

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-SEVENTH DAY

(Wednesday, May 6, 2015)

The Senate met at 11:00 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 Carl DeShay, Kingdom Harvest Ministries, Bastrop, offered the invocation as follows:

Our Father in heaven, how great and wonderful You are. May Your government, peace, and grace be among us all and may it never end. We are grateful to You for life, health, strength, and for all that You provide for us. We thank You for the continuation of this general assembly as issues, discussion, and decisions are made, for we as citizens understand that we are in subjection to the governing authorities. Therefore, there is no authority except from You and those which are established by You. So, we pray for those in authority as they lead. Let integrity, wisdom, and justices be a crown of glory for them. Let all who are a part of this governing system from elected officials to the maintenance department, to the administrators, and to the volunteers of every small town, city, and county of this great State of Texas be the recipient of great leadership. Let our leaders consider the diversity of our state and those that are less fortunate. Father, help those rulers issue decrees that are just when it involves the personal good of the people they are called to serve. In closing, heavenly Father, as stewards of this great state, we thank You for the privilege of serving, for doing our part, however small or large. May Your will be done on Earth as it is in heaven. All of these blessings we pray, and we all say, 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.

GUEST PRESENTED

Senator Campbell was recognized and introduced to the Senate Rowan Windham.

The Senate welcomed its guest.

PHYSICIAN OF THE DAY

Senator Watson was recognized and presented Dr. Dana Sprute of Austin as the Physician of the Day.

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

BILL SIGNED

The President announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **SB 860**.

**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 11:16 a.m. announced the conclusion of morning call.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 6, 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 15

Otto

Relating to the management and oversight of state contracts, including contracts for information technology commodity items.

HB 239

Springer

Relating to storage of flammable liquids at retail service stations in unincorporated areas and certain municipalities.

- HB 262** Miles
Relating to liability of an owner, lessee, or occupant of land that allows land to be used as a community garden.
- HB 327** Wu
Relating to a study on the availability of information regarding convictions and deferred dispositions for certain fine-only misdemeanors.
- HB 381** Burkett
Relating to the punishment for the offense of burglary of a vehicle; increasing a criminal penalty.
- HB 394** McClendon
Relating to the information in ad valorem tax appraisal records that may not be posted on the Internet by an appraisal district.
- HB 408** Turner, Chris
Relating to the retirement benefits for certain elected state officials.
- HB 516** Moody
Relating to venue for the offense of failure to attend school.
- HB 735** Israel
Relating to the collection of information regarding the number of alternatively fueled vehicles registered in this state.
- HB 763** King, Susan
Relating to a petition to a state agency for adoption of rules.
- HB 764** King, Susan
Relating to the use, collection, and security of health care data collected by the Department of State Health Services.
- HB 831** Giddings
Relating to disclosure of home mortgage information to a surviving spouse.
- HB 905** Frullo
Relating to the regulation of knives by a municipality or county.
- HB 966** Crownover
Relating to the creation of an optional consumer-directed health plan for certain individuals eligible to participate in the group benefits program provided under the Texas Employees Group Benefits Act and their qualified dependents.
- HB 1015** Canales
Relating to notice provided to a court regarding certain defendants placed on state jail felony community supervision.
- HB 1044** Fallon
Relating to the designation of a segment of Farm-to-Market Road 423 in Denton County as the U.S. Army Sergeant Enrique Mondragon Memorial Highway.
- HB 1074** Metcalf
Relating to the creation of the Montgomery County Municipal Utility District No. 145; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

- HB 1079** Thompson, Senfronia
Relating to the distribution of certain civil penalties, payments, and civil restitution received by the attorney general.
- HB 1112** Gutierrez
Relating to projects that a defense adjustment management authority may conduct.
- HB 1143** Dukes
Relating to information and services for foster children who are pregnant or minor parents.
- HB 1251** Alvarado
Relating to the transfer of compensation experience for purposes of the Texas Unemployment Compensation Act.
- HB 1311** McClendon
Relating to the confidentiality of personal information concerning certain employees currently or formerly involved in the Texas juvenile justice system.
- HB 1317** Bohac
Relating to a report on laws, standards, and policies regarding parking for persons with disabilities to be prepared by the Governor's Committee on People with Disabilities.
- HB 1337** Naishtat
Relating to requiring institutions and assisted living facilities to maintain guardianship orders of residents.
- HB 1338** Naishtat
Relating to training for peace officers and first responders on certain persons affected by trauma.
- HB 1372** Isaac
Relating to the creation of the Cotton Center Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 1386** Raymond
Relating to the prohibition of more than one counsel appearing in a misdemeanor case.
- HB 1394** Burns
Relating to the composition, governance, and authority of a regional tollway authority that has or proposes to have projects located in counties that are not part of the authority.
- HB 1474** VanDeaver
Relating to the placement of money in the state instructional materials fund and payment of the instructional materials allotment.
- HB 1510** Thompson, Senfronia
Relating to liability of persons who lease dwellings to persons with criminal records.
- HB 1558** Parker
Relating to the authority of a municipality to regulate churches that provide overnight shelter for children.

- HB 1588** Villalba
Relating to the validity of certain timeshare interests.
- HB 1621** Bonnen, Greg
Relating to utilization review and notice and appeal of certain adverse determinations by utilization review agents.
- HB 1658** Vo
Relating to the disqualification of certain temporary employees for unemployment compensation benefits.
- HB 1741** Lucio III
Relating to route designation for the issuance of a permit for the movement of oversize and overweight vehicles in certain counties.
- HB 1774** Lucio III
Relating to the jurisdiction and powers of and the referral of certain proceedings to a criminal law hearing officer in Cameron County.
- HB 1779** Murr
Relating to the confidentiality of a physician's patient information in certain judicial proceedings.
- HB 1846** King, Susan
Relating to public comments on federal grants and contracts related to the Federal Food, Drug, and Cosmetic Act.
- HB 1919** Phillips
Relating to the applicability of certain provisions concerning invasive species.
- HB 1969** Martinez, "Mando"
Relating to the issuance of certain permits for the movement of oversize or overweight vehicles on certain highways.
- HB 2063** Oliveira
Relating to the recording and effective date of certain documents relating to nonjudicial foreclosure sales.
- HB 2070** Thompson, Senfronia
Relating to the waiver of notification and hearing requirements for certain foster homes that provide shelter to victims of human trafficking.
- HB 2084** Muñoz, Jr.
Relating to transparency in the rate-setting processes for the Medicaid managed care and child health plan programs.
- HB 2085** Muñoz, Jr.
Relating to the administration and oversight of overweight corridors; authorizing a fee.
- HB 2108** Galindo
Relating to a medal for certain members of the military forces who served during the Cold War.

- HB 2121** King, Tracy O.
Relating to the repeal of obsolete laws governing county road systems in certain counties.
- HB 2179** Lucio III
Relating to hearings that concern the issuance of permits by a groundwater conservation district.
- HB 2182** Clardy
Relating to the collection and refunding of certain fees and deposits by a county clerk or district clerk; increasing certain fees.
- HB 2246** Villalba
Relating to the restriction of certain intoxication offenders to the operation of a motor vehicle with an ignition interlock device in lieu of a license suspension.
- HB 2293** Darby
Relating to the certification by the comptroller to the commissioner of education of the taxable value of property in each school district.
- HB 2299** Riddle
Relating to the nonsubstantive revision of certain laws concerning community supervision granted in criminal cases, including conforming amendments.
- HB 2301** Riddle
Relating to time credits awarded against the cumulative period of commitment or treatment of certain defendants determined to be incompetent to stand trial.
- HB 2372** Dutton
Relating to training requirements for juvenile correctional officers employed by the Texas Juvenile Justice Department.
- HB 2390** Bohac
Relating to civil liability arising from an employee wellness program.
- HB 2424** Thompson, Senfronia
Relating to fees paid to the Automobile Burglary and Theft Prevention Authority.
- HB 2455** Burkett
Relating to the establishment of a task force to promote uniformity in the collection and reporting of information relating to family violence, sexual assault, stalking, and human trafficking.
- HB 2499** Thompson, Senfronia
Relating to the electronic filing of bail bonds.
- HB 2511** Thompson, Senfronia
Relating to the creation of the human trafficking prevention business partnership.
- HB 2528** Harless
Relating to the authority of a water district to accept donations to fund certain economic development programs.

HB 2573

Johnson

Relating to a deceptive trade practice related to the use of certain words to imply that a person who is not an attorney is authorized to practice law and the prosecution of a cause of action arising from that practice.

HB 2574

Johnson

Relating to increasing awareness of the danger of heatstroke for a child left unattended in a motor vehicle.

HB 2588

Naishtat

Relating to disclosures by nursing facilities and assisted living facilities regarding certification or classification to provide specialized care, treatment, or personal care services to residents with Alzheimer's disease or related disorders; adding requirements for an occupational license.

HB 2590

Johnson

Relating to providing a remedy for fraud committed in certain real estate and stock transactions.

HB 2597

Reynolds

Relating to the creation of a mental health treatment for incarceration diversion pilot program.

HB 2616

Dutton

Relating to procedures related to juvenile justice proceedings; increasing the punishment for certain delinquent conduct.

HB 2634

Kuempel

Relating to the construction manager-at-risk used by a governmental entity.

HB 2655

Frank

Relating to requiring the Department of Family and Protective Services to study the effectiveness of the relative and other designated caregiver placement program.

HB 2660

Howard

Relating to Foundation School Program funding for students enrolled in an optional flexible school day program.

HB 2667

Ashby

Relating to the abolishment of certain programs administered by the Texas Economic Development Bank.

HB 2681

Smith

Relating to information required in a notice of sale of real property under contract lien.

HB 2706

Wray

Relating to the value of personal property exempt from seizure by creditors.

HB 2708

Coleman

Relating to the qualifications for teaching a driver education course.

HB 2731

Bonnen, Greg

Relating to the exemption of nonprofit ambulance companies from motor fuel taxes.

- HB 2747** Landgraf
Relating to qualifications to serve as a petit juror.
- HB 2751** Guillen
Relating to the composition of the juvenile board of Atascosa County.
- HB 2812** Springer
Relating to the limit on junior college courses that a high school student may enroll in for dual credit.
- HB 2826** Murphy
Relating to the eligibility of certain property located in multiple school districts for a limitation on appraised value for school district maintenance and operations ad valorem tax purposes under the Texas Economic Development Act.
- HB 2839** Capriglione
Relating to the production of public information under the public information law.
- HB 2844** Raney
Relating to the application of the sales and use tax to the lease or rental to a full service event business of certain tangible personal property.
- HB 2853** Anderson, Rodney
Relating to the municipal sales and use tax for street maintenance.
- HB 2861** Raymond
Relating to an optional procedure for the issuance of a permit by the City of Laredo for the movement of oversize or overweight vehicles carrying cargo in Webb County; authorizing a fee; adding a provision subject to criminal penalties.
- HB 2879** González, Mary
Relating to a study by the General Land Office regarding the feasibility of creating a mechanism by which a governmental entity could acquire small parcels of real property in an area and convey them to a developer in order to ensure the property is developed in compliance with model subdivision rules.
- HB 2883** Simmons
Relating to the addition of territory to a crime control and prevention district and to a fire control, prevention, and emergency medical services district.
- HB 2926** Anchia
Relating to low income housing tax credits awarded for at-risk developments.
- HB 2945** Alonzo
Relating to the use of the juvenile case manager fund.
- HB 2968** Guillen
Relating to the preservation of the Alamo complex and surrounding area and to the Alamo Preservation Advisory Board.
- HB 2986** Israel
Relating to recording of minutes for a local canvassing authority.

- HB 3027** Zerwas
Relating to the establishment of the Texas Competency-Based Education Grant Program for certain students enrolled in competency-based baccalaureate degree programs at certain institutions of higher education.
- HB 3036** Martinez, "Mando"
Relating to a study on the savings to the state achieved by the expansion of Medicaid managed care in regards to the number of persons served and the scope of services provided.
- HB 3103** Murphy
Relating to the registration and operation of golf carts and utility vehicles; authorizing a fee; amending and adding provisions subject to a general criminal penalty.
- HB 3105** Bonnen, Greg
Relating to the establishment of a multi-stakeholder advisory committee on health literacy.
- HB 3121** Thompson, Senfronia
Relating to the enforcement of orders in a suit affecting the parent-child relationship.
- HB 3212** King, Phil
Relating to peace officer identification cards.
- HB 3236** Fletcher
Relating to the extension of the portion of U.S. Highway 290 in Harris County designated as the Ronald Reagan Memorial Highway.
- HB 3264** Guillen
Relating to the enforcement of permit requirements for the operation of a domestic wastewater treatment facility.
- HB 3333** Clardy
Relating to the investment of funds by certain municipal hospital authorities.
- HB 3337** Clardy
Relating to training and education for state agency administrators and employees.
- HB 3357** Lucio III
Relating to permitted methods for certain political subdivisions to post notice of a meeting.
- HB 3474** Coleman
Relating to issues affecting counties and political subdivisions within counties.
- HB 3506** Guillen
Relating to the appointment by certain elected officials of students to receive a Texas Armed Services Scholarship.
- HB 3522** Longoria
Relating to photo identification requirements for certain stored value card purchases.
- HB 3535** Collier
Relating to low income housing tax credits awarded for certain developments.
- HB 3610** Collier
Relating to the issuance of Texas Juneteenth specialty license plates.

- HB 3618** Isaac
Relating to prohibiting camping and building fires in certain areas; creating a criminal offense.
- HB 3660** Dutton
Relating to low income housing tax credits awarded to at-risk developments.
- HB 3685** Anderson, Charles "Doc"
Relating to the employment status of certain individuals engaged in rehabilitative work-training programs.
- HB 3710** Blanco
Relating to a voluntary contribution to the fund for veterans' assistance when applying for a concealed handgun license.
- HB 3747** Phillips
Relating to the issuance of a concealed handgun license to certain retired judicial officers.
- HB 3791** Geren
Relating to the provision of recordings of certain interactions with a peace officer relating to intoxication offenses.
- HB 3910** Paul
Relating to completion of continuing education requirements for insurance agents and adjusters.
- HB 4003** Laubenberg
Relating to the redaction of personally identifiable information of victims from juvenile court records.
- HB 4011** Martinez Fischer
Relating to reporting and monitoring requirements related to fire protection sprinkler systems in residential high-rise buildings.
- HB 4086** Muñoz, Jr.
Relating to the right to a de novo hearing before the referring court regarding a temporary order rendered by an associate judge in certain family law proceedings.
- HB 4152** Zerwas
Relating to the board of directors of the Fulshear Town Center Management District.
- HB 4168** Bonnen, Dennis
Relating to the composition of the board of directors and the powers of the Gulf Coast Water Authority.
- HCR 56** Geren
Authorizing the lieutenant governor and speaker to appoint interim joint committees.
- HCR 65** Naishtat
Designating the western honey bee as the official State Pollinator of Texas.
- HCR 69** White, James
Designating the city of Jasper as the official Butterfly Capital of Texas.

HCR 70

Flynn

Authorizing the State Preservation Board to approve and permit the construction of a monument at the state Capitol Complex, at a site outside the historic Capitol grounds, honoring veterans of the wars in Iraq and Afghanistan.

HCR 72

Lozano

Requesting the lieutenant governor and speaker to provide for a joint interim study regarding economic development in the Texas coastal region.

HCR 77

Guillen

Redesignating Jim Hogg County as the official Vaquero Capital of Texas.

HCR 78

Guillen

Designating "the Lone Star State" as the official nickname of Texas.

HCR 95

Geren

In memory of Roy Houston Moore of Austin.

HCR 110

Bonnen, Greg

Recognizing May 2015 as Amyotrophic Lateral Sclerosis Month.

SB 193

Creighton

Sponsor: González, Mary

Relating to the issuance of specialty license plates to honor recipients of certain military medals.

SB 288

Estes

Sponsor: Springer

Relating to the designation of a portion of State Highway 16 in Young County as the Texas Game Warden Joseph Marshall Evans Memorial Highway.

SB 529

Hancock

Sponsor: King, Phil

Relating to the eligibility of a landman for unemployment compensation.

SB 578

Hinojosa

Sponsor: Allen

Relating to providing inmates of the Texas Department of Criminal Justice with information regarding reentry and reintegration resources.

(Committee Substitute)

SB 700

Eltife

Sponsor: Smith

Relating to the use of electronic processes by and electronic information submitted to the Texas Alcoholic Beverage Commission; authorizing a fee.

SB 742

Ellis

Sponsor: Davis, Sarah

Relating to the issuance of Texas Medical Center specialty license plates.

SB 784

Eltife

Sponsor: Frullo

Relating to collection and use of certain information reported to and by the Texas Department of Insurance and certain approval authority and hearings held in connection with reported information.

SB 815

Rodríguez

Sponsor: Thompson,
Senfronia

Relating to a temporary restraining order for preservation of property and protection of the parties in a suit for the dissolution of marriage.

SB 1264

Eltife

Sponsor: Kuempel

Relating to the regulation of certain industrialized housing and industrialized buildings.

SB 1651

Eltife

Sponsor: Murr

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.

THE HOUSE HAS GRANTED THE REQUEST OF THE SENATE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

SJR 5 (non-record vote)

House Conferees: Pickett - Chair/Davis, Yvonne/Harless/Otto/Simmons

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

BIRTHDAY GREETINGS EXTENDED

Senator Garcia was recognized and, on behalf of the Senate, extended birthday greetings to Bill Schaffer.

SENATE BILL 58 ON SECOND READING

Senator Nelson moved to suspend the regular order of business to take up for consideration **SB 58** at this time on its second reading:

SB 58, Relating to the enforcement of commercial vehicle safety standards by certain counties.

The motion prevailed.

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

The bill was read second time.

Senator L. Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 58** (Committee Printing) as follows:

(1) In SECTION 1 of the bill, in the recital (page 1, line 22), strike "Section 644.101(c), Transportation Code, is" and substitute "Sections 644.101(b) and (c), Transportation Code, are".

(2) In SECTION 1 of the bill, before amended Section 644.101(c), Transportation Code (page 1, between lines 23 and 24), insert the following:

(b) A police officer of any of the following municipalities is eligible to apply for certification under this section:

- (1) a municipality with a population of 50,000 or more;
- (2) a municipality with a population of 25,000 or more any part of which is located in a county with a population of 500,000 or more;
- (3) a municipality with a population of less than 25,000:

(A) any part of which is located in a county with a population of 3.3 million; and

- (B) that contains or is adjacent to an international port;
- (4) a municipality with a population of at least 34,000 that is located in a county that borders two or more states;
- (5) a municipality any part of which is located in a county bordering the United Mexican States;
- (6) a municipality with a population of less than 5,000 that is located:
- (A) adjacent to a bay connected to the Gulf of Mexico; and
- (B) in a county adjacent to a county with a population greater than 3.3 million;
- (7) a municipality that is located:
- (A) within 25 miles of an international port; and
- (B) in a county that does not contain a highway that is part of the national system of interstate and defense highways and is adjacent to a county with a population greater than 3.3 million; [~~or~~]
- (8) a municipality with a population of less than 8,500 that:
- (A) is the county seat; and
- (B) contains a highway that is part of the national system of interstate and defense highways; or
- (9) a municipality with a population of more than 40,000 and less than 50,000 that is located in a county with a population of more than 285,000 and less than 300,000 that borders the Gulf of Mexico.

The amendment to **SB 58** was read and was adopted without objection.

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

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

SB 58 as amended 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: Birdwell, Creighton, Huffines.

SENATE BILL 58 ON THIRD READING

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 58** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

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

Nays: Birdwell, Creighton, Huffines.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

SENATE RESOLUTION 711

Senator Ellis offered the following resolution:

SR 711, Recognizing May 2015 as Asian-Pacific American Heritage Month.

The resolution was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution.

GUESTS PRESENTED

Senator Ellis was recognized and introduced to the Senate an Asian-Pacific American Heritage Month delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 722

Senator Ellis offered the following resolution:

SR 722, Recognizing May 6, 2015, as Asian Real Estate Association of America Day.

ELLIS
NELSON
WATSON
WEST

The resolution was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution.

GUESTS PRESENTED

Senator Ellis was recognized and introduced to the Senate an Asian Real Estate Association of America Day delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator L. Taylor was recognized and introduced to the Senate a La Marque High School delegation.

The Senate welcomed its guests.

SENATE BILL 1168 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **SB 1168** at this time on its second reading:

SB 1168, Relating to the operation of certain property owners' associations.

The motion prevailed.

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

The bill was read second time.

Senator West offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1168** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 82.002(c), Property Code, is amended to read as follows:

(c) This section and the following sections apply to a condominium in this state for which the declaration was recorded before January 1, 1994: Sections 82.005, 82.006, 82.007, 82.053, 82.054, 82.102(a)(1)-(7), (a)(12)-(21), (f), and (g), 82.108, 82.111, 82.113, 82.114, 82.116, 82.118, 82.119, 82.157, and 82.161. The definitions prescribed by Section 82.003 apply to a condominium in this state for which the declaration was recorded before January 1, 1994, to the extent the definitions do not conflict with the declaration. The sections listed in this subsection apply only with respect to events and circumstances occurring on or after January 1, 1994, and do not invalidate existing provisions of the declaration, bylaws, or plats or plans of a condominium for which the declaration was recorded before January 1, 1994.

SECTION 2. Subchapter C, Chapter 82, Property Code, is amended by adding Section 82.119 to read as follows:

Sec. 82.119. ONLINE AVAILABILITY OF DEDICATORY INSTRUMENTS.

If an association has, or a management company on the association's behalf maintains, a publicly accessible Internet website, the association shall make available on that website all dedicatory instruments relating to the association or condominium regime, including bylaws and association rules, that are filed in the county deed records.

SECTION 3. Section 82.157(a), Property Code, is amended to read as follows:

(a) Except as provided by Subsection (c), if a unit owner other than a declarant intends to sell a unit, before executing a contract or conveying the unit, the unit owner must furnish to the purchaser a current copy of the declaration, bylaws, any association rules, and a resale certificate that must have been prepared not earlier than three months before the date it is delivered to the purchaser. The resale certificate must be issued by the association and must contain the current operating budget of the association and statements of:

- (1) any right of first refusal or other restraint contained in the declaration that restricts the right to transfer a unit;
- (2) the amount of the periodic common expense assessment and the unpaid common expenses or special assessments currently due and payable from the selling unit owner;
- (3) other unpaid fees or amounts payable to the association by the selling unit owner;
- (4) capital expenditures, if any, approved by the association for the next 12 months;
- (5) the amount of reserves, if any, for capital expenditures and of portions of those reserves designated by the association for a specified project;
- (6) any unsatisfied judgments against the association;
- (7) the nature of any pending suits against the association;
- (8) insurance coverage provided for the benefit of unit owners;

(9) whether the board has knowledge that any alterations or improvements to the unit or to the limited common elements assigned to that unit violate the declaration, bylaws, or association rules;

(10) whether the board has received notice from a governmental authority concerning violations of health or building codes with respect to the unit, the limited common elements assigned to that unit, or any other portion of the condominium;

(11) the remaining term of any leasehold estate that affects the condominium and the provisions governing an extension or renewal of the lease; ~~[and]~~

(12) the name, mailing address, and telephone number of the association's managing agent, if any;

(13) the association's current operating budget and balance sheet; and

(14) a statement of all fees associated with the transfer of ownership, including a description of each fee, to whom each fee is paid, and the amount of each fee.

SECTION 4. Section 207.001(2), Property Code, is amended to read as follows:

(2) "Dedicator instrument," "property owners' association," and "restrictive covenant" have the meanings assigned by Section 209.002 ~~[202.001]~~.

SECTION 5. Section 207.002, Property Code, is amended to read as follows:

Sec. 207.002. APPLICABILITY. (a) This chapter applies to a subdivision with a property owners' association that is entitled to levy regular or special assessments.

(b) This chapter does not apply to a condominium council of owners governed by Chapter 81 or a condominium unit owners' association governed by Chapter 82.

SECTION 6. Section 209.002, Property Code, is amended by amending Subdivision (4-a) and adding Subdivision (13) to read as follows:

(4-a) "Development period" means a period stated in a declaration during which a declarant reserves:

(A) a right to facilitate the development, construction, and marketing of the subdivision; ~~or [and]~~

(B) a right to direct the size, shape, and composition of the subdivision.

(13) "Verified mail" means any method of mailing for which evidence of mailing is provided by the United States Postal Service or a common carrier.

SECTION 7. Section 209.003(d), Property Code, is amended to read as follows:

(d) This chapter does not apply to a condominium as defined ~~[development governed]~~ by Section 81.002 or 82.003 ~~[Chapter 82]~~.

SECTION 8. Section 209.0041, Property Code, is amended by amending Subsection (h) and adding Subsection (h-1) to read as follows:

(h) Except as provided by Subsection (h-1) ~~[this subsection]~~, a declaration may be amended only by a vote of 67 percent of those entitled to vote on the amendment of the declaration ~~[the total votes allocated to property owners in the property owners' association]~~, in addition to any governmental approval required by law.

(h-1) If the declaration contains a lower percentage than prescribed by Subsection (h), the percentage in the declaration controls.

SECTION 9. Section 209.0051, Property Code, is amended by amending Subsections (b), (c-1), and (h) and adding Subsection (c-2) to read as follows:

(b) In this section, "board" ~~[=~~

~~[(1) "Board]~~ meeting":

~~(1) [(A)]~~ means a deliberation between a quorum of the voting board of the property owners' association, or between a quorum of the voting board and another person, during which property owners' association business is considered and the board takes formal action; and

~~(2) [(B)]~~ does not include the gathering of a quorum of the board at a social function unrelated to the business of the association or the attendance by a quorum of the board at a regional, state, or national convention, ceremonial event, or press conference, if formal action is not taken and any discussion of association business is incidental to the social function, convention, ceremonial event, or press conference.

~~[(2) "Development period" means a period stated in a declaration during which a declarant reserves:~~

~~[(A) a right to facilitate the development, construction, and marketing of the subdivision; and~~

~~[(B) a right to direct the size, shape, and composition of the subdivision.]~~

(c-1) Except for a meeting held by electronic or telephonic means under Subsection (c-2) ~~[(A)]~~, a board meeting must be held in a county in which all or part of the property in the subdivision is located or in a county adjacent to that county.

(c-2) A board meeting may be held by electronic or telephonic means provided that:

(1) each board member may hear and be heard by every other board member;

(2) except for any portion of the meeting conducted in executive session:

(A) all owners in attendance at the meeting may hear all board members; and

(B) owners are allowed to listen using any electronic or telephonic communication method used or expected to be used by a board member to participate; and

(3) the notice of the meeting includes instructions for owners to access any communication method required to be accessible under Subdivision (2)(B).

(h) Except as provided by this subsection, a [A] board may take action outside of a meeting [meet by any method of communication], including voting by electronic or [and] telephonic means, without prior notice to owners under Subsection (e), if each board member is given a reasonable opportunity to express the board member's opinion to all other board members and to vote [director may hear and be heard by every other director, or the board may take action by unanimous written consent to consider routine and administrative matters or a reasonably unforeseen emergency or urgent necessity that requires immediate board action]. Any action taken without notice to owners under Subsection (e) must be summarized orally, including an explanation of any known actual or estimated expenditures approved at the meeting, and documented in the minutes of the next regular or special board meeting. The board may not, unless done in an open meeting for which [without] prior notice was given to owners under Subsection (e), consider or vote on:

(1) fines;

(2) damage assessments;

- (3) initiation of foreclosure actions;
- (4) initiation of enforcement actions, excluding temporary restraining orders or violations involving a threat to health or safety;
- (5) increases in assessments;
- (6) levying of special assessments;
- (7) appeals from a denial of architectural control approval; ~~or~~
- (8) a suspension of a right of a particular owner before the owner has an opportunity to attend a board meeting to present the owner's position, including any defense, on the issue;
- (9) lending or borrowing money;
- (10) the adoption or amendment of a dedicatory instrument;
- (11) the approval of an annual budget or the approval of an amendment of an annual budget that increases the budget by more than 10 percent;
- (12) the sale or purchase of real property;
- (13) the filling of a vacancy on the board;
- (14) the construction of capital improvements other than the repair, replacement, or enhancement of existing capital improvements; or
- (15) the election of an officer.

SECTION 10. Section 209.0056, Property Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) For an election or vote taken at a meeting of the owners, not ~~Not~~ later than the 10th day or earlier than the 60th day before the date of the ~~an~~ election or vote, a property owners' association shall give written notice of the election or vote to:

(1) each owner of property in the property owners' association, for purposes of an association-wide election or vote; or

(2) each owner of property in the property owners' association entitled under the dedicatory instruments to vote in a particular representative election, for purposes of a vote that involves election of representatives of the association who are vested under the dedicatory instruments of the property owners' association with the authority to elect or appoint board members of the property owners' association.

(a-1) For an election or vote of owners not taken at a meeting, the property owners' association shall give notice of the election or vote to all owners entitled to vote on any matter under consideration. The notice shall be given not later than the 20th day before the latest date on which a ballot may be submitted to be counted.

SECTION 11. Section 209.0057, Property Code, is amended by amending Subsections (b), (c), and (d) and adding Subsections (b-1), (b-2), (b-3), and (b-4) to read as follows:

(b) Any owner may, not later than the 15th day after the later of the date of any ~~the~~ meeting of owners at which the election or vote was held or the date of the announcement of the results of the election or vote, require a recount of the votes. A demand for a recount must be submitted in writing either:

(1) by verified ~~certified~~ mail, ~~return receipt requested,~~ or by delivery by the United States Postal Service with signature confirmation service to the property owners' association's mailing address as reflected on the latest management certificate filed under Section 209.004; or

(2) in person to the property owners' association's managing agent as reflected on the latest management certificate filed under Section 209.004 or to the address to which absentee and proxy ballots are mailed.

(b-1) The property owners' association must estimate the costs for performance of the recount by a person qualified to tabulate votes under Subsection (c) and must send an invoice for the estimated costs to the requesting owner at the owner's last known address according to association records not later than the 20th day after the date the association receives the owner's demand for the recount.

(b-2) The owner demanding a recount under this section must pay the invoice described by Subsection (b-1) in full to the property owners' association on or before the 30th day after the date the invoice is sent to the owner.

(b-3) If the invoice described by Subsection (b-1) is not paid by the deadline prescribed by Subsection (b-2), the owner's demand for a recount is considered withdrawn and a recount is not required.

(b-4) If the estimated costs under Subsection (b-1) are lesser or greater than the actual costs, the property owners' association must send a final invoice to the owner on or before the 30th business day after the date the results of the recount are provided. If the final invoice includes additional amounts owed by the owner, any additional amounts not paid to the association before the 30th business day after the date the invoice is sent to the owner may be added to the owner's account as an assessment. If the estimated costs exceed the final invoice amount, the owner is entitled to a refund. The refund shall be paid to the owner at the time the final invoice is sent under this subsection.

(c) Following receipt of payment under Subsection (b-2), the ~~[The]~~ property owners' association shall, at the expense of the owner requesting the recount, retain for the purpose of performing the recount~~;~~ the services of a person qualified to tabulate votes under this subsection. The association shall enter into a contract for the services of a person who:

(1) is not a member of the association or related to a member of the association board within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code; and

(2) is:

(A) a current or former:

- (i) county judge;
- (ii) county elections administrator;
- (iii) justice of the peace; or
- (iv) county voter registrar; or

(B) a person agreed on by the association and each person ~~[the persons]~~ requesting the recount.

(d) On ~~[Any recount under Subsection (b) must be performed on]~~ or before the 30th day after the date of receipt of ~~[a request and]~~ payment for a recount in accordance with Subsection (b-2), the recount must be completed and the property owners' association must provide each owner who requested the recount with notice of the results of the recount ~~[Subsections (b) and (c)].~~ If the recount changes the results of the election, the ~~[property owners']~~ association shall reimburse the requesting owner for the cost of the recount not later than the 30th day after the date

~~the results of the recount are provided. [The property owners' association shall provide the results of the recount to each owner who requested the recount.]~~ Any action taken by the board in the period between the initial election vote tally and the completion of the recount is not affected by any recount.

SECTION 12. Section 209.0058, Property Code, is amended by amending Subsections (a) and (c) and adding Subsections (a-1) and (d) to read as follows:

(a) ~~Except as provided by Subsection (d), a [Any] vote cast [in an election or vote]~~ by a member of a property owners' association must be in writing and signed by the member if the vote is cast:

(1) outside of a meeting;

(2) in an election to fill a position on the board;

(3) on a proposed adoption or amendment of a dedicatory instrument;

(4) on a proposed increase in the amount of a regular assessment or the proposed adoption of a special assessment; or

(5) on the proposed removal of a board member.

(a-1) If a property owners' association elects to use a ballot for a vote on a matter other than a matter described by Subsection (a), the ballot must be:

(1) in writing and signed by the member; or

(2) cast by secret ballot in accordance with Subsection (d).

(c) In a property owners' association [an association wide] election, written and signed ballots are not required for uncontested races.

(d) A property owners' association may adopt rules to allow voting by secret ballot by association members. The association must take measures to reasonably ensure that:

(1) a member cannot cast more votes than the member is eligible to cast in an election or vote; and

(2) the association counts each vote cast by a member that the member is eligible to cast.

SECTION 13. Section 209.00591, Property Code, is amended by adding Subsection (a-1) and amending Subsection (c) to read as follows:

(a-1) Notwithstanding any other provision of this chapter, a property owners' association's bylaws may require one or more board members to reside in the subdivision subject to the dedicatory instruments but may not require all board members to reside in that subdivision. A requirement described by this subsection is not applicable during the development period.

(c) The declaration may provide for a period of declarant control of the association during which a declarant, or persons designated by the declarant, may appoint and remove board members and the officers of the association, other than board members or officers elected by members of the property owners' association. Regardless of the period of declarant control provided by the declaration, on or before the 120th day after the date 75 percent of the lots that may be created and made subject to the declaration are conveyed to owners other than a declarant or a builder in the business of constructing homes who purchased the lots from the declarant for the purpose of selling completed homes built on the lots, at least one-third of the board members must be elected by owners other than the declarant. If the declaration does not include the number of lots that may be created and made

subject to the declaration, at least one-third of the board members must be elected by owners other than the declarant not later than the 10th anniversary of the date the declaration was recorded.

SECTION 14. Section 209.00592, Property Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (b-1) to read as follows:

(a) Subject to Subsection (a-1), the [The] voting rights of an owner may be cast or given:

- (1) in person or by proxy at a meeting of the property owners' association;
- (2) by absentee ballot in accordance with this section;
- (3) by electronic ballot in accordance with this section; or
- (4) by any method of representative or delegated voting provided by a dedicatory instrument.

(a-1) Except as provided by this subsection, unless a dedicatory instrument provides otherwise, a property owners' association is not required to provide an owner with more than one voting method. An owner must be allowed to vote by absentee ballot or proxy.

(b-1) For purposes of Subsection (b), a nomination taken from the floor in a board member election is not considered an amendment to the proposal for the election.

SECTION 15. Section 209.00593, Property Code, is amended by adding Subsections (a-1), (a-2), and (a-3) and amending Subsection (d) to read as follows:

(a-1) At least 10 days before the date a property owners' association composed of more than 100 lots disseminates absentee ballots or other ballots to association members for purposes of voting in a board member election, the association must provide notice to the association members soliciting candidates interested in running for a position on the board. The notice must contain instructions for an eligible candidate to notify the association of the candidate's request to be placed on the ballot and the deadline to submit the candidate's request. The deadline may not be earlier than the 10th day after the date the association provides the notice required by this subsection.

(a-2) The notice required by Subsection (a-1) must be:

- (1) mailed to each owner; or
- (2) provided by:

(A) posting the notice in a conspicuous manner reasonably designed to provide notice to association members:

(i) in a place located on the association's common property or, with the property owner's consent, on other conspicuously located privately owned property within the subdivision; or

(ii) on any Internet website maintained by the association or other Internet media; and

(B) sending the notice by e-mail to each owner who has registered an e-mail address with the association.

(a-3) An association described by Subsection (a-1) shall include on each absentee ballot or other ballot for a board member election the name of each eligible candidate from whom the association received a request to be placed on the ballot in accordance with this section.

(d) This section does not apply to the appointment of a board member during a development period. ~~[In this subsection, "development period" means a period stated in a declaration during which a declarant reserves:~~

~~[(1) a right to facilitate the development, construction, and marketing of the subdivision; and~~

~~[(2) a right to direct the size, shape, and composition of the subdivision.]~~

SECTION 16. Section 209.00594, Property Code, is amended by amending Subsections (b) and (c) and adding Subsections (b-1) and (d) to read as follows:

(b) A person other than a person described by Subsection (a) may tabulate votes in an association election or vote ~~[but may not disclose to any other person how an individual voted].~~

(b-1) A person who tabulates votes under Subsection (b) or who performs a recount under Section 209.0057(c) may not disclose to any other person how an individual voted.

(c) Notwithstanding any other provision of this chapter or any other law, only a person ~~[other than a person]~~ who tabulates votes under Subsection (b) or who performs a recount under Section 209.0057(c) ~~[, including a person described by Subsection (a),]~~ may be given access to the ballots cast in the election or vote ~~[only as part of a recount process authorized by law].~~

(d) This section may not be construed to affect a person's obligation to comply with a court order for the release of ballots or other voting records.

SECTION 17. Section 209.006, Property Code, is amended to read as follows:

Sec. 209.006. NOTICE REQUIRED BEFORE ENFORCEMENT ACTION. (a) Before a property owners' association may suspend an owner's right to use a common area, file a suit against an owner other than a suit to collect a regular or special assessment or foreclose under an association's lien, charge an owner for property damage, or levy a fine for a violation of the restrictions or bylaws or rules of the association, the association or its agent must give written notice to the owner by verified [certified] mail ~~[, return receipt requested].~~

(b) The notice must:

(1) describe the violation or property damage that is the basis for the suspension action, charge, or fine and state any amount due the association from the owner; ~~[and]~~

(2) except as provided by Subsection (d), inform the owner that the owner:

(A) is entitled to a reasonable period to cure the violation and avoid the fine or suspension ~~[unless the owner was given notice and a reasonable opportunity to cure a similar violation within the preceding six months];~~

(B) may request a hearing under Section 209.007 on or before the 30th day after the date ~~[the owner receives]~~ the notice was mailed to the owner; and

(C) may have special rights or relief related to the enforcement action under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. App. [app.] Section 501 et seq.), if the owner is serving on active military duty;

(3) specify the date by which the owner must cure the violation if the violation is of a curable nature and does not pose a threat to public health or safety; and

(4) be sent by verified mail to the owner at the owner's last known address as shown on the association records.

(c) The date specified in the notice under Subsection (b)(3) must provide a reasonable period to cure the violation if the violation is of a curable nature and does not pose a threat to public health or safety.

(d) Subsections (a) and (b) do not apply to a violation for which the owner has been previously given notice under this section and the opportunity to exercise any rights available under this section in the preceding six months.

(e) If the owner cures the violation before the expiration of the period for cure described by Subsection (c), a fine may not be assessed for the violation.

(f) For purposes of this section, a violation is considered a threat to public health or safety if the violation could materially affect the physical health or safety of an ordinary resident.

(g) For purposes of this section, a violation is considered incurable if the violation has occurred but is not a continuous action or a condition capable of being remedied by affirmative action. For purposes of this subsection, the nonrepetition of a one-time violation or other violation that is not ongoing is not considered an adequate remedy.

(h) The following are examples of acts considered incurable for purposes of this section:

(1) shooting fireworks;

(2) an act constituting a threat to health or safety;

(3) a noise violation that is not ongoing;

(4) property damage, including the removal or alteration of landscape; and

(5) holding a garage sale or other event prohibited by a dedicatory instrument.

(i) The following are examples of acts considered curable for purposes of this section:

(1) a parking violation;

(2) a maintenance violation;

(3) the failure to construct improvements or modifications in accordance with approved plans and specifications; and

(4) an ongoing noise violation such as a barking dog.

SECTION 18. Section 209.0062(c), Property Code, is amended to read as follows:

(c) A property owners' association is ~~may~~ not required to allow a payment plan for any amount that extends more than 18 months from the date of the owner's request for a payment plan. The association is not required to enter into a payment plan with an owner who failed to honor the terms of a previous payment plan during the two years following the owner's default under the previous payment plan. The association is not required to make a payment plan available to an owner after the period for cure described by Section 209.0064(b)(3) expires. The association is not required to allow an owner to enter into a payment plan more than once in any 12-month period.

SECTION 19. Section 209.0064(b), Property Code, is amended to read as follows:

(b) A property owners' association may not hold an owner liable for fees of a collection agent retained by the ~~[property owners']~~ association unless the association first provides written notice to the owner by certified mail~~[-return receipt requested,]~~ that:

(1) specifies each delinquent amount and the total amount of the payment required to make the account current;

(2) if the association is subject to Section 209.0062 or the association's dedicatory instruments contain a requirement to offer a payment plan, describes the options the owner has to avoid having the account turned over to a collection agent, including information regarding availability of a payment plan through the association; and

(3) provides a period of at least 30 days for the owner to cure the delinquency before further collection action is taken.

SECTION 20. Section 209.009, Property Code, is amended to read as follows:

Sec. 209.009. FORECLOSURE SALE PROHIBITED IN CERTAIN CIRCUMSTANCES. A property owners' association may not foreclose a property owners' association's assessment lien if the debt securing the lien consists solely of:

(1) fines assessed by the association;

(2) attorney's fees incurred by the association solely associated with fines assessed by the association; or

(3) amounts added to the owner's account as an assessment under Section 209.005(i) or 209.0057(b-4).

SECTION 21. Section 209.0091, Property Code, is amended to read as follows:

Sec. 209.0091. PREREQUISITES TO FORECLOSURE: NOTICE AND OPPORTUNITY TO CURE FOR CERTAIN OTHER LIENHOLDERS. (a) A property owners' association may not file an application for an expedited court order authorizing foreclosure of the association's assessment lien as described by Section 209.0092(a) or a petition for judicial foreclosure of the association's assessment lien as described by Section 209.0092(d) ~~[foreclose a property owners' association assessment lien on real property by giving notice of sale under Section 51.002 or commencing a judicial foreclosure action]~~ unless the association has:

(1) provided written notice of the total amount of the delinquency giving rise to the foreclosure to any other holder of a lien of record on the property whose lien is inferior or subordinate to the association's lien and is evidenced by a deed of trust; and

(2) provided the recipient of the notice an opportunity to cure the delinquency before the 61st day after the date the association mails ~~[recipient receives]~~ the notice described in Subdivision (1).

(b) Notice under this section must be sent by certified mail~~[-return receipt requested,]~~ to the address for the lienholder shown in the deed records relating to the property that is subject to the property owners' association assessment lien.

(c) Notwithstanding any other law, notice under this section may be provided to any holder of a lien of record on the property.

SECTION 22. Section 209.0092, Property Code, is amended by amending Subsection (a) and adding Subsections (d) and (e) to read as follows:

(a) Except as provided by Subsection (c) or (d) and subject to Section 209.009, a property owners' association may not foreclose a property owners' association assessment lien unless the association first obtains a court order in an application for expedited foreclosure under the rules adopted by the supreme court under Subsection (b). A property owners' association may use the procedure described by this subsection to foreclose any lien described by the association's dedicatory instruments. A property owners' association whose dedicatory instruments grant a right of foreclosure is considered to have any power of sale required by law as a condition of using the procedure described by this subsection.

(d) A property owners' association authorized to use the procedure described by Subsection (a) may in its discretion elect not to use that procedure and instead foreclose the association's assessment lien under court judgment foreclosing the lien and ordering the sale, pursuant to Rules 309 and 646a, Texas Rules of Civil Procedure.

(e) This section does not affect any right an association that is not authorized to use the procedure described by Subsection (a) may have to judicially foreclose the association's assessment lien as described by Subsection (d).

SECTION 23. Section 209.0041(a), Property Code, is repealed.

SECTION 24. (a) Section 82.157(a), Property Code, as amended by this Act, applies only to a resale certificate issued on or after the effective date of this Act. A resale certificate issued before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(b) The changes in law made by this Act to Chapter 207, Property Code, apply only to a request for subdivision information made on or after the effective date of this Act and any resale certificate delivered in response to that request. A request for subdivision information made before the effective date of this Act, any resale certificate delivered in response to that request, and any request for an update of that resale certificate are governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

(c) Sections 209.0041, 209.0056, 209.0057, 209.0058, 209.00592, 209.00593, and 209.00594(c), Property Code, as amended by this Act, apply only to an election or vote held on or after the effective date of this Act. An election or vote held before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

(d) Section 209.006, Property Code, as amended by this Act, applies only to an enforcement action taken on or after the effective date of this Act. An enforcement action taken before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

(e) Section 209.0064, Property Code, as amended by this Act, applies only to a collection action taken on or after the effective date of this Act. A collection action taken before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

(f) Section 209.0091, Property Code, as amended by this Act, applies only to an application or petition filed on or after the effective date of this Act. An application or petition filed before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

SECTION 25. This Act takes effect September 1, 2015.

The amendment to **SB 1168** was read.

Senator West temporarily postponed further consideration of the bill.

Question: Shall Floor Amendment No. 1 to **SB 1168** be adopted?

**COMMITTEE SUBSTITUTE
SENATE BILL 1582 ON SECOND READING**

Senator V. Taylor moved to suspend the regular order of business to take up for consideration **CSSB 1582** at this time on its second reading:

CSSB 1582, Relating to the scheduling of controlled substances and the designation and emergency scheduling of certain substances as hazardous controlled substances; creating criminal offenses.

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.

**COMMITTEE SUBSTITUTE
SENATE BILL 1582 ON THIRD READING**

Senator V. 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 1582** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Huffines.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1950 ON SECOND READING**

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **CSSB 1950** at this time on its second reading:

CSSB 1950, Relating to the fee imposed on certain property owners by a county for the establishment of street lights along a county road.

The motion prevailed.

Senators Bettencourt, Burton, Hall, Perry, 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: Bettencourt, Burton, Hall, Perry, V. Taylor.

**COMMITTEE SUBSTITUTE
SENATE BILL 1950 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 1950** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

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

Nays: Bettencourt, Burton, Hall, Perry, V. Taylor.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

SENATE BILL 2059 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2059** at this time on its second reading:

SB 2059, Relating to the composition of the governing body of certain metropolitan rapid transit authorities.

The bill was read second time.

Senator Bettencourt offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 2059** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 451.501, Transportation Code, is amended by amending Subsections (a), (c), (d), and (f) and adding Subsection (e-1) to read as follows:

(a) Except as provided by Subsection (b), a board is composed of:

(1) five members; and ~~[plus]~~

(2) the number of additional members determined under Subsection (c), (d),

~~[or]~~ (e), or (e-1).

(c) Notwithstanding Subsection (e-1), if ~~[H]~~ less than 50 percent of the population of the principal county, excluding the population of the principal municipality, reside in the authority, the board has two additional members.

(d) Notwithstanding Subsection (e-1), if [~~H~~] 50 percent or more but less than 75 percent of the population of the principal county, excluding the population of the principal municipality, reside in the authority, the board has four additional members.

(e-1) If the population of the principal county is greater than four million, the board has six additional members.

(f) In this section and Sections [~~Section~~] 451.502 and 451.504, "principal county" means the county in which not less than 51 percent of the territory of the principal municipality is located.

SECTION 2. Section 451.502(e), Transportation Code, is amended to read as follows:

(e) In an authority having six additional members, the additional members are appointed as follows:

(1) two members appointed by a panel composed of:

(A) the mayors of the municipalities in the authority, excluding the mayor of the principal municipality; and

(B) the county judges of the counties having unincorporated area in the authority, excluding the county judge of the principal county;

(2) three members appointed by the commissioners court of the principal county; and

(3) one member, who serves as presiding officer of the board, appointed by a majority of the board from its then-current membership.

SECTION 3. Section 451.504, Transportation Code, is amended by amending Subsection (a) and adding Subsections (d), (e), (f), and (g) to read as follows:

(a) Except as provided by Subsections (d) and (e), a [~~A~~] vacancy on a board is filled by the person or entity that appointed the member who was in the position that is vacant. If confirmation of the previous position was required, confirmation of the vacancy appointment is required in the same manner.

(d) If the appropriate appointing entity under Section 451.502 fails to make an appointment to fill a vacancy in certain board positions on or before the 45th day after the date the vacancy was created, appointment to the position shall be made by a substitute appointing entity as follows:

(1) for a board position under Section 451.502(a), the board member is appointed by the commissioners court of the principal county;

(2) for a board position under Section 451.502(e)(1), the board member is appointed by the mayor of the principal municipality and subject to confirmation by the governing body of the principal municipality;

(3) for a board position appointed under Section 451.502(e)(2), the board member is appointed by a panel composed of the mayors of the municipalities in the authority, excluding the mayor of the principal municipality, and the county judges of the counties having unincorporated area in the authority, excluding the county judge of the principal county; and

(4) for the board position appointed under Section 451.502(e)(3), the board member is appointed jointly by the mayor of the principal municipality and the county judge of the principal county.

(e) If a substitute appointing entity fails to make an appointment required under Subsection (d) on or before the 90th day after the date on which the vacancy was created, the mayor of the principal municipality and the county judge of the principal county shall jointly appoint a person to the position.

(f) A substitute appointing entity acting individually or the mayor of the principal municipality and the county judge of the principal county acting jointly may not appoint a person to a position under Subsection (d) or (e), as appropriate, in which the person was serving immediately before the vacancy.

(g) Subsections (d), (e), and (f) apply only to an authority described by Section 451.501(e).

SECTION 4. Section 451.505, Transportation Code, is amended by adding Subsection (c) to read as follows:

(c) Board members of an authority described by Section 451.501(e) or (e-1) serve staggered two-year terms. In such an authority:

(1) of the five board members appointed under Section 451.502(a), three members serve terms expiring April 1 of each even-numbered year and two members serve terms expiring April 1 of each odd-numbered year;

(2) of the two board members appointed under Section 451.502(e)(1), one member serves a term expiring April 1 of each odd-numbered year and one member serves a term expiring April 1 of each even-numbered year;

(3) of the three board members appointed under Section 451.502(e)(2), two members serve terms expiring April 1 of each even-numbered year and one member serves a term expiring April 1 of each odd-numbered year; and

(4) the board member appointed as presiding officer under Section 451.502(e)(3) serves a term expiring April 1 of each odd-numbered year.

SECTION 5. Section 451.506, Transportation Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) An individual may not serve more than 12 [~~eight~~] years on the [~~same~~] board and may not be appointed to a term for which service to the completion of the term would exceed this limitation. This subsection applies only to a board of an authority:

(1) in which the principal municipality has a population of more than 1.9 million or less than 320,000; [~~or~~]

(2) created before 1980 and in which the principal municipality has a population of less than 1.9 million; or

(3) described by Section 451.501(e) or (e-1).

(e) Holdover service by a board member of an authority described by Section 451.501(e) or (e-1) may not exceed 45 days. If a qualified successor is not appointed during the 45-day holdover period, the position is vacated and subject to appointment under Section 451.504(d). A holdover board member who is not reappointed during the 45-day holdover period is ineligible for appointment to the position.

SECTION 6. (a) This section applies only to the governing body of a metropolitan rapid transit authority described by Section 451.501(e), Transportation Code, or Section 451.501(e-1), Transportation Code, as added by this Act.

(b) Notwithstanding any contrary provision of Subchapter K, Chapter 451, Transportation Code:

(1) a member of a governing body who is serving on the effective date of this Act, other than a member serving as a holdover pending appointment of a successor, is, except as provided by Subdivision (2) of this subsection, reappointed to the member's position as follows:

(A) except as provided by Paragraph (B) of this subdivision, a member whose term ends in an even-numbered year is reappointed to a term expiring April 1, 2016, and a member whose term ends in an odd-numbered year is reappointed to a term expiring April 1, 2017; and

(B) a member serving as presiding officer of the body is reappointed to a term expiring April 1, 2018; and

(2) a member of a governing body, including a presiding officer, who has served 12 years or more on the body before the effective date of this Act is ineligible to serve on the body on or after that date, and any such member's position is vacated.

SECTION 7. The change in law made by this Act applies to a member of a metropolitan rapid transit authority appointed before, on, or after the effective date of this Act.

SECTION 8. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

The amendment to **SB 2059** was read and was adopted without objection.

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

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

SB 2059 as amended was passed to engrossment without objection.

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

SENATE BILL 2059 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2059** 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.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate a Texas Shrimp Association delegation.

The Senate welcomed its guests.

HOUSE BILL 751 ON SECOND READING

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 751** at this time on its second reading:

HB 751, Relating to the prescription and pharmaceutical substitution of biological products; amending provisions subject to a criminal penalty.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 751** (senate committee printing), in SECTION 5 of the bill, in added Section 562.0051(b), Occupations Code (page 2, line 17), between "practitioner." and "Otherwise", by inserting "An entry into an electronic records system as described by this subsection is presumed to be sufficient to provide notice to the prescribing practitioner.".

The amendment to **HB 751** was read and was adopted without objection.

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

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

HB 751 as amended was passed to third reading without objection.

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

HOUSE BILL 751 ON THIRD READING

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 751** 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 779 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business to take up for consideration **CSSB 779** at this time on its second reading:

CSSB 779, Relating to access to certain medical test results in a criminal proceeding; amending provisions subject to a criminal penalty.

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 second time and was passed to engrossment by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

SENATE BILL 1896 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 **SB 1896** at this time on its second reading:

SB 1896, Relating to providing public school students tutorials through the state virtual school network for end-of-course assessment instruments required for graduation.

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 1896 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 **SB 1896** 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 779 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 779** be placed on its third reading and final passage:

CSSB 779, Relating to access to certain medical test results in a criminal proceeding; amending provisions subject to a criminal penalty.

The motion prevailed by the following vote: Yeas 25, Nays 6.

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

Nays: Ellis, Lucio, Menéndez, Watson, Whitmire, Zaffirini.

The bill was read third time and was passed 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.

**COMMITTEE SUBSTITUTE
SENATE BILL 839 ON SECOND READING**

Senator Garcia moved to suspend the regular order of business to take up for consideration **CSSB 839** at this time on its second reading:

CSSB 839, Relating to the Generation Park Management District.

The motion prevailed.

Senators Burton 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: Burton, V. Taylor.

**COMMITTEE SUBSTITUTE
SENATE BILL 839 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 839** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

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

Nays: Burton, V. Taylor.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1252 ON SECOND READING**

Senator Hall moved to suspend the regular order of business to take up for consideration **CSSB 1252** at this time on its second reading:

CSSB 1252, Relating to an interstate compact on border security and immigration enforcement.

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 second time.

Senator Hall offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1252** (senate committee printing) in SECTION 1 of the bill, as follows:

(1) At the end of proposed Section 793.002(1), Government Code (page 1, line 36), insert "and".

(2) Strike proposed Section 793.002(2), Government Code (page 1, lines 37-39), and renumber subdivisions of the section appropriately.

The amendment to **CSSB 1252** was read and was adopted without objection.

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

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

CSSB 1252 as amended was passed to engrossment 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.

**COMMITTEE SUBSTITUTE
SENATE BILL 1437 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 1437** at this time on its second reading:

CSSB 1437, Relating to the electronic filing of reports of political contributions and expenditures and of personal financial statements by certain officeholders and candidates and the content of those statements; creating a criminal offense.

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 1437 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 1437** 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 62 ON SECOND READING

Senator Huffines moved to suspend the regular order of business to take up for consideration **CSSB 62** at this time on its second reading:

CSSB 62, Relating to accounting for costs incurred by this state as a result of the presence of persons who are not lawfully present in the United States.

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 second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 62** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 403.0112, Government Code, strike the section heading (page 1, line 33) and substitute:

ACCOUNTING FOR FINANCIAL COSTS AND BENEFITS OF PERSONS
NOT LAWFULLY PRESENT.

(2) In added Section 403.0112(a), Government Code (page 1, line 38), between "costs to this state incurred" and "during", insert "and benefits to this state accrued".

(3) Following added Section 403.0112(b), Government Code (page 1, between lines 46 and 47), insert:

(c) The estimation must include a separate accounting for estimated financial benefits to this state accrued in specific categories, as determined by the comptroller, attributable to the presence in this state of persons not legally present in the United States.

The amendment to **CSSB 62** was read.

(Senator Huffman in Chair)

On motion of Senator Huffines, Floor Amendment No. 1 was tabled 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.

(President in Chair)**POINT OF ORDER**

Senator Garcia raised a point of order that the fiscal note preparation on **CSSB 62** was not in compliance with Senate Rule 7.09(q).

POINT OF ORDER WITHDRAWN

Senator Garcia withdrew the point of order.

CSSB 62 was passed to engrossment 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.

(Senator V. Taylor in Chair)**COMMITTEE SUBSTITUTE****SENATE BILL 575 ON THIRD READING**

Senator L. Taylor moved to suspend the regular order of business to take up for consideration **CSSB 575** at this time on its third reading and final passage:

CSSB 575, Relating to health plan and health benefit plan coverage for abortions.

The motion prevailed by the following vote: Yeas 21, Nays 10.

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

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

The bill was read third time.

Senator L. Taylor offered the following amendment to the bill:

Floor Amendment No. 1 on Third Reading

Amend **CSSB 575** on third reading, on page 2, line 49, (senate committee printing) by striking "and" and substituting "or"

The amendment to **CSSB 575** 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.

(President in Chair)

Senator Garcia offered the following amendment to the bill:

Floor Amendment No. 2 on Third Reading

Amend **CSSB 575** on third reading as follows:

(1) In SECTION 1 of the bill, in added Section 1692.002(a), Insurance Code, strike the period at the end of the subsection and substitute the following:
or performed because the woman's pregnancy is a result of a sexual assault, incest, or other violation of the Penal Code that has been reported to law enforcement authorities or that has not been reported because she has a reason that she declines to reveal because she reasonably believes that to do so would put her at risk of retaliation resulting in serious bodily injury.

(2) In SECTION 2 of the bill, in added Section 1218.003(a)(4), Insurance Code, strike the period at the end of the subdivision and substitute the following:
or performed because the woman's pregnancy is a result of a sexual assault, incest, or other violation of the Penal Code that has been reported to law enforcement authorities or that has not been reported because she has a reason that she declines to reveal because she reasonably believes that to do so would put her at risk of retaliation resulting in serious bodily injury.

The amendment to **CSSB 575** was read.

Senator Campbell offered the following amendment to Floor Amendment No. 2 on Third Reading:

Floor Amendment No. 3 on Third Reading

Amend Floor Amendment No. 2 on Third Reading by Garcia to **CSSB 575** as follows:

(1) On page 1, lines 7 through 10, strike language after "reported to law enforcement authorities"

(2) On page 1, lines 16 through 19, strike language after "reported to law enforcement authorities"

The amendment to Floor Amendment No. 2 on Third Reading to **CSSB 575** was read.

Senator Campbell withdrew Floor Amendment No. 3 on Third Reading.

Question recurring on the adoption of Floor Amendment No. 2 on Third Reading to **CSSB 575**, the amendment was tabled by the following vote: Yeas 19, Nays 12.

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

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

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

CSSB 575 as amended was finally passed by the following vote: Yeas 21, Nays 10.

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

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

(Senator Uresti in Chair)

SENATE BILL 1242 ON SECOND READING

Senator Rodríguez moved to suspend the regular order of business to take up for consideration **SB 1242** at this time on its second reading:

SB 1242, Relating to the sale, storage, transportation, and disposal of scrap or used tires; providing a civil penalty; creating a criminal offense.

The motion prevailed by the following vote: Yeas 19, Nays 12.

Yeas: Birdwell, Ellis, Eltife, Estes, Garcia, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Rodríguez, Seliger, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Campbell, Creighton, Fraser, Hall, Hancock, Huffines, Perry, Schwertner, L. Taylor, V. Taylor.

The bill was read second time and was passed to engrossment by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

(President in Chair)

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 6, 2015 - 2

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 156 Larson

Relating to the use of proceeds of bonds sold and delivered by a home-rule municipality for a specific purpose.

HB 2366 Goldman

Relating to the notation on the precinct list of registered voters that a voter voted early.

HCR 116 Wu

Paying tribute to the memory of Thomas J. Lee, the first Asian American to serve in the Texas Legislature.

SB 505 Perry

Sponsor: Workman

Relating to painting and marking requirements for certain meteorological evaluation towers; creating an offense.

SB 572 Eltife Sponsor: Sheets
Relating to certain title insurance policy liability and reinsurance requirements.

SB 655 Eltife Sponsor: Smithee
Relating to own risk and solvency assessment by insurers and insurance groups; providing a penalty.

SB 1024 Seliger Sponsor: White, James
Relating to eligibility for course credit and high school diplomas of students enrolled in educational programs provided by the Windham School District in the Texas Department of Criminal Justice.

SB 1099 Estes Sponsor: Phillips
Relating to the operation and functions of the Texas Grain Producer Indemnity Board.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

HOUSE BILL 975 ON SECOND READING

Senator Fraser moved to suspend the regular order of business to take up for consideration **HB 975** at this time on its second reading:

HB 975, Relating to charitable raffles conducted by certain professional sports team charitable foundations; creating a criminal offense.

The motion prevailed.

Senators Birdwell, Burton, Hall, and 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 third reading by the following vote: Yeas 27, Nays 4.

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

Nays: Birdwell, Burton, Hall, Huffines.

HOUSE BILL 975 ON THIRD READING

Senator Fraser moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 975** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

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

Nays: Birdwell, Burton, Hall, Huffines.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 4. (Same as previous roll call)

HOUSE JOINT RESOLUTION 73 ON SECOND READING

Senator Fraser moved to suspend the regular order of business to take up for consideration **HJR 73** at this time on its second reading:

HJR 73, Proposing a constitutional amendment authorizing the legislature to permit professional sports team charitable foundations to conduct charitable raffles.

The motion prevailed by the following vote: Yeas 27, Nays 4.

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

Nays: Birdwell, Burton, Hall, Huffines.

The resolution was read second time and was passed to third reading by the following vote: Yeas 27, Nays 4. (Same as previous roll call)

HOUSE JOINT RESOLUTION 73 ON THIRD READING

Senator Fraser moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HJR 73** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

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

Nays: Birdwell, Burton, Hall, Huffines.

The resolution was read third time and was passed by the following vote: Yeas 27, Nays 4. (Same as previous roll call)

SENATE BILL 923 ON SECOND READING

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 923** at this time on its second reading:

SB 923, Relating to the prosecution of the offense of obstruction or retaliation; creating a criminal offense.

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 923 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 923** 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 145 ON SECOND READING**

On motion of Senator Rodríguez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 145** at this time on its second reading:

CSSB 145, Relating to reimbursement of certain medical costs for victims of certain sex offenses and compensation to victims of stalking for relocation and housing rental expenses.

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 145 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 145** 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 1267 ON SECOND READING**

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1267** at this time on its second reading:

CSSB 1267, Relating to contested cases conducted under the Administrative Procedure Act.

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 1267 ON THIRD READING**

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1267** 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.

REMARKS ORDERED PRINTED

On motion of Senator Watson and by unanimous consent, the remarks by Senators Estes and Watson regarding **CSSB 1267** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Watson: Senator Estes, I support this bill, but I want to ask you a few questions to clarify your legislative intent. In added Subsection (c-1) of Section 2 of the bill, are the words "other action" in the phrase "revocation or other action" meant to provide that, within 30 days after summarily suspending a license, an agency can either (1) initiate proceedings for revocation or (2) take other action (which would include setting a public suspension hearing or other informal hearings)?

Senator Estes: Yes, that is correct.

Senator Watson: So, would that mean that an agency would not have to initiate a proceeding at SOAH within 30 days if the agency instead initiates other preliminary hearing processes in that timeframe before proceeding to a formal SOAH revocation proceeding at a date outside the 30-day window?

Senator Estes: Yes, that is correct.

**COMMITTEE SUBSTITUTE
SENATE BILL 1679 ON SECOND READING**

Senator Huffines moved to suspend the regular order of business to take up for consideration **CSSB 1679** at this time on its second reading:

CSSB 1679, Relating to procedures for a municipality to adopt or amend a national model building code.

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

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

Nays: Ellis, Eltife, Garcia, Hinojosa, Menéndez, Rodríguez, L. Taylor, Uresti, Watson, West, Zaffirini.

The bill was read second time.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1679** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In the amended heading to Section 214.217, Local Government Code (page 1 line 25), strike "[~~IN CERTAIN MUNICIPALITIES~~]" and substitute "IN CERTAIN MUNICIPALITIES".

Amend C.S.S.B. 1679 (senate committee printing) in SECTION 2 of the bill as follows

(1) In the recital to SECTION 2 (page 1 line 27), strike "Subsection (e)" and substitute "Subsections (b) and (e)".

(2) In SECTION 2 (page 1, between lines 28 and 29), insert the following:

"(b) This section applies only to a municipality with a population of more than ~~[100,000]~~ 40,000."

Amend C.S.S.B. 1679 (senate committee printing) by repealing SECTION 3 of the bill, and renumbering remaining sections accordingly.

The amendment to **CSSB 1679** was read and was adopted without objection.

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

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

CSSB 1679 as amended was passed to engrossment by the following vote: Yeas 20, Nays 11.

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

Nays: Ellis, Eltife, Garcia, Hinojosa, Menéndez, Rodríguez, L. Taylor, Uresti, Watson, West, Zaffirini.

SENATE BILL 1168 ON SECOND READING

The President laid before the Senate **SB 1168** by Senator West on its second reading. The bill had been read second time, an amendment offered, and further consideration temporarily postponed:

SB 1168, Relating to the operation of certain property owners' associations.

Question: Shall Floor Amendment No. 1 to **SB 1168** be adopted?

On motion of Senator West, Floor Amendment No. 1 was adopted without objection.

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

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

SB 1168 as amended 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: Campbell, Creighton, L. Taylor, V. Taylor.

SENATE BILL 1168 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 1168** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

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

Nays: Campbell, Creighton, L. Taylor, V. Taylor.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 4. (Same as previous roll call)

REMARKS ORDERED PRINTED

On motion of Senator Nichols and by unanimous consent, the remarks by Senators West and Nichols regarding Floor Amendment No. 1 to **SB 1168** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator West: The amendment, Members, does the following: It clarifies that Chapter 708 and 709 of the Property Code apply to residential subdivisions and Chapter 82 applies to condos. We defined verified mail. We provide additional specificity regarding what can and cannot be done without a meeting of homeowners, procedures for having a meeting by electronic or telephonic means, and the process by which an election recount is undertaken. We have language regarding methods of voting and secret ballots. It's, has been changed to track Senator Birdwell's Senate Bills 862 and 864, which have already passed this body. And associations may require at least some of their board members to be residents. We also deal with issues concerning foreclosure, as well as making certain that there's compliance with the rules of civil procedure that deal specifically with expedited foreclosure. Now, I've had a conversation with Senator Nichols, and I think we're going to have a dialogue because of an issue that he brought up that I think needs clarification, and I've agreed to work with him as the bill goes to the House.

President: Senator Nichols, you're recognized.

Senator Nichols: I thank you, Mr. President. And I appreciate you allowing us to have this extra time to try to understand the amendment when it was brought out as a 21-page amendment. It takes me a little while to soak it all in. These type of bills on property owner associations usually go to the IGR Committee, and it seems like every session we've had different bills, many of which didn't pass. But more specifically this one had to do with the property owners' association voting rights, what they can do and not. And I appreciate the extra time. Now that I have read it several times and had people in my office review it, I can tell what your primary attempt here is, to add additional protections for the property owners themselves, which I do appreciate.

Senator West: That is correct.

Senator Nichols: Okay, and that my concern, finally narrowed down to one section, is section, the part that's amending Section 209.0041 of the Property Code, that's on page 4—

Senator West: Right.

Senator Nichols: —and related to who and how you vote on property owners' associations. Is that correct?

Senator West: Think so.

Senator Nichols: Page—

Senator West: Yes, lines 17 through 22.

Senator Nichols: Correct.

Senator West: Right.

Senator Nichols: Section 8—

Senator West: Right.

Senator Nichols: —Section 8, yeah. When I first read it, the change that you had proposed here has to do with how and who gets to vote. Currently, current law states that 67 percent of the total votes allocated to the property owner, the, of the property owners in the property owners' association, would be changed to 67 percent of those entitled to vote on the amendment of the declaration. That correct?

Senator West: It's, well, it's changed to—

Senator Nichols: I'm reading, yeah, just—

Senator West: —it's changed to a declaration may be amended only by 67 percent of those entitled to vote on the amendment in the declaration.

Senator Nichols: So, it's a change who can vote and possibly change how many votes I get. In other words, some of these things are written such that if I had 10 lots and I get 10 votes, but if you have one lot, you get one vote. But this could possibly change it if it's not in the declaration to mean that I may have 10 lots but only get one vote. I could own half the subdivision.

Senator West: There's some ambiguity there that I agree with you we need to work on. As I told you, the intent of it was that when you have a master subdivision, we have a master plan in a dedicatory instrument, and then you subdivide it to, and several homeowners' associations, it's not the intent that every one that's in the master plan but not in the homeowners' association would vote. And that was the intent of that, and I'm willing to clear that up as we go through.

Senator Nichols: Okay, and I appreciate that. I had considered asking you to, why don't we just strike that whole section and leave that off, which you said you were willing to do. But as I talked to some other people in the industry, they said, no, don't strike it, there really is a problem, and Senator West is trying to solve it, but we just need to clarify it more. As I understand it, I'm going to go ahead and vote as it is, but—

Senator West: You're a good man.

Senator Nichols: Thank you. It may not be of interest to anybody but us, and maybe a few others, but you gave me your assurances that you would continue working to clarify this till we get it resolved.

Senator West: Without question. Now, you recall back in the 82nd session when I was Chair of IGR, we had all of those homeowners' association bills, and we made major reforms in that particular area, and this is just, I guess, another evolution in those reforms. But yes, I look forward to working with you on that. Just identify a staff person to work with us on it so we can make certain that it's clear.

Senator Nichols: Tina O'Jibway in my office is one you will be working with, or J. D. Hale.

Senator West: Okay.

Senator Nichols: And I would like to make sure that we are not taking the rights away of the large property owner that may own a big chunk of the subdivision that—

Senator West: No, no, not at all.

SENATE BILL 837 ON THIRD READING

Senator Watson moved to suspend the regular order of business to take up for consideration **SB 837** at this time on its third reading and final passage:

SB 837, Relating to a common characteristic or use project in and to the establishment of a public improvement district in certain municipalities.

The motion prevailed by the following vote: Yeas 19, Nays 12.

Yeas: Bettencourt, Campbell, Creighton, Ellis, Eltife, Estes, Garcia, Hinojosa, Lucio, Menéndez, Nelson, Nichols, Rodríguez, Seliger, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Perry, Schwertner, L. Taylor, V. Taylor.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 1396 ON SECOND READING

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1396** at this time on its second reading:

CSSB 1396, Relating to the sales and use taxation of aircraft.

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 1396 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 **CSSB 1396** 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 11.13 SUSPENDED
(Consideration of Bills in Committees)
(Motion In Writing)

Senator Hancock submitted the following Motion In Writing:

Mr. President:

I move to suspend Senate Rule 11.13 so that committees may meet during the reading and referral of bills.

HANCOCK

The Motion In Writing was read and prevailed without objection.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Intergovernmental Relations might meet and consider the following bills tomorrow:

HB 1068, HB 2476, HB 2559, HB 2878, HB 3067.

SENATE RULES SUSPENDED
(Posting Rules)

Senator Perry moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Agriculture, Water, and Rural Affairs might meet in the Senate Chamber and consider **SB 1408** 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.

SENATE RULES SUSPENDED
(Posting Rules)

Senator Seliger moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Higher Education 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.

MOTION TO RECESS

On motion of Senator Whitmire and by unanimous consent, the Senate at 4:14 p.m. agreed to recess, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

(Senator Campbell in Chair)

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

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

- HB 6** To Committee on Finance.
- HB 7** To Committee on Finance.
- HB 21** To Committee on Health and Human Services.
- HB 23** To Committee on State Affairs.
- HB 31** To Committee on Finance.
- HB 32** To Committee on Finance.
- HB 74** To Committee on Intergovernmental Relations.
- HB 120** To Committee on Finance.
- HB 121** To Committee on Criminal Justice.
- HB 163** To Committee on Agriculture, Water, and Rural Affairs.
- HB 168** To Committee on Transportation.
- HB 184** To Committee on State Affairs.
- HB 274** To Committee on Intergovernmental Relations.
- HB 369** To Committee on Administration.
- HB 408** To Committee on State Affairs.
- HB 482** To Committee on Business and Commerce.
- HB 499** To Committee on Transportation.
- HB 516** To Committee on Criminal Justice.
- HB 612** To Committee on Transportation.
- HB 642** To Committee on Criminal Justice.
- HB 700** To Committee on Higher Education.
- HB 721** To Committee on Veteran Affairs and Military Installations.
- HB 743** To Committee on Education.
- HB 787** To Committee on Veteran Affairs and Military Installations.
- HB 796** To Committee on Business and Commerce.
- HB 804** To Committee on Business and Commerce.
- HB 909** To Committee on Business and Commerce.
- HB 910** To Committee on State Affairs.
- HB 930** To Committee on Agriculture, Water, and Rural Affairs.
- HB 992** To Committee on Finance.
- HB 994** To Committee on Finance.
- HB 995** To Committee on Intergovernmental Relations.
- HB 1039** To Committee on Business and Commerce.
- HB 1074** To Committee on Administration.
- HB 1094** To Committee on Business and Commerce.
- HB 1107** To Committee on Transportation.
- HB 1123** To Committee on Criminal Justice.
- HB 1140** To Committee on Criminal Justice.
- HB 1151** To Committee on Natural Resources and Economic Development.
- HB 1190** To Committee on State Affairs.
- HB 1251** To Committee on Natural Resources and Economic Development.

- HB 1317** To Committee on Business and Commerce.
HB 1321 To Committee on Transportation.
HB 1348 To Committee on Business and Commerce.
HB 1372 To Committee on Administration.
HB 1379 To Committee on Business and Commerce.
HB 1394 To Committee on Transportation.
HB 1422 To Committee on Intergovernmental Relations.
HB 1464 To Committee on Finance.
HB 1466 To Committee on Agriculture, Water, and Rural Affairs.
HB 1510 To Committee on State Affairs.
HB 1584 To Committee on Agriculture, Water, and Rural Affairs.
HB 1658 To Committee on Natural Resources and Economic Development.
HB 1661 To Committee on Health and Human Services.
HB 1665 To Committee on Agriculture, Water, and Rural Affairs.
HB 1690 To Committee on State Affairs.
HB 1709 To Committee on Natural Resources and Economic Development.
HB 1736 To Committee on Natural Resources and Economic Development.
HB 1741 To Committee on Transportation.
HB 1762 To Committee on Veteran Affairs and Military Installations.
HB 1774 To Committee on Criminal Justice.
HB 1779 To Committee on State Affairs.
HB 1794 To Committee on Natural Resources and Economic Development.
HB 1841 To Committee on Finance.
HB 1862 To Committee on State Affairs.
HB 1900 To Committee on Finance.
HB 1914 To Committee on Criminal Justice.
HB 1915 To Committee on Natural Resources and Economic Development.
HB 1927 To Committee on State Affairs.
HB 2037 To Committee on Criminal Justice.
HB 2085 To Committee on Transportation.
HB 2179 To Committee on Agriculture, Water, and Rural Affairs.
HB 2201 To Committee on Intergovernmental Relations.
HB 2230 To Committee on Natural Resources and Economic Development.
HB 2261 To Committee on Business and Commerce.
HB 2293 To Committee on Finance.
HB 2299 To Committee on Criminal Justice.
HB 2358 To Committee on Business and Commerce.
HB 2455 To Committee on Criminal Justice.
HB 2521 To Committee on Finance.
HB 2541 To Committee on Business and Commerce.
HB 2589 To Committee on Criminal Justice.
HB 2599 To Committee on Intergovernmental Relations.
HB 2612 To Committee on Transportation.
HB 2706 To Committee on Business and Commerce.
HB 2732 To Committee on Natural Resources and Economic Development.

HB 2751 To Committee on State Affairs.

HB 2827 To Committee on Veteran Affairs and Military Installations, Subcommittee on Border Security.

HB 2828 To Committee on Criminal Justice.

HB 2853 To Committee on Finance.

HB 2879 To Committee on Business and Commerce.

HB 2926 To Committee on Intergovernmental Relations.

HB 2968 To Committee on Natural Resources and Economic Development.

HB 3027 To Committee on Higher Education.

HB 3230 To Committee on Finance.

HB 3337 To Committee on Finance.

HB 3342 To Committee on Business and Commerce.

HB 3523 To Committee on Health and Human Services.

HB 3618 To Committee on Agriculture, Water, and Rural Affairs.

HB 3685 To Committee on Natural Resources and Economic Development.

HB 4003 To Committee on State Affairs.

HJR 75 To Committee on Finance.

HJR 111 To Committee on Finance.

CO-AUTHOR OF SENATE BILL 62

On motion of Senator Huffines, Senator V. Taylor will be shown as Co-author of **SB 62**.

CO-AUTHOR OF SENATE BILL 98

On motion of Senator Hinojosa, Senator Menéndez will be shown as Co-author of **SB 98**.

CO-AUTHOR OF SENATE BILL 141

On motion of Senator Garcia, Senator Menéndez will be shown as Co-author of **SB 141**.

CO-AUTHOR OF SENATE BILL 374

On motion of Senator Schwertner, Senator V. Taylor will be shown as Co-author of **SB 374**.

CO-AUTHORS OF SENATE BILL 507

On motion of Senator Lucio, Senators Garcia and Menéndez will be shown as Co-authors of **SB 507**.

CO-AUTHOR OF SENATE BILL 831

On motion of Senator Kolkhorst, Senator Creighton will be shown as Co-author of **SB 831**.

CO-AUTHORS OF SENATE BILL 1252

On motion of Senator Hall, Senators Creighton and Huffines will be shown as Co-authors of **SB 1252**.

CO-AUTHORS OF SENATE BILL 1546

On motion of Senator Perry, Senators Bettencourt, Creighton, Hancock, and Huffines will be shown as Co-authors of **SB 1546**.

CO-AUTHOR OF SENATE BILL 1564

On motion of Senator Burton, Senator Creighton will be shown as Co-author of **SB 1564**.

CO-AUTHOR OF SENATE BILL 1902

On motion of Senator Perry, Senator Ellis will be shown as Co-author of **SB 1902**.

CO-AUTHOR OF SENATE BILL 1903

On motion of Senator Perry, Senator Creighton will be shown as Co-author of **SB 1903**.

CO-SPONSORS OF HOUSE BILL 4

On motion of Senator Campbell, Senators Seliger, West, and Zaffirini will be shown as Co-sponsors of **HB 4**.

CO-SPONSOR OF HOUSE BILL 1964

On motion of Senator Eltife, Senator Rodríguez will be shown as Co-sponsor of **HB 1964**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 721 by Watson, In memory of Joann Curran Zaleski.

Congratulatory Resolutions

SR 717 by Creighton, Commending Garret James Miller for achieving the rank of Eagle Scout.

SR 718 by Kolkhorst, Recognizing Friedens Church of Washington, United Church of Christ, on the occasion of its 125th anniversary.

SR 719 by Huffman, Recognizing Dow Chemical Company's Texas Operations in Freeport on the occasion of its 75th anniversary.

SR 723 by Garcia, Recognizing Grace Cathedral Church in Houston on the occasion of its 30th anniversary.

SR 724 by Garcia, Recognizing Wanda Heath Johnson on the occasion of her retirement.

SR 725 by West, Recognizing Paul Hill for his service in the office of Senator Royce West.

SR 726 by West, Recognizing Samone A. Jones for her service in the office of Senator Royce West.

SR 727 by West, Recognizing Jessica Herrera for her service in the office of Senator Royce West.

SR 728 by West, Recognizing Sara Barge for her service in the office of Senator Royce West.

SR 729 by V. Taylor, Recognizing the Titan robotics team from Plano ISD Academy High School.

SR 730 by Perry, Recognizing Nina Lee Green Sinclair on the occasion of her 90th birthday.

SR 732 by Lucio, Recognizing Jacqueline Monique Morales on the occasion of her graduation from The University of Texas at Brownsville Mathematics and Science Academy.

RECESS

Pursuant to a previously adopted motion, the Senate at 4:40 p.m. recessed until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

May 6, 2015

INTERGOVERNMENTAL RELATIONS — **CSSB 1998, CSSB 234**

STATE AFFAIRS — **CSSB 2065, CSSB 1022, HB 3327, HB 2604, HB 2419, HB 705, HB 431, CSHB 1246**

HEALTH AND HUMAN SERVICES — **HB 1679, HB 1678, HB 1945, CSSB 830**

INTERGOVERNMENTAL RELATIONS — **SB 2064, SB 2060, SB 2052, CSSB 2047, SB 2040, SB 2038, SB 2035, CSSB 2024, SB 2020, SB 2015, CSSB 1804, CSSB 1989, CSSB 1510, CSSB 1316, CSSB 1315, SCR 39**

BUSINESS AND COMMERCE — **CSSB 1916**

CRIMINAL JUSTICE — **CSSB 1697, HCR 34, SB 1959, HB 3633, HB 2272, HB 941, HB 896, HB 643, HB 834, HB 188, HB 511**

FINANCE — **HB 1933, HB 903, HB 275, HB 2083, HB 2400, SB 1041**

HEALTH AND HUMAN SERVICES — **HB 1769**

STATE AFFAIRS — **CSSB 983**

AGRICULTURE, WATER, AND RURAL AFFAIRS — **CSSB 1440**

BILLS AND RESOLUTION ENGROSSED

May 5, 2015

SB 279, SB 313, SB 459, SB 471, SB 496, SB 585, SB 586, SB 754, SB 881, SB 1338, SB 1367, SB 1387, SB 1468, SB 1485, SB 1517, SB 1575, SB 1593, SB 1735, SB 1737, SB 1743, SB 1902, SB 1928, SB 1934, SB 1987, SB 2041, SJR 20

BILL AND RESOLUTIONS ENROLLED

May 5, 2015

SB 860, SR 688, SR 709, SR 710, SR 712, SR 713, SR 714, SR 715

SENT TO GOVERNOR

May 6, 2015

SB 860

