURITIES; FINANCIAL INSTRUMENTS.

(5) In SECTION 9 of the bill, in amended Section 2210.072(a), Insurance Code (page 3, line 7), after "Sections 2210.0715", insert ", 2210.07151,".

(6) In SECTION 9 of the bill, in amended Section 2210.072(a), Insurance Code (page 3, line 9), strike "Class 1" and substitute "Class 1-B [+]".

(7) In SECTION 9 of the bill, in amended Section 2210.072(b)(2), Insurance Code (page 3, line 21), strike "\$500 million" and substitute "\$250 million".

(8) In SECTION 9 of the bill, in amended Section 2210.072(b-1), Insurance Code (page 3, line 26), strike "\$500 million" and substitute "\$250 million".

(9) In SECTION 9 of the bill, in amended Section 2210.072(f), Insurance Code (page 3, lines 43-44), strike "\$500 million".

(10) In SECTION 10 of the bill, in added Section 2210.0725, Insurance Code (page 3, line 51), after "2210.0715," insert "2210.07151,".

(11) In SECTION 11 of the bill, in amended Section 2210.073, Insurance Code (page 3, line 65), after "2210.0715," insert "2210.07151,".

(12) Following SECTION 14 of the bill (page 5, between lines 40 and 41), insert the following appropriately numbered SECTION:

SECTION \_\_\_\_ . Section 2210.355(b), Insurance Code, is amended to read as follows:

(b) In adopting rates under this chapter, the following must be considered:

(1) the past and prospective loss experience within and outside this state of hazards for which insurance is made available through the plan of operation, if any;

(2) expenses of operation, including acquisition costs;

(3) a reasonable margin for profit and contingencies;

(4) payment of public security obligations for Class 1-A or Class 1-B ~~+~~ public securities issued under this chapter, including the additional amount of any debt service coverage determined by the association to be required for the issuance of marketable public securities; and

(5) all other relevant factors, within and outside this state.

(13) In the recital to SECTION 18 of the bill (page 6, line 58), strike "adding Subdivisions (2-a) and (3-a)" and substitute "adding Subdivisions (1-c), (2-a), (2-b), and (3-a) and amending Subdivision (2)".

(14) In SECTION 18 of the bill, following the recital (page 6, between lines 58 and 59), insert the following:

(1-c) "Class 1-A public securities" means public securities authorized to be issued by Section 2210.07151, including a commercial paper program authorized before the occurrence of a catastrophic event.

(2) "Class 1-B ~~+~~ public securities" means public securities authorized to be issued by Section 2210.072, including a commercial paper program authorized before the occurrence of a catastrophic event.

(15) In SECTION 18 of the bill, in added Section 2210.602(2-a), Insurance Code (page 6, line 59), strike "Class 1" and substitute "Class 1-A".

(16) In SECTION 18 of the bill, in added Section 2210.602(2-a), Insurance Code (page 6, line 62), strike "Class 1" and substitute "Class 1-A".

(17) In SECTION 18 of the bill, following added Section 2210.602(2-a), Insurance Code (page 6, between lines 63 and 64), insert the following:

(2-b) "Class 1-B public security trust fund" means the dedicated trust fund established by the board and held by the Texas Treasury Safekeeping Trust Company into which premium surcharges collected under Section 2210.612 for the purpose of paying Class 1-B public securities are deposited.

(18) In SECTION 19 of the bill, in amended Section 2210.604(a), Insurance Code (page 7, line 4), strike "Class 1 or ~~;~~" and substitute "Class 1-A, Class 1-B, or ~~+~~".

(19) Following SECTION 19 of the bill (page 7, between lines 7 and 8), insert the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. Section 2210.608(c), Insurance Code, is amended to read as follows:

(c) Notwithstanding Subsection (a)(2), the proceeds from public securities issued under Section 2210.07151 or 2210.072 before an occurrence or series of occurrences that results in incurred losses, including investment income, may not be used to purchase reinsurance for the association.

(20) In SECTION 20 of the bill, in amended Section 2210.609(a), Insurance Code (page 7, lines 20-21), strike "Class 1 or [5]" and substitute "Class 1-A, Class 1-B, or [4]".

(21) In SECTION 20 of the bill, in amended Section 2210.609(a), Insurance Code (page 7, line 22), strike "Class 1 or [5]" and substitute "Class 1-A, Class 1-B, or [4]".

(22) In SECTION 20 of the bill, in amended Section 2210.609(c), Insurance Code (page 7, line 33), strike "Class 1 public security trust fund" and substitute "Class 1-A public security trust fund or Class 1-B public security trust fund, as applicable.".

(23) In SECTION 20 of the bill, in amended Section 2210.609(c), Insurance Code (page 7, line 51), strike "Class 1 public security trust fund" and substitute "Class 1-A public security trust fund, the Class 1-B public security trust fund.".

(24) In SECTION 20 of the bill, in amended Section 2210.609(d), Insurance Code (page 7, line 60), strike "Class 1 public security trust fund" and substitute "Class 1-A public security trust fund, the Class 1-B public security trust fund.".

(25) In SECTION 20 of the bill, in amended Section 2210.609(e), Insurance Code (page 7, line 69), strike "Class 1 public security trust fund" and substitute "Class 1-A public security trust fund, the Class 1-B public security trust fund.".

(26) In SECTION 23 of the bill, in the heading to amended Section 2210.612, Insurance Code (page 8, line 30), strike "CLASS 1" and substitute "CLASS 1-A AND CLASS 1-B [4]".

(27) In SECTION 23 of the bill, in amended Section 2210.612(a), Insurance Code (page 8, line 31), strike "Class 1" and substitute "Class 1-A and Class 1-B [4]".

(28) In SECTION 23 of the bill, in amended Section 2210.612(a), Insurance Code (page 8, lines 31-32), strike "issued under Section 2210.072" and substitute "~~issued under Section 2210.072~~".

(29) In SECTION 23 of the bill, in added Section 2210.612(e), Insurance Code (page 8, line 53), between "Section" and "2210.072(d)", insert "2210.07151(d) or".

(30) In SECTION 23 of the bill, in added Section 2210.612(e), Insurance Code (page 8, line 54), strike "Section 2210.072" and substitute "Section 2210.07151 or 2210.072, as applicable.".

(31) In SECTION 23 of the bill, in added Section 2210.612(e), Insurance Code (page 8, line 58), between "Section" and "2210.072(a)", insert "2210.07151(a) or".

(32) In SECTION 25 of the bill, in amended Section 2210.614, Insurance Code (page 9, lines 57-58), strike "Class 1 or [5]" and substitute "Class 1-A, Class 1-B, or [4]".

(33) In SECTION 26 of the bill, in amended Section 2210.616(a), Insurance Code (page 9, lines 67-68), strike "Class 1 public security [member assessment] trust fund" and substitute "Class 1-A public security trust fund, Class 1-B public security [member assessment] trust fund."

(34) Renumber the SECTIONS of the bill appropriately.

The amendment to **CSSB 900** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 on Third Reading except as follows:

Absent-excused: Seliger.

On motion of Senator Fraser and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

**CSSB 900** as amended was finally passed by the following vote: Yeas 23, Nays 7.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nichols, Rodríguez, Schwertner, L. Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Hall, Huffines, Nelson, Perry, V. Taylor, Uresti.

Absent-excused: Seliger.

**(Senator Eltife in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 1626 ON SECOND READING**

Senator Rodríguez moved to suspend the regular order of business to take up for consideration **CSSB 1626** at this time on its second reading:

**CSSB 1626**, Relating to the regulation by a developer of the installation of solar energy devices in a residential subdivision.

The motion prevailed.

Senators Creighton and V. Taylor asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Creighton, V. Taylor.

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1626 ON THIRD READING**

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1626** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Creighton, V. Taylor.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1638 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1638** at this time on its second reading:

**CSSB 1638**, Relating to training for state employees, including procurement and contract management training; authorizing 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 except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1638 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1638** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 945 ON SECOND READING**

On motion of Senator L. Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 945** at this time on its second reading:

**CSSB 945**, Relating to funding under the public school finance system for a school district with a compressed tax rate below the state maximum compressed tax rate.

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 except as follows:

Absent-excused: Seliger.

**COMMITTEE SUBSTITUTE  
SENATE BILL 945 ON THIRD READING**

Senator L. Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 945** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Seliger.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**SENATE BILL ON FIRST READING**

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

**SB 2064** by Creighton

Relating to the creation of the Montgomery County Municipal Utility District No. 153; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Intergovernmental Relations.

**HOUSE BILLS AND RESOLUTION ON FIRST READING**

The following bills and resolution received from the House were read first time and referred to the committees indicated:

**HB 275** to Committee on Finance.

**HB 431** to Committee on State Affairs.

**HB 441** to Committee on Transportation.

**HB 511** to Committee on Criminal Justice.

**HB 601** to Committee on Business and Commerce.

**HB 675** to Committee on State Affairs.

**HB 941** to Committee on Criminal Justice.

**HB 1068** to Committee on Intergovernmental Relations.

**HB 2394** to Committee on Business and Commerce.

**HB 2419** to Committee on State Affairs.

**HB 2481** to Committee on Business and Commerce.

**HB 2679** to Committee on Intergovernmental Relations.

**HB 2809** to Committee on Intergovernmental Relations.

**HB 2813** to Committee on Business and Commerce.

**HB 3031** to Committee on Administration.

**HB 3081** to Committee on Intergovernmental Relations.

**HB 3513** to Committee on Intergovernmental Relations.

**HCR 34** to Committee on Criminal Justice.

**(President in Chair)**

### **REPORT OF COMMITTEE ON NOMINATIONS**

Senator Birdwell submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed:

Members, Finance Commission of Texas: Stacy G. London, Harris County; Lori B. McCool, Kendall County; Larry L. Patton, El Paso County; Paul Wood Plunket, Dallas County.

Members, Health and Human Services Council: Sharon Swift Butterworth, El Paso County; Antonio Falcon, Starr County; Benny G. Raimer, Galveston County.

Commissioners, Jefferson and Orange County Board of Pilot Commissioners: Gerald Raymond Callas, Jefferson County; Steven Michael Hale, Jefferson County; James Scott, Jefferson County; Milton Bradley Taylor, Orange County.

Members, Board of Regents, Midwestern State University: Ralph C. Crosnoe, Wichita County; Shawn Gaylord Hessing, Tarrant County, Nancy Lynn Marks, Wichita County.

Members, State Board for Educator Certification: Susan Simpson Hull, Dallas County; Leon Luis Leal, Tarrant County.

Members, State Health Services Council: Maria Del Carmen Pagan, Hidalgo County; Nancy Jo Been Townes, Hood County; Jay Solomon Zeidman, Harris County.

Member, Texas Alcoholic Beverage Commission: Ida Louise Clement Steen, Bexar County.

Members, Board of Trustees, Texas County and District Retirement System: Robert Allen Eckels, Harris County; Mary Louisa Garcia, Tarrant County; Deborah M. Hunt, Williamson County; Bridget Gayl McDowell, Callahan County; Robert Campbell Willis, Polk County.

Members, Texas Higher Education Coordinating Board: Dora Gonzalez Alcala, Val Verde County; Sada Cumber, Fort Bend County; Fred Farias, Hidalgo County; Harold Wayne Hahn, El Paso County; John Thomas Steen, Bexar County.

Members, Texas Historical Commission: John W. Crain, Dallas County; Thomas Marvin Hatfield, Travis County; Gilbert Eric Peterson, Brewster County.

### **NOTICE OF CONSIDERATION OF NOMINATIONS**

Senator Birdwell gave notice that he would tomorrow submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

On motion of Senator Hancock and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Administration might meet and consider **HB 3031** tomorrow.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

Senator Lucio moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Intergovernmental Relations might meet in the Senate Chamber today.

The motion prevailed by a viva voce vote.

All Members are deemed to have voted "Yea" on the motion to suspend the posting rules except as follows:

Nays: Watson.

Absent-excused: Seliger.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Criminal Justice might meet and consider **SB 1446** tomorrow.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

Senator Nelson moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Finance might meet in the Senate Chamber today.

The motion prevailed by a viva voce vote.

All Members are deemed to have voted "Yea" on the motion to suspend the posting rules except as follows:

Nays: Watson.

Absent-excused: Seliger.

**SENATE RULE 11.13 SUSPENDED**  
**(Consideration of Bills in Committees)**

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

**CO-AUTHOR OF SENATE BILL 139**

On motion of Senator Perry, Senator Campbell will be shown as Co-author of **SB 139**.

**CO-AUTHOR OF SENATE BILL 228**

On motion of Senator Creighton, Senator Campbell will be shown as Co-author of **SB 228**.

**CO-AUTHORS OF SENATE BILL 239**

On motion of Senator Schwertner, Senators Garcia, Hinojosa, Lucio, and Zaffirini will be shown as Co-authors of **SB 239**.

**CO-AUTHORS OF SENATE BILL 531**

On motion of Senator Campbell, Senators Hall and Huffines will be shown as Co-authors of **SB 531**.

**CO-AUTHOR OF SENATE BILL 621**

On motion of Senator Estes, Senator Garcia will be shown as Co-author of **SB 621**.

**CO-AUTHOR OF SENATE BILL 668**

On motion of Senator Schwertner, Senator Huffines will be shown as Co-author of **SB 668**.

**CO-AUTHOR OF SENATE BILL 723**

On motion of Senator Perry, Senator Campbell will be shown as Co-author of **SB 723**.

**CO-AUTHOR OF SENATE BILL 735**

On motion of Senator Fraser, Senator Campbell will be shown as Co-author of **SB 735**.

**CO-AUTHOR OF SENATE BILL 945**

On motion of Senator L. Taylor, Senator Seliger will be shown as Co-author of **SB 945**.

**CO-AUTHOR OF SENATE BILL 1307**

On motion of Senator Menéndez, Senator Zaffirini will be shown as Co-author of **SB 1307**.

**CO-AUTHOR OF SENATE BILL 1543**

On motion of Senator Perry, Senator Campbell will be shown as Co-author of **SB 1543**.

**CO-AUTHOR OF SENATE BILL 1641**

On motion of Senator West, Senator Zaffirini will be shown as Co-author of **SB 1641**.

**CO-AUTHOR OF SENATE BILL 1889**

On motion of Senator Zaffirini, Senator Perry will be shown as Co-author of **SB 1889**.

**CO-AUTHOR OF SENATE BILL 2034**

On motion of Senator Lucio, Senator Watson will be shown as Co-author of **SB 2034**.

**CO-AUTHOR OF SENATE JOINT RESOLUTION 12**

On motion of Senator Perry, Senator Campbell will be shown as Co-author of **SJR 12**.

**CO-AUTHOR OF SENATE RESOLUTION 611**

On motion of Senator L. Taylor, Senator Fraser will be shown as Co-author of **SR 611**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 630** by Lucio, In memory of Abel Alaniz.

**SR 631** by Lucio, In memory of Encarnacion Manzano Cuellar Jr.

**SR 634** by Watson, In memory of Shelburne Jay Veselka.

**SR 638** by Nichols, In memory of Fredna Ruth West.

**Congratulatory Resolutions**

**SR 627** by Perry, Bettencourt, Birdwell, Burton, Campbell, Estes, Hall, Hancock, Huffines, Kolkhorst, Nelson, Schwertner, L. Taylor, and V. Taylor, Recognizing Young Conservatives of Texas on the occasion of its 35th anniversary.

**SR 628** by Garcia, Recognizing Praise Christian Center World Outreach on the occasion of its 30th anniversary.

**SR 629** by Garcia, Recognizing the Ripley House Neighborhood Center on the occasion of its 75th anniversary.

**SR 632** by Garcia, Recognizing ExxonMobil Baytown on the occasion of the ribbon-cutting ceremony for its Lubes Expansion Project.

**SR 633** by Garcia, Recognizing the 179th anniversary of the Battle of San Jacinto.

**SR 635** by Watson, Recognizing Howie Richey for his service in the Office of Engrossing and Enrolling.

**SR 636** by Watson, Recognizing the Special Operations Detachment-Africa (Airborne) of the Texas Army National Guard.

**SR 639** by Watson, Recognizing Richard August Chiarello on the occasion of his retirement.

**SR 640** by Nelson, Recognizing G & A Consultants, LLC, on the occasion of its 25th anniversary.

**Official Designation Resolutions**

**SR 626** by Garcia and Rodriguez, Recognizing May 1, 2015, as Mexican American Studies Day in Texas.

**SR 637** by Nichols, Recognizing April 29, 2015, as Don't Mess With Texas Day.

### **ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 3:46 p.m. adjourned until 11:00 a.m. tomorrow.

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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:

April 27, 2015

INTERGOVERNMENTAL RELATIONS — **CSSB 1108**

FINANCE — **CSSB 279, CSSB 593, CSSB 1468**

CRIMINAL JUSTICE — **CSSB 1902, CSSB 1697**

FINANCE — **CSSJR 20**

TRANSPORTATION — **CSSB 1987, CSSB 1184, CSSB 754, CSSB 1059**

FINANCE — **CSSB 951, CSSB 1215**

HIGHER EDUCATION — **CSSB 1735**

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **CSSB 1252**

EDUCATION — **SB 1434, SB 496, SB 164, CSSB 894, CSSB 471, CSSB 955, CSSB 1222, CSSB 1170**

### **BILLS ENGROSSED**

April 23, 2015

**SB 69, SB 107, SB 158, SB 295, SB 662, SB 746, SB 795, SB 836, SB 849, SB 873, SB 888, SB 925, SB 934, SB 935, SB 972, SB 988, SB 1073, SB 1149, SB 1282, SB 1308, SB 1353, SB 1574**

### **RESOLUTIONS ENROLLED**

April 23, 2015

**SR 615, SR 616, SR 617, SR 618, SR 619, SR 620, SR 621, SR 622, SR 623, SR 624, SR 625**

