

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-FIRST DAY

(Continued)

(Friday, May 15, 2015)

AFTER RECESS

The Senate met at 9:00 a.m. and was called to order by Senator Hancock.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Friday, May 15, 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 2271 Sheffield

Relating to a pilot program for donation and redistribution of certain unused prescription medications; authorizing a fee.

HB 3787 Bonnen, Greg

Relating to a claim filing period and contractual limitations period in certain property insurance policies.

HB 3994 Morrison

Relating to notice of and consent to an abortion for a minor and associated requirements; amending provisions subject to a criminal penalty.

HJR 77 Miller, Rick

Applying to the Congress of the United States to call a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

SB 1280

Huffman

Sponsor: Otto

Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.

SB 1889

Zaffirini

Sponsor: Burkett

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

(Committee Substitute)

SB 2004

Eltife

Sponsor: Geren

Relating to deferred maintenance funding for state facilities.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**SESSION HELD FOR
LOCAL AND UNCONTESTED CALENDAR**

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

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

CSSB 1362 (Kolkhorst)

Relating to the powers and duties and composition of the board of directors of the Bridgeland Management District.

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

CSSB 1363 (Kolkhorst)

Relating to the creation of Simonton Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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

CSSB 1463 (Lucio)

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

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

CSSB 1940 (Huffman)

Relating to the creation of a joint interim committee to undertake a study of health benefit plans administered by the Teacher Retirement System of Texas.

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

SB 2008 (Kolkhorst)

Relating to the creation of the Harris County Municipal Utility District No. 539; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SB 2015 (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 152; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SB 2020 (Creighton)

Relating to the powers, operations, and boundaries of The Woodlands Township; authorizing a fee.

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

SB 2035 (Kolkhorst)

Relating to the conversion of the Harris-Fort Bend Counties Municipal Utility District No. 4 to the Katy Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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

CSSB 2037 (Kolkhorst)

Relating to the creation of the Harris County Municipal Utility District No. 543; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SB 2040 (Creighton)

Relating to the creation of the Harris County Municipal Utility District No. 544; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

CSSB 2047 (Creighton)

Relating to the territory included in, the composition of the board of directors of, and the powers of the Harris County Improvement District No. 17.

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

SB 2060 (Creighton)

Relating to the boundaries of the Harris County Fresh Water Supply District No. 58.

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

SB 2064 (Creighton)

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

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

SB 2068 (Eltife)

Relating to the Harrison County Court at Law.

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

HB 115 (Fraser)

Relating to the criteria for awarding the Texas Purple Heart Medal to members of the armed forces wounded or killed at Fort Hood on November 5, 2009.

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

HB 188 (Menéndez)

Relating to the composition, duties, and continuation of the human trafficking prevention task force.

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

HB 280 (Perry)

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

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

HB 389 (Nichols)

Relating to the Montgomery County Hospital District.

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

HB 431 (Rodríguez)

Relating to the creation of an advisory committee to examine and recommend revisions to any state laws pertaining to juvenile records.

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

HB 437 (Campbell)

Relating to eligibility to participate in health benefit programs for certain state employees reemployed after military service.

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

HB 511 (Rodríguez)

Relating to the prosecution of certain offenses committed against a person in custody.

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

HB 601 (Nichols)

Relating to the premises covered by mixed beverage permits for certain county-owned facilities.

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

HB 643 (Whitmire)

Relating to the procedures for discharging bail in certain criminal proceedings.

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

(Senator V. Taylor in Chair)

HB 705 (Ellis)

Relating to access to a financial institution account of a person who dies intestate.

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

HB 795 (Perry)

Relating to the Haskell County Hospital District; authorizing the issuance of bonds.
(viva voce vote) (31-0) (31-0)

HB 834 (Creighton)

Relating to the criteria for issuing a silver alert for a missing senior citizen.
(viva voce vote) (30-1) "Nay" Huffines (30-1) "Nay" Huffines

HB 896 (Huffman)

Relating to creating a criminal offense regarding the breach of computer security.
(viva voce vote) (31-0) (31-0)

HB 931 (Bettencourt)

Relating to an individual's eligibility to receive unemployment compensation benefits on the individual's waiting period claim.
(viva voce vote) (31-0) (31-0)

HB 949 (Perry)

Relating to the obligation of certain retail public utilities to mitigate their system water loss.
(viva voce vote) (31-0) (31-0)

HB 1068 (Kolkhorst)

Relating to the creation of the Fort Bend County Municipal Utility District No. 216; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
(viva voce vote) (29-2) "Nays" Hall, V. Taylor (29-2) "Nays" Hall, V. Taylor

HB 1077 (Campbell)

Relating to the membership of the Electrical Safety and Licensing Advisory Board.
(viva voce vote) (31-0) (31-0)

HB 1133 (V. Taylor)

Relating to the composition of the Texas Military Preparedness Commission.
(viva voce vote) (31-0) (31-0)

HB 1148 (Schwertner)

Relating to the investment training requirement for certain municipal officers.
(viva voce vote) (31-0) (31-0)

CSHB 1180 (Kolkhorst)

Relating to certain information included on a searchable database on the Department of Family and Protective Services' Internet website.
(viva voce vote) (31-0) (31-0)

HB 1388 (Creighton)

Relating to certain diseases or illnesses suffered by firefighters and emergency medical technicians.
(viva voce vote) (31-0) (31-0)

CSHB 1546 (Rodríguez)

Relating to the award of diligent participation credit to defendants confined in a state jail felony facility.

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

(Senator Huffines in Chair)

HB 1662 (Perry)

Relating to the exemption of certain property from municipal drainage service charges.

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

HB 1756 (Watson)

Relating to the board of trustees of and distribution of certain benefits by a retirement system for firefighters in certain municipalities.

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

HB 1933 (Hinojosa)

Relating to installment payments of ad valorem taxes.

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

HB 1934 (Perry)

Relating to the Beef Promotion and Research Council of Texas.

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

HB 1937 (Fraser)

Relating to procedures and eligibility for terminating participation in the Teacher Retirement System of Texas deferred retirement option plan.

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

CSHB 1964 (Eltife)

Relating to certain convention center hotel projects.

(viva voce vote) (29-2) "Nays" Burton, Hall (29-2) "Nays" Burton, Hall

HB 2002 (Perry)

Relating to the recycling of county surplus or salvage property.

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

HB 2022 (Eltife)

Relating to the maximum capacity of a container of wine sold to a retail dealer; amending a provision subject to a criminal penalty.

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

CSHB 2152 (Estes)

Relating to the confidentiality of certain information concerning service members of the state military forces.

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

HB 2200 (Garcia)

Relating to the powers of the Greater Greenspoint Management District of Harris County.

(viva voce vote) (29-2) "Nays" Hall, V. Taylor (29-2) "Nays" Hall, V. Taylor

HB 2272 (Schwertner)

Relating to surety bond requirements for reserve deputy sheriffs.

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

HB 2394 (Creighton)

Relating to the compelled production of certain customer records by a financial institution.

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

HB 2400 (V. Taylor)

Relating to the sale of a new motor vehicle to certain manufacturers or distributors.

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

HB 2419 (Rodríguez)

Relating to the relationship between the Estates Code and the former Texas Probate Code.

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

HB 2491 (Eltife)

Relating to licensing and appointment of title insurance escrow officers; changing the limit applicable to a fee; authorizing a fee.

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

HB 2604 (Hinojosa)

Relating to a concealed handgun license application that is submitted by a peace officer or a member of the state military forces.

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

HB 2809 (Birdwell)

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

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

HB 2819 (Creighton)

Relating to improvement projects of the Sabine-Neches Navigation District of Jefferson County, Texas; providing authority to issue anticipation notes and time warrants.

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

HB 2878 (Rodríguez)

Relating to certain qualified residential rental assistance projects financed by private activity bonds.

(viva voce vote) (29-2) "Nays" Burton, Hall (29-2) "Nays" Burton, Hall

HB 2894 (Hinojosa)

Relating to the election of certain county bail bond board members.

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

(Senator Hancock in Chair)**HB 2913** (Fraser)

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

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

HB 3081 (L. Taylor)

Relating to the creation of the Brazoria County Municipal Utility District No. 68; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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

CSHB 3123 (Nelson)

Relating to governmental entities subject to the sunset review process.

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

HB 3628 (Hancock)

Relating to the adoption by the Department of Public Safety of rules governing the use of unmanned aircraft in the Capitol Complex; creating a criminal offense.

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

HB 4139 (Creighton)

Relating to the powers and duties of the Montgomery County Municipal Utility District No. 141; providing authority to issue bonds and impose taxes.

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

HB 4141 (Huffman)

Relating to the creation of the Fort Bend County Municipal Utility District No. 191; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HB 4153 (Creighton)

Relating to the creation of the Montgomery-Grimes Counties Municipal Utility District No. 146; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

**SESSION CONCLUDED FOR
LOCAL AND UNCONTESTED CALENDAR**

Senator Hancock announced that the session to consider bills and resolutions placed on the Local and Uncontested Calendar was concluded.

HOUSE BILL ON FIRST READING

The following bill received from the House was read first time and referred to the committee indicated:

HB 3994 To Committee on Health and Human Services.

RECESS

On motion of Senator Hancock, the Senate at 9:36 a.m. recessed until 3:00 p.m. today.

AFTER RECESS

The Senate met at 3:39 p.m. and was called to order by Senator Hall.

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 114** To Committee on Finance.
- HB 118** To Committee on Veteran Affairs and Military Installations.
- HB 156** To Committee on Finance.
- HB 283** To Committee on Business and Commerce.
- HB 411** To Committee on Business and Commerce.
- HB 583** To Committee on Criminal Justice.
- HB 659** To Committee on Agriculture, Water, and Rural Affairs.
- HB 678** To Committee on Criminal Justice.
- HB 682** To Committee on Finance.
- HB 849** To Committee on Finance.
- HB 852** To Committee on Business and Commerce.
- HB 867** To Committee on Veteran Affairs and Military Installations.
- HB 912** To Committee on Agriculture, Water, and Rural Affairs.
- HB 1132** To Committee on Business and Commerce.
- HB 1150** To Committee on Intergovernmental Relations.
- HB 1268** To Committee on Health and Human Services.
- HB 1308** To Committee on State Affairs.
- HB 1390** To Committee on State Affairs.
- HB 1396** To Committee on Criminal Justice.
- HB 1424** To Committee on Criminal Justice.
- HB 1446** To Committee on Criminal Justice.
- HB 1458** To Committee on Finance.
- HB 1630** To Committee on State Affairs.
- HB 1810** To Committee on Criminal Justice.
- HB 1829** To Committee on Criminal Justice.
- HB 1842** To Committee on Education.
- HB 1998** To Committee on Health and Human Services.
- HB 2055** To Committee on Health and Human Services.
- HB 2091** To Committee on Intergovernmental Relations.
- HB 2187** To Committee on Natural Resources and Economic Development.
- HB 2246** To Committee on State Affairs.
- HB 2271** To Committee on Health and Human Services.
- HB 2360** To Committee on Health and Human Services.
- HB 2391** To Committee on Business and Commerce.
- HB 2493** To Committee on Business and Commerce.
- HB 2544** To Committee on State Affairs.

HB 2550 To Committee on Health and Human Services.
HB 2634 To Committee on Business and Commerce.
HB 2696 To Committee on Health and Human Services.
HB 2830 To Committee on Intergovernmental Relations.
HB 2835 To Committee on Health and Human Services.
HB 2851 To Committee on State Affairs.
HB 2985 To Committee on State Affairs.
HB 3036 To Committee on Finance.
HB 3043 To Committee on Business and Commerce.
HB 3089 To Committee on Business and Commerce.
HB 3092 To Committee on Health and Human Services.
HB 3093 To Committee on State Affairs.
HB 3190 To Committee on Business and Commerce.
HB 3248 To Committee on Business and Commerce.
HB 3311 To Committee on Intergovernmental Relations.
HB 3380 To Committee on State Affairs.
HB 3390 To Committee on Agriculture, Water, and Rural Affairs.
HB 3404 To Committee on Veteran Affairs and Military Installations.
HB 3405 To Committee on Agriculture, Water, and Rural Affairs.
HB 3439 To Committee on Business and Commerce.
HB 3576 To Committee on Intergovernmental Relations.
HB 3658 To Committee on Natural Resources and Economic Development.
HB 3710 To Committee on State Affairs.
HB 3777 To Committee on Administration.
HB 3787 To Committee on Business and Commerce.
HB 3987 To Committee on Education.
HB 4077 To Committee on Criminal Justice.
HB 4175 To Committee on Agriculture, Water, and Rural Affairs.
HCR 81 To Committee on Administration.
HJR 77 To Committee on State Affairs.

CO-AUTHORS OF SENATE BILL 1463

On motion of Senator Lucio, Senators Hinojosa and Zaffrini will be shown as Co-authors of **SB 1463**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 822 by Lucio, In memory of Oralia T. Villarreal.

SR 823 by Watson, In memory of Melvin Vernell Green.

Congratulatory Resolutions

SR 817 by West, Recognizing the Williams-Livingston family on the occasion of their family reunion.

SR 818 by West, Recognizing Steve Harvey for his philanthropic works.

SR 819 by Ellis, Recognizing Jesse H. Jones High School Class of 1975 on the occasion of its 40th reunion.

SR 821 by Lucio, Recognizing Orlando A. Correa for his service as mayor of Raymondville.

SR 825 by Schwertner, Recognizing Elinor and Dennis Siple on the occasion of their 50th wedding anniversary.

SR 826 by Ellis, Recognizing Roland E. Mouton Jr. on the occasion of his installation as pastor of God With Us Ministries Missionary Baptist Church.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 3:49 p.m. adjourned, in memory of Rosemary Hall Scott, until 11:00 a.m. Monday, May 18, 2015.

APPENDIX

COMMITTEE REPORTS

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

May 15, 2015

FINANCE — **CSHB 5**

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **HB 721, HB 577, HB 194, HB 445, HB 1598, HB 1762, SCR 44, SCR 46**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **HCR 80, HB 2732, HB 2230, HB 1709, HB 1657, HB 1535, HB 942**

HEALTH AND HUMAN SERVICES — **HB 4001, HB 3823, HB 2430, HB 2079, HB 1550, HB 1309, HB 1217, HB 819, HB 479**

BUSINESS AND COMMERCE — **HB 2424, HB 2358, HB 1348, HB 796, HB 831, HB 574, HB 2296, HB 1890, HB 1853, HB 2717, HB 3132, HB 2735, HB 2466, HB 3315, HB 3742, HB 909, HB 3091, HB 2771**

FINANCE — **CSSB 1009, CSHB 1463, CSHB 994**

BILLS ENGROSSED

May 14, 2015

SB 202, SB 1041, SB 1060, SB 1584, SB 2066

BILL AND RESOLUTIONS ENROLLED

May 14, 2015

SB 596, SR 810, SR 811, SR 812, SR 813, SR 814, SR 815, SR 816, SR 820

SIGNED BY GOVERNORMay 15, 2015**SB 45, SB 94, SB 125, SB 203, SB 227, SB 378, SB 415, SB 489, SB 534, SB 562,
SB 656, SB 774, SB 788, SB 804, SB 859, SB 928, SB 979, SB 1066, SB 1452,
SB 1466, SB 1749**