

# SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FORTY-THIRD DAY**

(Continued)

(Thursday, April 30, 2015)

**AFTER RECESS**

The Senate met at 8:30 a.m. and was called to order by Senator Hancock.

**SESSION HELD FOR  
LOCAL AND UNCONTESTED CALENDAR**

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions were laid before the Senate in the order listed, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on passage to engrossment or third reading, suspension of the Constitutional Three-day Rule, and final passage are indicated after each caption. All Members are deemed to have voted "Yea" on viva voce votes unless otherwise indicated.

**HCR 43** (Campbell)

Designating Dripping Springs as the Wedding Capital of Texas.  
(30-1) "Nay" Uresti

**SCR 9** (Hancock)

Authorizing the lieutenant governor and speaker to appoint interim joint committees.  
(31-0)

**SCR 22** (Seliger)

Designating Quitaque as the official Bison Capital for a 10-year period beginning in 2015.  
(31-0)

**SCR 31** (Fraser)

Designating Hico as the official Steak Capital of Texas.  
(31-0)

**SCR 32** (Bettencourt)

Urging Congress to expedite natural gas exports.  
(31-0)

**SCR 33** (Rodríguez)

Designating September 8 as Major Jefferson Van Horne Day for a 10-year period beginning in 2015.

(31-0)

**SCR 37** (L. Taylor)

Urging Congress to encourage the Department of Defense to relocate the United States Africa Command to Ellington Field Joint Reserve Base in Houston.

(31-0)

**SB 33** (Zaffirini)

Relating to the offense of hazing.

(viva voce vote) (31-0) (31-0)

**SB 35** (Zaffirini)

Relating to the acknowledgment by management of risks identified in state agency information security plans.

(viva voce vote) (31-0) (31-0)

**SB 37** (Zaffirini)

Relating to a study of the participation of individuals with intellectual or developmental disabilities in public higher education.

(viva voce vote) (31-0) (31-0)

**SB 53** (Nelson)

Relating to strategic fiscal reviews of state agencies and programs.

(viva voce vote) (30-1) "Nay" Hancock (30-1) "Nay" Hancock

**CSSB 272** (Hancock)

Relating to making a voluntary contribution to the Special Olympics Texas fund when registering a motor vehicle or renewing a motor vehicle registration.

(viva voce vote) (31-0) (31-0)

**CSSB 354** (Nelson)

Relating to the transfer to the Health and Human Services Commission of contracting authority for children's advocacy centers and volunteer advocate programs.

(viva voce vote) (31-0) (31-0)

**CSSB 393** (Burton)

Relating to the punishment for certain offenses against property or against public administration.

(viva voce vote) (31-0) (31-0)

**SB 565** (West)

Relating to designating the first week of May as Jury Appreciation Week.

(viva voce vote) (31-0) (31-0)

**CSSB 654** (Eltife)

Relating to regulation of rates and policy forms for certain commercial lines of insurance.

(viva voce vote) (31-0) (31-0)

**SB 668** (Schwertner)

Relating to the adoption of a training manual for certain state officers.

(viva voce vote) (31-0) (31-0)

**CSSB 678** (Nelson)

Relating to coordinated county transportation authorities.

(viva voce vote) (31-0) (31-0)

**SB 684** (L. Taylor)

Relating to the designation of certain optometrists, therapeutic optometrists, and ophthalmologists as preferred providers.

(viva voce vote) (31-0) (31-0)

**SB 789** (Eltife)

Relating to the authority of certain municipalities to provide sewer service to areas within the municipal boundaries without obtaining a certificate of public convenience and necessity.

(viva voce vote) (30-1) "Nay" Creighton (30-1) "Nay" Creighton

**SB 808** (Eltife)

Relating to the sale of distilled spirits to ultimate consumers by the holder of a distiller's and rectifier's permit.

(viva voce vote) (31-0) (31-0)

**SB 810** (Seliger)

Relating to the authority of an independent school district to contract with a municipality for the design, improvement, or construction of an instructional facility, stadium, or other athletic facility.

(viva voce vote) (31-0) (31-0)

**CSSB 828** (L. Taylor)

Relating to the sale of distilled spirits to ultimate consumers by the holder of a distiller's and rectifier's permit.

(viva voce vote) (30-1) "Nay" Perry (30-1) "Nay" Perry

**CSSB 862** (Birdwell)

Relating to voting methods in a property owners' association election or vote.

(viva voce vote) (31-0) (31-0)

**CSSB 864** (Birdwell)

Relating to secret ballots in a property owners' association election or vote.

(viva voce vote) (31-0) (31-0)

**SB 871** (Zaffirini)

Relating to the compensation of county auditors for certain counties.

(viva voce vote) (30-1) "Nay" V. Taylor (30-1) "Nay" V. Taylor

**SB 913** (Zaffirini)

Relating to energy and water management planning and reporting requirements for state agencies and institutions of higher education.

(viva voce vote) (31-0) (31-0)

**CSSB 956** (Eltife)

Relating to the delivery of personal automobile and residential property insurance policies; adding provisions that may be subject to a criminal penalty.

(viva voce vote) (31-0) (31-0)

**SB 957** (Eltife)

Relating to the regulation of crafted precious metal dealers.

(viva voce vote) (31-0) (31-0)

**SB 961** (Rodríguez)

Relating to the designation of February 19 as Iwo Jima Day.

(viva voce vote) (31-0) (31-0)

**SB 965** (Bettencourt)

Relating to the filing of a copy of certain records related to the release of an accused person on personal bond.

(viva voce vote) (31-0) (31-0)

**CSSB 971** (Perry)

Relating to requirements for certain farm vehicles when operating on a highway.

(viva voce vote) (31-0) (31-0)

**CSSB 995** (Rodríguez)

Relating to decedents' estates.

(viva voce vote) (31-0) (31-0)

**(Senator Uresti in Chair)****CSSB 1003** (Bettencourt)

Relating to the issuance of school district teaching permits to persons who teach career and technical education.

(viva voce vote) (31-0) (31-0)

**CSSB 1008** (Eltife)

Relating to the authority of certain domestic life, health, and accident insurance companies to make investments in mezzanine real estate loans.

(viva voce vote) (31-0) (31-0)

**SB 1017** (Hancock)

Relating to the decertification of a certified capital company.

(viva voce vote) (31-0) (31-0)

**SB 1021** (Creighton)

Relating to reporting requirements for certain unclaimed property.

(viva voce vote) (31-0) (31-0)

**SB 1080** (Eltife)

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

(viva voce vote) (31-0) (31-0)

**SB 1101** (Eltife)

Relating to the authority to determine the supply of groundwater in certain regional water plans.

(viva voce vote) (31-0) (31-0)

**SB 1105** (Eltife)

Relating to fire inspections by the state fire marshal for state-owned and state-leased buildings.

(viva voce vote) (31-0) (31-0)

**SB 1107** (Eltife)

Relating to rulemaking authority for annuity contracts.

(viva voce vote) (31-0) (31-0)

**SB 1115** (Campbell)

Relating to a program allowing certain military voters on active duty overseas to cast a ballot electronically.

(viva voce vote) (31-0) (31-0)

**CSSB 1116** (West)

Relating to a notice or document sent by mail or electronic mail by a court, justice, judge, magistrate, or clerk of a judicial court.

(viva voce vote) (31-0) (31-0)

**SB 1129** (Zaffirini)

Relating to the transportation of a person with a mental illness.

(viva voce vote) (31-0) (31-0)

**CSSB 1161** (Zaffirini)

Relating to certain purchasing methods by state agencies and local governments.

(viva voce vote) (31-0) (31-0)

**SB 1162** (Hancock)

Relating to the nonsubstantive revision of certain local laws concerning water and wastewater special districts, including conforming amendments.

(viva voce vote) (31-0) (31-0)

**CSSB 1174** (Eltife)

Relating to the insurance reporting program operated by the Title IV-D agency.

(viva voce vote) (31-0) (31-0)

**SB 1188** (Seliger)

Relating to a study on the feasibility of requiring certain researchers to make research papers available to the public.

(viva voce vote) (31-0) (31-0)

**(Senator Hall in Chair)****CSSB 1196** (Eltife)

Relating to the regulation of funding agreements, guaranteed investment contracts, and synthetic guaranteed investment contracts issued by a life insurer; clarifying certain provisions relating to insurer receivership.

(viva voce vote) (31-0) (31-0)

**CSSB 1200** (L. Taylor)

Relating to the creation of a commission to recommend a new system for student assessment and public school accountability.

(viva voce vote) (31-0) (31-0)

**SB 1202** (Rodríguez)

Relating to the value of property that may be transferred to a custodian or other person for the benefit of a minor under certain circumstances.

(viva voce vote) (31-0) (31-0)

**CSSB 1203** (Rodríguez)

Relating to exemptions from the applicability of the Texas Secure and Fair Enforcement for Mortgage Licensing Act of 2009 and other laws applicable to residential mortgage loan originators.

(viva voce vote) (31-0) (31-0)

**SB 1233** (L. Taylor)

Relating to authorizing certain distributions of income from a nonprofit corporation to members of the corporation who are certain nonprofit corporations.

(viva voce vote) (31-0) (31-0)

**CSSB 1279** (Campbell)

Relating to designated emergency infant care providers for certain abandoned children.

(viva voce vote) (31-0) (31-0)

**SB 1281** (Zaffirini)

Relating to the authority of a local government to participate in a cooperative purchasing program with local governments of this state or another state.

(viva voce vote) (31-0) (31-0)

**(Senator Perry in Chair)****SB 1324** (Menéndez)

Relating to food and beverage consumption in certain public swimming pools.

(viva voce vote) (31-0) (31-0)

**SB 1326** (Menéndez)

Relating to the maximum cumulative period allowed for restoration of a defendant's competency to stand trial and to certain time credits awarded against that cumulative period.

(viva voce vote) (31-0) (31-0)

**SB 1343** (Huffines)

Relating to the procedure for claiming an exemption from ad valorem taxation by the Dallas County Utility and Reclamation District of certain property subject to a tax abatement agreement with the district and to the validation of certain actions of the district.

(viva voce vote) (31-0) (31-0)

**CSSB 1344** (Huffines)

Relating to the removal of a tenant's personal property after a writ of possession has been issued in an eviction suit.

(viva voce vote) (30-1) "Nay" Garcia (30-1) "Nay" Garcia

**SB 1351** (Hinojosa)

Relating to transferring to the Texas Workforce Commission certain duties of the comptroller related to the Jobs and Education for Texans Grant Program.

(viva voce vote) (31-0) (31-0)

**SB 1358** (Campbell)

Relating to the Texas Military Preparedness Commission and strategic planning regarding military bases and defense installations.

(viva voce vote) (31-0) (31-0)

**CSSB 1448** (Ellis)

Relating to holding a primary election for a political party in a county without party leadership.

(viva voce vote) (31-0) (31-0)

**SB 1453** (Zaffirini)

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

(viva voce vote) (31-0) (31-0)

**CSSB 1455** (Zaffirini)

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

(viva voce vote) (31-0) (31-0)

**CSSB 1467** (Watson)

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

(viva voce vote) (30-1) "Nay" Schwertner (30-1) "Nay" Schwertner

**CSSB 1474** (Garcia)

Relating to the eligibility for participation in veterans court programs.

(viva voce vote) (31-0) (31-0)

**CSSB 1494** (Uresti)

Relating to the educational needs of homeless students.

(viva voce vote) (31-0) (31-0)

**SB 1529** (Burton)

Relating to the creation and regulation of a law enforcement agency or police department.

(viva voce vote) (31-0) (31-0)

**CSSB 1532** (Burton)

Relating to the appointment of an associate commissioner for veterans services at the Health and Human Services Commission.

(viva voce vote) (31-0) (31-0)

**CSSB 1540** (Perry)

Relating to the authority of the Health and Human Services Commission and the Department of Aging and Disability Services to obtain criminal history record information regarding certain applicants for employment and current employees.

(viva voce vote) (31-0) (31-0)

**CSSB 1553** (Eltife)

Relating to the interests of certain holding companies in certain repair facilities.

(viva voce vote) (31-0) (31-0)

**SB 1554** (Eltife)

Relating to the regulation of rates for certain personal automobile insurance.

(viva voce vote) (31-0) (31-0)

**CSSB 1560** (Zaffirini)

Relating to the regulation of chemical dependency treatment facilities and certain other facilities.

(viva voce vote) (31-0) (31-0)

**CSSB 1563** (Eltife)

Relating to the authority of the TexAmericas Center to incorporate a nonprofit corporation for certain purposes and to the tax treatment of such a nonprofit corporation.

(viva voce vote) (31-0) (31-0)

**CSSB 1587** (Eltife)

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

(viva voce vote) (31-0) (31-0)

**CSSB 1651** (Eltife)

Relating to the employment of persons under 18 years of age on the premises of certain businesses selling or serving alcoholic beverages; adding a provision that is subject to a criminal penalty.

(viva voce vote) (31-0) (31-0)

**SB 1656** (West)

Relating to the administration of the scholarship program for certain students graduating in the top 10 percent of the students' high school graduating class.

(viva voce vote) (30-1) "Nay" Nelson (30-1) "Nay" Nelson

**CSSB 1666** (Hancock)

Relating to excepting manufacturers engaged in certain commercial research and development from certain provisions of the Texas Controlled Substances Act.

(viva voce vote) (31-0) (31-0)

**CSSB 1781** (Menéndez)

Relating to the euthanasia of animals in animal shelters located in certain counties.

(viva voce vote) (26-5) "Nays" Birdwell, Burton, Huffines, Nichols, Schwertner (26-5) "Nays" Birdwell, Burton, Huffines, Nichols, Schwertner



**CSSB 1792** (Ellis)

Relating to access to a financial institution account of a person who dies intestate.  
(viva voce vote) (31-0) (31-0)

**CSSB 1824** (Campbell)

Relating to awarding the Texas Legislative Medal of Honor.  
(viva voce vote) (31-0) (31-0)

**STATEMENT REGARDING SENATE BILL 1824**

Senator Birdwell submitted the following statement regarding **SB 1824**:

I am supportive of Senator Campbell's bill to remove the limitation on the number of Texas Legislative Medals of Honor (TLMH) that can be issued by the legislature. While a fixed allotment of these awards—currently two per legislative session—certainly maintains the prestige of the TLMH, this limit also places such a prohibition on the legislature that I believe it should be removed to have the flexibility to recognize those deserving Texans. Still, as a retired career soldier of more than 20 years, I wish to provide this statement for the record as an expression of my concern to future legislators. By removing the two-medal maximum, those charged with nominating and/or selecting the awardees must be on guard to preserve the esteem associated with the TLMH. In particular, they must do this by avoiding over-issuance of the award. The political pressure or desire to express our support for veterans, while merited, can lead to the awarding of medals to citizens in such a manner and at such a rate that it could eventually reduce the status of the TLMH. In the spirit of clarity, I must reiterate that if an individual has met the criteria, I believe the TLMH should most certainly be awarded. My intent is simply to warn future legislators to guard against dilution of the rigor and prestige of the TLMH. This accolade is an important one for the legislature to be able to bestow upon a small number of deserving Texans, and in passing Senate Bill 1824, we must ensure that the unique stature of the TLMH is maintained.

BIRDWELL

**(Senator Burton in Chair)**

**SB 1831** (Menéndez)

Relating to the designation of a portion of State Highway 151 as the Specialist Dane Balcon Memorial Bridge.  
(viva voce vote) (31-0) (31-0)

**SB 1838** (Menéndez)

Relating to the definition of peace officer for purposes of intercepting or collecting information in relation to certain communications in an investigation conducted by an arson investigating unit.  
(viva voce vote) (31-0) (31-0)

**CSSB 1844** (Zaffirini)

Relating to the establishment and functions of the Interagency Data Transparency Commission.  
(viva voce vote) (31-0) (31-0)

**CSSB 1853** (Lucio)

Relating to authorizing the Department of Public Safety of the State of Texas to establish a statewide program for the prevention and detection of certain criminal offenses.

(viva voce vote) (31-0) (31-0)

**CSSB 1877** (Zaffirini)

Relating to the development and maintenance by each state agency of a data use agreement for the state agency's employees and to training related to that agreement.

(viva voce vote) (30-1) "Nay" V. Taylor (30-1) "Nay" V. Taylor

**CSSB 1878** (Zaffirini)

Relating to a study on the feasibility of implementing more secure access requirements for certain electronically stored information held by the state.

(viva voce vote) (31-0) (31-0)

**SB 1888** (Zaffirini)

Relating to a requirement that a county report the number of certain persons with mental illness detained in that county's jail.

(viva voce vote) (31-0) (31-0)

**CSSB 1889** (Zaffirini)

Relating to the definition of neglect of a child, the exclusion of certain information from the Department of Family and Protective Services central registry of child abuse or neglect cases, and the report of certain information regarding those cases to the legislature.

(viva voce vote) (31-0) (31-0)

**CSSB 1931** (Garcia)

Relating to the appointment of an attorney ad litem for a parent in certain suits affecting the parent-child relationship.

(viva voce vote) (31-0) (31-0)

**CSSB 1982** (Kolkhorst)

Relating to the regulation of certain motor vehicle auctions.

(viva voce vote) (31-0) (31-0)

**CSSB 1999** (Menéndez)

Relating to day activity and health services facilities.

(viva voce vote) (31-0) (31-0)

**SB 2019** (Uresti)

Relating to the composition of the Texas Violent Gang Task Force.

(viva voce vote) (31-0) (31-0)

**SB 2034** (Lucio)

Relating to the creation of the Cameron County Healthcare District; granting the authority to impose a tax and issue bonds; granting the power of eminent domain.

(viva voce vote) (30-1) "Nay" V. Taylor (30-1) "Nay" V. Taylor

**BILLS REMOVED FROM  
LOCAL AND UNCONTESTED CALENDAR**

Senator L. Taylor and Senator Hancock requested in writing that **SB 1092** be removed from the Local and Uncontested Calendar.

Senator Huffman and Senator Hancock requested in writing that **SB 1699** be removed from the Local and Uncontested Calendar.

Senator Huffman and Senator Hancock requested in writing that **SB 1704** be removed from the Local and Uncontested Calendar.

Senator Menéndez and Senator Hancock requested in writing that **SB 1780** be removed from the Local and Uncontested Calendar.

**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 9:20 a.m. adjourned, in memory of Bob Lanier, until 10:00 a.m. today.

