

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-FIFTH DAY

(Thursday, May 21, 2015)

The Senate met at 11:15 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.

Father Albert Laforet, Saint Mary Cathedral, Austin, offered the invocation as follows:

Almighty God, source of wisdom, knowledge, understanding, and truth, we come seeking Your gifts to aid this assembly in their work for the people of Texas. Protect and guide the people of our state that they might always enjoy Your abundant blessings. Provide for all of those in need. We entrust to Your mercy and goodness all of our needs and concerns. May Your blessings come to all who work here and to all the people of the State of Texas. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

PHYSICIAN OF THE DAY

Senator Rodríguez was recognized and presented Dr. David Palafox of El Paso as the Physician of the Day.

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

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on Nominations:

May 21, 2015
Austin, Texas

TO THE SENATE OF THE EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION:

On January 15, 2015, former Governor Rick Perry submitted the name of Nelda L. Blair for appointment to the Texas Economic Development Corporation for a term to expire at the pleasure of the Governor.

Because she resigned, I hereby withdraw her nomination and request that the Senate return the appointment to me.

On January 15, 2015, former Governor Rick Perry submitted the name of Kathryn Walt Hall for appointment to the Texas Economic Development Corporation for a term to expire at the pleasure of the Governor.

Because she resigned, I hereby withdraw her nomination and request that the Senate return the appointment to me.

On January 15, 2015, former Governor Rick Perry submitted the name of Thomas A. Whaylen for appointment to the Texas Military Preparedness Commission for a term to expire February 1, 2019.

Because he resigned, I hereby withdraw his nomination and request that the Senate return the appointment to me.

On January 15, 2015, former Governor Rick Perry submitted the name of Leslie L. Ward for appointment to the Texas Economic Development Corporation for a term to expire at the pleasure of the Governor.

Because she resigned, I hereby withdraw her nomination and request that the Senate return the appointment to me.

Respectfully submitted,
/s/Greg Abbott
Governor

GUESTS PRESENTED

Senator Schwertner was recognized and introduced to the Senate a Cystic Fibrosis Awareness Month at the State Capitol delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Ellis, joined by the President and Senators Garcia, West, Seliger, Zaffirini, Whitmire, and Rodríguez, was recognized and introduced to the Senate a Texas Legislative Internship Program delegation: Sandra Morales, Katherine Spearman, Lindsey Linder, Phillip Yates, and Nathaniel Henry.

The Senate welcomed its guests.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

GUESTS PRESENTED

Senator Menéndez was recognized and introduced to the Senate a San Antonio Technology Academy delegation.

The Senate welcomed its guests.

CONCLUSION OF MORNING CALL

The President at 11:51 a.m. announced the conclusion of morning call.

HOUSE BILL 1878 ON SECOND READING

Senator V. Taylor moved to suspend the regular order of business to take up for consideration **HB 1878** at this time on its second reading:

HB 1878, Relating to the provision of telemedicine medical services in a school-based setting, including the reimbursement of providers under the Medicaid program for those services.

The motion prevailed.

Senator Schwertner 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 a viva voce vote.

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

Nays: Schwertner.

HOUSE BILL 1878 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 **HB 1878** be placed on its third reading and final passage.

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

Nays: Schwertner.

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

SENATE BILL 1568 ON THIRD READING

Senator Lucio moved to suspend the regular order of business to take up for consideration **SB 1568** at this time on its third reading and final passage:

SB 1568, Relating to the issuance of interest-bearing time warrants by school districts.

The motion prevailed by the following vote: Yeas 20, Nays 10, Present-not voting 1.

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

Nays: Bettencourt, Birdwell, Burton, Hall, Hancock, Huffman, Nichols, Perry, Schwertner, V. Taylor.

Present-not voting: West.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 10, Present-not voting 1. (Same as previous roll call)

HOUSE BILL 184 ON SECOND READING

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 184** at this time on its second reading:

HB 184, Relating to the allocation of costs and attorney's fees incurred by a Court of Inquiry.

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

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

HOUSE BILL 184 ON THIRD READING

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 184** 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 HOUSE BILL 801 ON THIRD READING

On motion of Senator Eltife and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 801** at this time on its third reading and final passage:

CSHB 801, Relating to planning for the use of and liability resulting from prescribed burns by the Parks and Wildlife Department.

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

HOUSE BILL 721 ON SECOND READING

On motion of Senator Campbell and by unanimous consent, the regular order of

business was suspended to take up for consideration **HB 721** at this time on its second reading:

HB 721, Relating to the hunting or fishing license fee waiver for certain disabled veterans.

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

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

HOUSE BILL 721 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 721** 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 HOUSE BILL 994 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **CSHB 994** at this time on its second reading:

CSHB 994, Relating to the exemption from ad valorem taxation of property used to collect, process, and deliver landfill-generated gas.

The motion prevailed.

Senators Burton, Hall, and Schwertner asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Bettencourt offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 994** (senate committee printing) by striking SECTION 3 of the bill, amending Section 11.311, Tax Code (page 1, lines 36-41), and substituting the following appropriately numbered SECTION:

SECTION _____. Section 11.311, Tax Code, is amended by amending Subsection (b) and adding Subsections (e) and (f) to read as follows:

(b) A person is entitled to an exemption from taxation of tangible ~~[the real and]~~ personal property the person owns that is located on or in close proximity to a landfill and is used to:

- (1) collect gas generated by the landfill;
- (2) compress and transport the gas;
- (3) process the gas so that it may be:

(A) delivered into a natural gas pipeline; or

(B) used as a transportation fuel in methane-powered on-road or off-road vehicles or equipment; and

- (4) deliver the gas:
 (A) into a natural gas pipeline; or
 (B) to a methane fueling station.

(e) Property described by Subsection (b) shall be appraised as tangible personal property for ad valorem tax purposes, regardless of whether the property is affixed to or incorporated into real property.

(f) This section may not be construed to exempt from taxation tangible personal property located on or in close proximity to a landfill that is not used in the manner prescribed by Subsection (b).

The amendment to **CSHB 994** 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 West and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSHB 994 as amended was passed to third reading by a viva voce vote.

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

Nays: Burton, Hall, Schwertner.

COMMITTEE SUBSTITUTE HOUSE BILL 994 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 **CSHB 994** be placed on its third reading and final passage.

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

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

Nays: Burton, Hall, Schwertner.

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

COMMITTEE SUBSTITUTE SENATE BILL 93 ON SECOND READING

Senator Ellis moved to suspend the regular order of business to take up for consideration **CSSB 93** at this time on its second reading:

CSSB 93, Relating to the suspension of a driver's license for failure to pay a surcharge.

The motion prevailed.

Senators Huffman, Menéndez, and Nelson 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: Huffman, Menéndez, Nelson.

**COMMITTEE SUBSTITUTE
SENATE BILL 93 ON THIRD READING**

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 93** be placed on its third reading and final passage.

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

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

Nays: Huffman, Menéndez, Nelson.

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

(Senator Kolkhorst in Chair)

HOUSE BILL 973 ON SECOND READING

Senator Garcia moved to suspend the regular order of business to take up for consideration **HB 973** at this time on its second reading:

HB 973, Relating to the compensation and per diem compensation of emergency services commissioners in certain counties.

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

Yeas: Birdwell, Campbell, Ellis, Eltife, Garcia, Hall, Hinojosa, Huffman, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Creighton, Estes, Fraser, Hancock, Huffines, Kolkhorst, Schwertner, V. Taylor.

The bill was read second time and was passed to third reading by the following vote: Yeas 21, Nays 10. (Same as previous roll call)

**MOTION TO PLACE
HOUSE BILL 973 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 **HB 973** be placed on its third reading and final passage.

(President in Chair)

Senator Garcia withdrew the motion to suspend Senate Rule 7.18 and the Constitutional Three-day Rule for **HB 973**.

**COMMITTEE SUBSTITUTE
HOUSE BILL 1212 ON SECOND READING**

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSHB 1212** at this time on its second reading:

CSHB 1212, Relating to the prosecution and punishment of certain offenses under the Texas Controlled Substances Act and the regulation and scheduling of certain 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.

Senator Schwertner offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 1212** (senate committee report) as follows:

(1) Strike SECTION 3 of the bill (page 2, lines 21 through 33).

(2) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. This Act shall be known as the Montana Brown and Jesse High Act.

SECTION _____. Subchapter B, Chapter 481, Health and Safety Code, is amended by adding Section 481.0355 to read as follows:

Sec. 481.0355. EMERGENCY SCHEDULING. (a) Except as otherwise provided by Subsection (b) and subject to Subsection (c), the commissioner may emergency schedule a substance as a controlled substance if the commissioner determines the action is necessary to avoid an imminent hazard to the public safety.

(b) The commissioner may not emergency schedule a substance as a controlled substance under this section if:

(1) the substance is already scheduled;

(2) an exemption or approval is in effect for the substance under Section 505, Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section 355); or

(3) the substance is an over-the-counter drug that qualifies for recognition as safe and effective under conditions established by federal regulations of the United States Food and Drug Administration governing over-the-counter drugs.

(c) Before emergency scheduling a substance as a controlled substance under this section, the commissioner shall consult with the Department of Public Safety regarding the chemical structure of compounds contained in that substance, and may emergency schedule the substance only in accordance with any recommendations provided by the department.

(d) In determining whether a substance poses an imminent hazard to the public safety, the commissioner shall consider, in addition to the factors provided by Section 481.034(d):

(1) the scope, duration, and symptoms of abuse;
(2) the degree of detriment that abuse of the substance may cause;
(3) whether the substance has been temporarily scheduled under federal law; and

(4) whether the substance has been temporarily or permanently scheduled under the law of another state.

(e) If the commissioner emergency schedules a substance as a controlled substance under this section, an emergency exists for purposes of Section 481.036(c) and the action takes effect on the date the schedule is published in the Texas Register.

(f) An emergency scheduling under this section expires on September 1 of each odd-numbered year for any scheduling that occurs before January 1 of that year.

(g) The commissioner shall post notice about each emergency scheduling under this section on the Internet website of the Department of State Health Services.

(3) Strike SECTION 6 of the bill (page 2, line 62, through page 4, line 6).

(4) Renumber SECTIONS of the bill appropriately.

The amendment to **CSHB 1212** 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 Schwertner and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSHB 1212 as amended was passed to third reading by a viva voce vote.

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

Nays: Huffines.

COMMITTEE SUBSTITUTE HOUSE BILL 1212 ON THIRD READING

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1212** 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)

HOUSE BILL 833 ON SECOND READING

Senator Nichols moved to suspend the regular order of business to take up for consideration **HB 833** at this time on its second reading:

HB 833, Relating to certain holders of motor home manufacturer's and dealer's licenses.

The motion prevailed.

Senator Burton 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 a viva voce vote.

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

Nays: Burton.

HOUSE BILL 833 ON THIRD READING

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 833** be placed on its third reading and final passage.

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

Nays: Burton.

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

HOUSE BILL 479 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 479** at this time on its second reading:

HB 479, Relating to transfer of the regional emergency medical dispatch resource centers program to the Commission on State Emergency Communications.

The bill was read second time.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 479** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 771, Health and Safety Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. NEXT GENERATION 9-1-1 TELEMEDICINE MEDICAL SERVICES PILOT PROJECT

Sec. 771.151. DEFINITIONS. In this subchapter:

(1) "Center" means the area health education center at the Texas Tech University Health Sciences Center that meets the requirements of 42 U.S.C. Section 294a and has received federal funding as an area health education center.

(2) "Emergency medical services" means services used to respond to an individual's perceived need for immediate medical care and to prevent death or aggravation of physiological or psychological illness or injury.

(3) "Emergency medical services provider" means a person who uses or maintains emergency medical services vehicles, medical equipment, and emergency medical services personnel to provide emergency medical services.

(4) "Emergency prehospital care" means care provided to the sick or injured before or during transportation to a medical facility, and includes any necessary stabilization of the sick or injured in connection with that transportation.

(5) "Regional trauma resource center" means a trauma facility that the center selects to participate in the project.

(6) "Rural area" means:

(A) a county with a population of 50,000 or less; or

(B) a large, isolated, and sparsely populated area of a county with a population of more than 50,000.

(7) "Telemedicine medical service" means a health care service that is initiated by a physician or provided by a health professional acting under physician delegation and supervision, that is provided for purposes of patient assessment by a health professional, diagnosis or consultation by a physician, or treatment, or for the transfer of medical data, and that requires the use of advanced telecommunications technology, other than telephone or facsimile technology, including:

(A) compressed digital interactive video, audio, or data transmission;

(B) clinical data transmission using computer imaging by way of still-image capture and store and forward; and

(C) other technology that facilitates access to health care services or medical specialty expertise.

(8) "Trauma facility" means a health care facility that is capable of comprehensive treatment of seriously injured persons and is a part of an emergency medical services and trauma care system.

Sec. 771.152. ESTABLISHMENT OF PILOT PROJECT. (a) The commission, with the assistance of the center, shall establish a pilot project to provide emergency medical services instruction and emergency prehospital care instruction through a telemedicine medical service provided by regional trauma resource centers to:

(1) health care providers in rural area trauma facilities; and

(2) emergency medical services providers in rural areas.

(b) The commission shall provide technical assistance to the center in implementing the pilot project.

(c) The center, with the assistance of the commission, shall:

(1) design criteria and protocols for the telemedicine medical service and related instruction and provide the oversight necessary to conduct the pilot project;

(2) define criteria to determine when telemedicine medical services that provide instructions for emergency medical services, emergency prehospital care, and trauma care should be transferred to an emergency medical resource center for intervention; and

(3) collect the data necessary to evaluate the project.

(d) The center may make available appropriate resources for individuals who do not speak English.

Sec. 771.153. STAFF. The center shall provide the telemedicine medical service and related instruction for the pilot project through health care providers in regional trauma resource centers, including physicians, pharmacists, emergency medical personnel, and other health professionals acting under physician delegation and supervision.

Sec. 771.154. PARTICIPATION IN PILOT PROJECT. (a) The center shall determine the trauma facilities and emergency medical services providers that are interested in participating in the pilot project.

(b) A trauma facility or emergency medical services provider participating in the pilot project must agree to successfully complete any required training and to provide all reports required by the center for the project.

Sec. 771.155. SELECTION OF PROJECT PARTICIPANTS AND REGIONAL TRAUMA RESOURCE CENTERS. (a) The center, with the assistance of the commission, may select trauma facilities and emergency medical services providers to participate in the pilot project and select trauma facilities to serve as regional trauma resource centers.

(b) A trauma facility may not be selected to participate in the project or to serve as a regional trauma resource center unless the facility:

(1) has a quality assurance program that measures each health care provider's compliance with the medical protocol;

(2) uses emergency medical services and emergency prehospital care protocols approved by a physician medical director knowledgeable in emergency medical services and emergency prehospital care;

(3) has experience in providing emergency medical services and emergency prehospital care that the center determines is sufficient; and

(4) has resources sufficient to provide the additional telemedicine medical services and related instruction required for the pilot project in addition to the health care services already provided by the facility.

(c) In selecting a trauma facility to serve as a regional trauma resource center, the center shall consider the facility personnel's ability to maintain records and produce reports to measure the effectiveness of the pilot project. The center shall share information regarding that ability with the commission.

Sec. 771.156. FUNDING OF PILOT PROJECT. (a) Money collected under Section 771.072(f) may be appropriated to the commission to fund the pilot project.

(b) The center may seek grants to fund the pilot project.

(c) A political subdivision with a trauma facility that participates in the pilot project may pay part of the costs of the pilot project.

(d) If a sufficient number of political subdivisions in a region that may be served by the pilot project agree to pay the center an amount that together with other funding received under this section is sufficient to fund the pilot project for the region, the center shall:

(1) contract with the political subdivisions for each to pay an appropriate share of the cost; and

(2) implement the project for the region when the amounts agreed to in the contracts and any other funding received under this section are sufficient to fund the project for the region.

Sec. 771.157. REPORT TO LEGISLATURE. The center, in cooperation with the commission, shall report its findings to the governor and the presiding officer of each house of the legislature, not later than December 31, 2020.

Sec. 771.158. LIABILITY. The operations of the center and a regional trauma resource center are considered to be the provision of 9-1-1 services for purposes of Section 771.053. Employees of and volunteers at the regional trauma resource center have the same protection from liability as a member of the governing body of a public agency under Section 771.053.

Sec. 771.159. WORK GROUP. (a) The center may appoint a project work group to assist the center in developing, implementing, and evaluating the project and preparing a report on the center's findings.

(b) A member of the work group is not entitled to compensation for serving on the project work group and may not be reimbursed for travel or other expenses incurred while conducting the business of the project work group.

(c) The project work group is not subject to Chapter 2110, Government Code.

Sec. 771.160. EXPIRATION. This subchapter expires January 1, 2021.

The amendment to **HB 479** 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 Perry and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 479 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 479 ON THIRD READING

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 479** 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.

HOUSE BILL 2679 ON SECOND READING

Senator Estes moved to suspend the regular order of business to take up for consideration **HB 2679** at this time on its second reading:

HB 2679, Relating to the powers of a public facility corporation.

The motion prevailed.

Senators Burton, Hall, and Seliger asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Estes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2679** (senate committee report version) by adding the following new sections, appropriately numbered, and renumbering subsequent sections accordingly:

SECTION _____. Section 303.003(7), Local Government Code, is amended to read as follows:

(7) "Public facility" means any real, personal, or mixed property, or an interest in property devoted or to be devoted to public use, and authorized to be financed, refinanced, or provided by sponsor obligations or bonds issued under this chapter.

SECTION _____. Section 303.042, Local Government Code, is amended by adding Subsection (f) to read as follows:

(f) Notwithstanding Subsections (a) and (b), during the period of time that a corporation owns a particular public facility, a leasehold or other possessory interest in the real property of the public facility granted by the corporation shall be treated in the same manner as a leasehold or other possessory interest in real property granted by an authority under Section 379B.011(b).

The amendment to **HB 2679** 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 Estes and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 2679 as amended was passed to third reading by a viva voce vote.

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

Nays: Burton, Hall, Seliger.

HOUSE BILL 2679 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 **HB 2679** be placed on its third reading and final passage.

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

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

Nays: Burton, Hall, Seliger.

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

SENATE BILL 2016 ON SECOND READING

Senator Lucio moved to suspend the regular order of business to take up for consideration **SB 2016** at this time on its second reading:

SB 2016, Relating to limitations on annexation by and extraterritorial jurisdiction of certain municipalities.

The motion prevailed.

Senators Schwertner and Watson asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 2016** (senate committee printing) in SECTIONS 2 and 3 of the bill, in added Sections 42.0235 and 43.037, Local Government Code (page 1, line 35 and page 1, line 50), between "municipality" and "in" by inserting "with a population of more than 175,000 located".

The amendment to **SB 2016** was read and was adopted without objection.

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

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 2

Amend **SB 2016** (senate committee printing) in SECTION 2 of the bill, in added Section 42.0235, Local Government Code (page 1, between lines 46 and 47), by inserting the following new subsection, appropriately lettered, and relettering subsections of Section 42.0235, Local Government Code, and cross-references to those subsections accordingly:

() Notwithstanding any other law, a municipality that owns an electric system and that releases extraterritorial jurisdiction under Subsection (b) may provide electric service in the released area to the same extent that the service would have been provided if the municipality had annexed the area.

The amendment to **SB 2016** was read and was adopted without objection.

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

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

SB 2016 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: Schwertner, Watson.

SENATE BILL 2016 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2016** be placed on its third reading and final passage.

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

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

Nays: Schwertner, Watson.

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

HOUSE BILL 2027 ON SECOND READING

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2027** at this time on its second reading:

HB 2027, Relating to establishing precincts for elections held on a uniform election date by certain political subdivisions.

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2027** (senate committee printing) in SECTION 1 of the bill, in added Section 42.002(c)(1), Election Code (page 1, lines 44 through 47), by striking Subdivision (1) and substituting the following:

(1) conducts early voting by personal appearance:

(A) at 75 percent or more of its permanent or temporary branch polling places on the same days and during the same hours as voting is conducted at the main early voting polling place; and

(B) at each remaining polling place for at least two consecutive days of voting during the early voting period, and for at least eight hours on each of the two consecutive days; or

The amendment to **HB 2027** 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 Hancock and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 2027 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 2027 ON THIRD READING

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2027** 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.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Thursday, May 21, 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:

HCR 127

Wu

Commemorating the 20th anniversary of the Westchase District in Houston.

SB 18

Nelson

Sponsor: Zerwas

Relating to measures to support or enhance graduate medical education in this state, including the transfer of certain assets from the Texas Medical Liability Insurance Underwriting Association to the permanent fund supporting graduate medical education and the authority of the association to issue new policies.

(Committee Substitute/Amended)

SB 24

Zaffirini

Sponsor: Zerwas

Relating to training for members of the governing board of a public institution of higher education.

(Amended)

SB 130

West

Sponsor: Canales

Relating to the eligibility of criminal defendants for an order of nondisclosure; authorizing a fee.

SB 367

Garcia

Sponsor: Geren

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

SB 734

Fraser

Sponsor: Cook

Relating to the setting of annual interest rates for utility deposits by the Public Utility Commission of Texas.

SB 755

Taylor, Van

Sponsor: Button

Relating to the application of the sales and use tax to certain computer program transactions.

SB 789

Eltife

Sponsor: Geren

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

(Amended)

SB 795

Perry

Sponsor: Klick

Relating to establishing an interstate voter registration crosscheck program.

- SB 904** Hinojosa Sponsor: Darby
Relating to exempting emergency preparation supplies from the sales and use tax for a limited period.
- SB 918** Nichols Sponsor: Otto
Relating to the procedure for claiming an exemption from ad valorem taxation of the property of a veteran's organization.
- SB 1389** Lucio Sponsor: Lucio III
Relating to the border commerce coordinator.
- SB 1465** Watson Sponsor: Phillips
Relating to creating limited purpose disaster declaration authority for the governor.
(Amended)
- SB 1734** Uresti Sponsor: King, Tracy O.
Relating to the eradication of Carrizo cane along the Rio Grande River.
- SB 1902** Perry Sponsor: Herrero
Relating to the eligibility of criminal defendants for an order of nondisclosure of criminal history record information; authorizing a fee.
(Amended)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

HOUSE BILL 973 ON THIRD READING

Senator Garcia again moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 973** be placed on its third reading and final passage:

HB 973, Relating to the compensation and per diem compensation of emergency services commissioners in certain counties.

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

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

Nays: Fraser, Hancock, Huffines, Kolkhorst, Schwertner, V. Taylor.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 10.

Yeas: Birdwell, Campbell, Ellis, Eltife, Garcia, Hall, Hinojosa, Huffman, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Creighton, Estes, Fraser, Hancock, Huffines, Kolkhorst, Schwertner, V. Taylor.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2100 ON SECOND READING**

Senator Garcia moved to suspend the regular order of business to take up for consideration **CSHB 2100** at this time on its second reading:

CSHB 2100, Relating to the creation of the East Houston Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

The motion prevailed.

Senators Hall 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 Garcia offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 2100** (senate committee report) in SECTION 1 of the bill, by striking added Section 3923.154(b), Special District Local Laws Code (page 5, lines 47 through 54), and substituting the following:

(b) The petition must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

The amendment to **CSHB 2100** 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 Garcia and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSHB 2100 as amended was passed to third reading by a viva voce vote.

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

Nays: Hall, V. Taylor.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2100 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 **CSHB 2100** be placed on its third reading and final passage.

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

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

Nays: Hall, V. Taylor.

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

HOUSE BILL 716 ON SECOND READING

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **HB 716** at this time on its second reading:

HB 716, Relating to the certification of certain peace officers to enforce commercial motor vehicle safety standards.

The motion prevailed.

Senators Campbell, Creighton, Fraser, 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 a viva voce vote.

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

Nays: Campbell, Creighton, Fraser, Huffines.

HOUSE BILL 716 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 **HB 716** 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, Garcia, Hall, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Campbell, Creighton, Fraser, Huffines.

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

COMMITTEE SUBSTITUTE SENATE BILL 531 ON SECOND READING

Senator Campbell moved to suspend the regular order of business to take up for consideration **CSSB 531** at this time on its second reading:

CSSB 531, Relating to the application of foreign laws and foreign forum selection in a proceeding involving marriage, a suit for dissolution of a marriage, or a suit affecting the parent-child relationship in this state.

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

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

Nays: Ellis, Estes, 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 19, Nays 12. (Same as previous roll call)

(Senator Burton in Chair)

HOUSE BILL 942 ON SECOND READING

Senator Birdwell moved to suspend the regular order of business to take up for consideration **HB 942** at this time on its second reading:

HB 942, Relating to the storage of certain hazardous chemicals; transferring enforcement of certain reporting requirements, including the imposition of criminal, civil, and administrative penalties, from the Department of State Health Services to the Texas Commission on Environmental Quality; amending provisions subject to a criminal penalty; reenacting a criminal offense.

The motion prevailed.

Senator Burton 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 30, Nays 1.

Nays: Burton.

HOUSE BILL 942 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 942** be placed on its third reading and final passage.

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

Nays: Burton.

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

BILLS AND RESOLUTIONS SIGNED

The Presiding Officer announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

SB 60, SB 292, SB 308, SB 363, SB 383, SB 408, SB 431, SB 450, SB 463, SB 540, SB 607, SB 680, SB 685, SB 737, SB 782, SB 783, SB 836, SB 853, SB 854, SB 862, SB 864, SB 871, SB 875, SB 914, SB 949, SB 956, SB 978, SB 1008, SB 1020, SB 1075, SB 1203, SB 1204, SB 1235, SB 1279, SB 1281, SB 1427, SB 1448, SB 1485, SB 1554, SB 1587, SB 1654, SB 1657, SB 1766, SB 1779, SB 1889, SB 2054, SCR 33, SCR 48, SJR 22.

HOUSE BILL 3236 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3236** at this time on its second reading:

HB 3236, Relating to the extension of the portion of U.S. Highway 290 in Harris County designated as the Ronald Reagan Memorial Highway.

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

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

HOUSE BILL 3236 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 **HB 3236** 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.

HOUSE BILL 1709 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1709** at this time on its second reading:

HB 1709, Relating to the closing, abandoning, and vacating of a public road by a county; authorizing the imposition of a fee.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1709** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 251.058(f)(1), Transportation Code (page 2, line 12), strike "or".

(2) In added Section 251.058(f)(2), Transportation Code (page 2, line 14), between "Code" and the underlined period, insert the following:

;

(3) a telecommunications provider, as defined by Section 51.002, Utilities Code; or

(4) a video service provider, as defined by Section 66.002, Utilities Code

The amendment to **HB 1709** 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 Zaffirini and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 1709 as amended was passed to third reading by the following vote: Yeas 31, Nays 0.

HOUSE BILL 1709 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 **HB 1709** 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 BILL 1107 WITH HOUSE AMENDMENT

Senator Eltife called **SB 1107** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

Amendment

Amend **SB 1107** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED

AN ACT

relating to contingent deferred annuity contracts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1107.002(a), Insurance Code, is amended to read as follows:

(a) This chapter does not apply to:

(1) a reinsurance contract;
(2) a group annuity contract that is purchased under a retirement plan or plan of deferred compensation established or maintained by an employer, including a partnership or sole proprietorship, by an employee organization, or by both, other than a plan that provides individual retirement accounts or individual retirement annuities under Section 408, Internal Revenue Code of 1986, as amended;

(3) a premium deposit fund;

(4) a variable annuity contract;

(5) an investment annuity contract;

(6) an immediate annuity contract;

(7) a deferred annuity contract under which annuity payments have begun;

[~~or~~]

(8) a reversionary annuity contract; or

(9) a contingent deferred annuity contract as defined by Section 1116.003.

SECTION 2. Chapter 1116, Insurance Code, is amended by adding Section 1116.003 to read as follows:

Sec. 1116.003. RULEMAKING AUTHORITY FOR CONTINGENT DEFERRED ANNUITY CONTRACTS. (a) In this section, "contingent deferred annuity contract" means an annuity contract in which a life insurer makes periodic payments for the annuitant's lifetime beginning when a designated investment that is not owned or held by the insurer is depleted to an amount specified by the contract due to contractually permitted withdrawals, market performance, fees, or other charges.

(b) The commissioner by rule may adopt reasonable standards for contingent deferred annuity contracts, including standards for:

(1) the procedures for department review and approval of contingent deferred annuity contracts and the criteria the department will use in approving the contracts;

(2) replacement, suitability, and disclosure requirements that are consistent with applicable model regulations developed by the National Association of Insurance Commissioners; and

(3) advertising of contingent deferred annuity contracts that are consistent with applicable model regulations developed by the National Association of Insurance Commissioners.

SECTION 3. 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 was read.

Senator Eltife moved to concur in the House amendment to **SB 1107**.

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

SENATE BILL 1081 WITH HOUSE AMENDMENT

Senator Creighton called **SB 1081** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

Amendment

Amend **SB 1081** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to the disclosure of certain information under a consolidated insurance program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 151.002, Insurance Code, is amended to read as follows:

Sec. 151.002. RULES. The commissioner shall adopt rules as necessary to implement and enforce this subchapter and Subchapter B.

SECTION 2. Subchapter A, Chapter 151, Insurance Code, is amended by adding Sections 151.003 through 151.009 to read as follows:

Sec. 151.003. INFORMATION REQUIRED TO BE PROVIDED BY PRINCIPAL BEFORE ENTERING CONSTRUCTION CONTRACT. If a construction contract requires a person to enroll in a consolidated insurance program, not later than the 10th day before the date a principal enters into the contract with the person, the principal shall provide the following information about the consolidated insurance program to the person:

(1) contact information, including phone number and e-mail address, for:

(A) the program administrator;

(B) the principal's risk manager; and

(C) the insurer's contact person for filing a claim for each type of insurance coverage provided in the program;

(2) the criteria for eligibility of enrollment into the program;

(3) a description of the project site covered by the program coverages;

(4) a summary of insurance coverages to be provided to the contractor under the program, including:

(A) the policy form number and issuing organization if the policy is a standardized insurance policy or, if the policy is not standardized, a sample policy form;

(B) per occurrence and aggregate limits of insurance coverages and any sublimits that may apply;

(C) term of coverages for each limit and sublimit, if any; and

(D) any material endorsements to the policy described under Paragraph

(A);

(5) a summary of insurance coverages to be provided by the contractor;

(6) instructions on how to include or exclude costs of insurance provided by the program in the person's proposal for work on the construction project;

(7) a description of the audit or claims procedures related to the program that may result in additional cost to a contractor, including the method of calculation for any assessment charged to a contractor related to the principal's payment of a policy deductible and any other specific cost amounts; and

(8) a description of a contractor's duties related to reporting:

(A) payroll and retention of documentation; and

(B) claims and participation in safety inspections and incident reporting.

Sec. 151.004. INFORMATION REQUIRED TO BE PROVIDED BY CONTRACTOR BEFORE ENTERING CONSTRUCTION CONTRACT. If a construction contract requires a person to enroll in a consolidated insurance program, not later than the 10th day before the date a contractor enters into the contract with the person, the contractor must provide to the person, in an accurate form, the information listed in Section 151.003 that the contractor received under that section.

Sec. 151.005. RELIANCE ON INFORMATION PROVIDED. The information required under Section 151.003 must be accurate, and a person who receives the information under Section 151.003 or 151.004 may justifiably rely on the information to decide whether to enter into the construction contract.

Sec. 151.006. FAILURE TO FURNISH. (a) A person may not be required to enter into a construction contract that requires enrollment in a consolidated insurance program unless the person is provided the information in compliance with Section 151.003 or 151.004, as applicable. If the information required under Section 151.003 is not provided to a person within the 10-day period under Section 151.003 or 151.004, as applicable, the person may elect not to enroll in the consolidated insurance program.

(b) If a person elects not to enroll in the consolidated insurance program under Subsection (a), a principal or contractor may provide the person with the information required under Section 151.003 after the 10-day period under Section 151.003 or

151.004, as applicable. The person must elect whether to enroll in the consolidated insurance program not later than the 10th day after the date that the information is provided under this subsection.

(c) If a person elects not to enroll in the consolidated insurance program under Subsection (a) or (b) and enters into a construction contract for the construction project, the person must obtain insurance coverage for the person's work on the project that substantially complies with the coverage terms and liability limits imposed for other persons who work on the construction project but who are not insured under the consolidated insurance program.

(d) The principal or contractor, as applicable, shall compensate a person with whom the principal or contractor contracts and who obtains insurance coverage under Subsection (c) for the actual cost of that insurance coverage.

Sec. 151.007. REQUEST FOR INSURANCE POLICY; DEADLINE TO PROVIDE. (a) A contractor may request in writing from the principal, or from the party with which the contractor has a direct contractual relationship, a complete copy of the insurance policy that provides coverage for the contractor under the consolidated insurance program.

(b) The copy described by Subsection (a) must be provided to the requesting contractor not later than the later of:

(1) the 30th day after the date the request was sent; or

(2) the 60th day after the date the contractor's work covered by the consolidated insurance program begins on the construction project.

Sec. 151.008. FAILURE TO PROVIDE INSURANCE POLICY. It is a material breach of a contractor's construction contract if a complete copy of the insurance policy requested by the contractor under Section 151.007 is not provided before the later of:

(1) the 75th day after the date the request was sent; or

(2) the 90th day after the date the contractor's work covered by the consolidated insurance program begins on the construction project.

Sec. 151.009. ELECTRONIC DELIVERY. (a) On a person's express request, a principal or contractor shall provide information under this subchapter in hard copy written form.

(b) If a person does not expressly request information be provided in hard copy written form, the principal or contractor may comply with the requirements of this chapter by:

(1) transmitting the information by facsimile or e-mail; or

(2) allowing access to the information on the principal's, or the principal's agent's, Internet website.

SECTION 3. The changes in law made by this Act apply only to an original construction contract with an owner of an improvement or contemplated improvement that is entered into on or after January 1, 2016. If a construction contract with an owner of an improvement or contemplated improvement is entered into on or after January 1, 2016, the changes in law made by this Act apply to a related subcontract, purchase order contract, personal property lease agreement, consolidated insurance program, and insurance policy. If a construction contract with an owner of an improvement or contemplated improvement is entered into before January 1, 2016,

that original construction contract and a related subcontract, purchase order contract, personal property lease agreement, consolidated insurance program, and insurance policy are governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect January 1, 2016.

The amendment was read.

Senator Creighton moved to concur in the House amendment to **SB 1081**.

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

Nays: Huffines.

SENATE BILL 746 WITH HOUSE AMENDMENTS

Senator Whitmire called **SB 746** from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the House amendments before the Senate.

Floor Amendment No. 1

Amend **SB 746** (house committee printing) by striking SECTION 41 of the bill (page 25, line 26) and substituting the following appropriately numbered SECTION:

SECTION _____. 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.

Floor Amendment No. 2

Amend **SB 746** (house committee printing) as follows:

(1) On page 10, line 23, strike "Section 841.0821" and substitute "Sections 841.0821 and 841.0822".

(2) On page 11, between lines 6 and 7, insert the following:

Sec. 841.0822. REQUIRED PROCEDURES BEFORE RELEASE FROM SECURE CORRECTIONAL FACILITY. Before a committed person is released from a secure correctional facility, the Texas Department of Criminal Justice shall ensure that:

(1) the Department of Public Safety issues a personal identification card to the person; and

(2) the person completes an application for the following federal benefits, as appropriate, for which the person may be eligible:

(A) social security benefits, including disability benefits, administered by the United States Social Security Administration; and

(B) veterans benefits administered by the United States Department of Veterans Affairs.

Floor Amendment No. 3

Amend **SB 746** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter E, Chapter 841, Health and Safety Code, is amended by adding Section 841.0845 to read as follows:

Sec. 841.0845. NOTICE OF INTENT REGARDING NEW RESIDENCE OR FACILITY. (a) The office shall provide advance notice of any intent to house one or more committed persons at a new residence or facility that has not previously served as housing for committed persons under this chapter.

(b) A vendor shall provide advance notice of any intent to submit a proposal to the office for the construction or renovation of a residence or facility that will serve as a new location for housing committed persons under this chapter.

(c) Notice must be provided in writing to each member of the legislature who represents a district containing territory in the affected county as follows:

(1) by a vendor, not later than the 30th day before the date that the vendor will submit a proposal described by Subsection (b) to the office; and

(2) by the office:

(A) as soon as practicable after awarding a contract for the construction or renovation of a residence or facility that will serve as a new location for housing committed persons under this chapter; or

(B) if a construction or renovation contract is unnecessary for the purpose, not later than the 30th day before the date that the residence or facility will first be used as housing for committed persons under this chapter, except as provided by Subsection (d).

(d) The office may provide notice required by Subsection (c)(2)(B) not later than 72 hours before transferring a committed person to the residence or facility if the transfer is necessary due to:

(1) a medical emergency;

(2) a serious behavioral or health and safety issue; or

(3) release from a secure correctional facility.

Floor Amendment No. 1 on Third Reading

Amend **SB 746** on third reading in the SECTION of the bill that was designated as SECTION 37 in the house committee printing as follows:

(1) In Subsection (a), strike "The changes in law" and substitute "Except as provided by Subsection (a-1) of this section, the changes in law".

(2) Between Subsections (a) and (b), insert the following:

(a-1) The jurisdiction of a district court, the representation of the state by the civil division of the special prosecution unit, and the representation of a respondent by the Office of State Counsel for Offenders or other court-appointed counsel in any civil commitment trial, any review of a petition for release, or any biennial review under Chapter 841, Health and Safety Code, that is pending on the effective date of this Act remain unaffected by this Act until the conclusion of that proceeding.

Floor Amendment No. 2 on Third Reading

Amend **SB 746** on third reading as follows:

(1) Strike the SECTION of the bill that was designated as SECTION 24 in the house committee printing and renumber subsequent SECTIONS of the bill accordingly.

(2) In the SECTION of the bill that was designated as SECTION 36 in the house committee printing, in Subdivision (2), strike "841.005,".

Floor Amendment No. 3 on Third Reading

Amend **SB 746** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 841, Health and Safety Code, is amended by adding Section 841.042 to read as follows:

Sec. 841.042. ASSISTANCE FROM SPECIAL PROSECUTION UNIT. On request of the attorney representing the state, the special prosecution unit shall provide legal, financial, and technical assistance to the attorney for a civil commitment proceeding conducted under this chapter.

Floor Amendment No. 4 on Third Reading

Amend **SB 746** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 841.061(a), Health and Safety Code, is amended to read as follows:

(a) ~~The [Not later than the 270th day after the date a petition is served on the person under Section 841.041, the]~~ judge shall conduct a trial to determine whether the person is a sexually violent predator:

(1) not later than the 270th day after the date a petition is served on the person under Section 841.041; and

(2) not later than the person's sentence discharge date.

SECTION _____. Section 841.063, Health and Safety Code, is amended to read as follows:

Sec. 841.063. CONTINUANCE. (a) Except as provided by Subsection (b), the [The] judge may continue a trial or hearing conducted under this chapter if the person is not substantially prejudiced by the continuance and:

(1) on the request of either party and a showing of good cause; or

(2) on the judge's own motion in the due administration of justice.

(b) The judge may not continue a trial conducted under this chapter to a date occurring later than the person's sentence discharge date.

The amendments were read.

Senator Whitmire moved to concur in the House amendments to **SB 746**.

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

HOUSE BILL 91 REREFERRED (Motion In Writing)

Senator Uresti submitted a Motion In Writing requesting that **HB 91** be withdrawn from the Committee on Health and Human Services and rereferred to the Committee on Intergovernmental Relations.

The Motion In Writing was read and prevailed without objection.

HOUSE BILL 1265 REREFERRED
(Motion In Writing)

Senator Eltife submitted a Motion In Writing requesting that **HB 1265** be withdrawn from the Committee on State Affairs and rereferred to the Committee on Business and Commerce.

The Motion In Writing was read and prevailed without objection.

HOUSE BILL 1532 RECOMMITTED
(Motion In Writing)

Senator Eltife submitted the following Motion In Writing:

Mr. President:

I move to recommit House Bill 1532 to the Committee on Business and Commerce.

ELTIFE

The Motion In Writing was read and prevailed without objection.

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 63** To Committee on State Affairs.
- HB 65** To Committee on Health and Human Services.
- HB 335** To Committee on Business and Commerce.
- HB 364** To Committee on State Affairs.
- HB 964** To Committee on Finance.
- HB 1459** To Committee on Agriculture, Water, and Rural Affairs.
- HB 1513** To Committee on Finance.
- HB 1625** To Committee on Finance.
- HB 1891** To Committee on Education.
- HB 2346** To Committee on Criminal Justice.
- HB 2392** To Committee on Business and Commerce.
- HB 2684** To Committee on Criminal Justice.
- HB 2870** To Committee on Natural Resources and Economic Development.
- HB 3184** To Committee on Criminal Justice.
- HB 3522** To Committee on Business and Commerce.
- HB 3660** To Committee on Business and Commerce.
- HB 3971** To Committee on Health and Human Services.
- HB 4015** To Committee on Natural Resources and Economic Development.
- HB 4158** To Committee on Administration.
- HB 4178** To Committee on Administration.
- HB 4179** To Committee on Administration.
- HB 4196** To Committee on Administration.
- HB 4204** To Committee on Administration.
- HB 4206** To Committee on Administration.
- HCR 26** To Committee on Business and Commerce.
- HCR 74** To Committee on Agriculture, Water, and Rural Affairs.

AT EASE

The Presiding Officer, Senator Burton in Chair, at 2:34 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 2:45 p.m. called the Senate to order as In Legislative Session.

**COMMITTEE SUBSTITUTE
HOUSE BILL 7 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 7** at this time on its second reading:

CSHB 7, Relating to the amounts, availability, and use of certain statutorily dedicated revenue and accounts; providing for the dedication and use of certain state revenue; reducing or affecting the amounts or rates of certain statutorily dedicated fees and assessments.

The bill was read second time.

Senator Nelson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 7** (senate committee printing) by striking SECTION 19 of the bill (page 6, lines 36-45) and renumbering subsequent SECTIONS of the bill accordingly.

The amendment to **CSHB 7** was read and was adopted without objection.

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

Senator Fraser offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSHB 7** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. The heading to Chapter 490, Government Code, is amended to read as follows:

CHAPTER 490. WINDING UP CONTRACTS AND STATE'S INVESTMENT PORTFOLIO IN CONNECTION WITH AWARDS FROM TEXAS ~~[FUNDING FOR]~~ EMERGING TECHNOLOGY FUND

SECTION _____. Subchapter C, Chapter 490, Government Code, is amended by adding Sections 490.104 and 490.105 to read as follows:

Sec. 490.104. MANAGEMENT OF INVESTMENT PORTFOLIO; WINDING UP AND FINAL LIQUIDATION. (a) In this section, "state's emerging technology investment portfolio" means:

(1) the equity positions in the form of stock or other security the governor took, on behalf of the state, in companies that received awards under the Texas emerging technology fund; and

(2) any other investments made by the governor, on behalf of the state, in connection with an award made under the Texas emerging technology fund.

(b) The Texas Treasury Safekeeping Trust Company shall manage and wind up the state's emerging technology investment portfolio. The trust company shall wind up the portfolio in a manner that, to the extent feasible, provides for the maximum return on the state's investment while also ensuring the return of the state's investment. In managing those investments through procedures and subject to restrictions that the trust company considers appropriate, the trust company may acquire, exchange, sell, supervise, manage, or retain any kind of investment that a prudent investor, exercising reasonable care, skill, and caution, would acquire or retain in light of the purposes, terms, distribution requirements, and other circumstances then prevailing pertinent to each investment. The trust company may recover its reasonable and necessary costs incurred in the management of the portfolio, including costs incurred in the retaining of professional or technical advisors, from the earnings on the investments in the portfolio.

(c) Any realized proceeds or other earnings from the sale of stock or other investments in the state's emerging technology investment portfolio, less the amount permitted to be retained for payment of its costs for managing the portfolio as provided by Subsection (b), shall be remitted by the Texas Treasury Safekeeping Trust Company to the comptroller for deposit in the general revenue fund.

(d) The Texas Treasury Safekeeping Trust Company has any power necessary to accomplish the purposes of this section.

(e) On final liquidation of the state's emerging technology investment portfolio, the Texas Treasury Safekeeping Trust Company shall promptly notify the comptroller of that occurrence. As soon as practicable after receiving that notice, the comptroller shall verify that the final liquidation has been completed and, if the comptroller so verifies, shall certify to the governor that the final liquidation of the portfolio has been completed. The governor shall post notice of the certification on the office of the governor's Internet website.

Sec. 490.105. CONFIDENTIALITY OF CERTAIN INFORMATION.

(a) Except as provided by Subsection (b), information concerning the identity, background, finance, marketing plans, trade secrets, or other commercially or academically sensitive information of an individual or entity that was considered for or received an award from the Texas emerging technology fund is confidential unless the individual or entity consents to disclosure of the information.

(b) The following information collected in connection with the Texas emerging technology fund is public information and may be disclosed under Chapter 552, Government Code:

(1) the name and address of an individual or entity that received an award from the fund;

(2) the amount of funding received by an award recipient;

(3) a brief description of the project funded by the award;

(4) if applicable, a brief description of the equity position that the governor, on behalf of the state, has taken in an entity that received an award from the fund; and

(5) any other information with the consent of:

(A) the governor;

(B) the lieutenant governor;
(C) the speaker of the house of representatives; and
(D) the individual or entity that received an award from the fund, if the information relates to that individual or entity.

SECTION _____. Section 490.101, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The fund may be used only for the purposes described by Section 490.104.

SECTION _____. The following laws are repealed:

(1) Sections 490.101(c), (d), (e), (f), (f-1), (g), (h), and (i), Government Code;

(2) Section 490.102, Government Code; and

(3) Subchapters A, B, D, E, F, and G, Chapter 490, Government Code.

SECTION _____. (a) The Texas emerging technology fund is continued solely for the purposes of winding up the contracts governing awards from that fund and the state's portfolio of equity positions and other investments in connection with awards from that fund in accordance with Section 490.104, Government Code, as added by this Act. The Texas emerging technology fund is abolished and Sections 490.101(a), (b), and (b-1), Government Code, are repealed when the comptroller certifies to the governor as provided by Section 490.104, Government Code, as added by this Act, that the final liquidation of the state's portfolio of equity positions and other investments by the Texas Treasury Safekeeping Trust Company has been completed. Any unencumbered fund balance remaining when the Texas emerging technology fund is abolished may be appropriated in accordance with Subsection (a-1) of this section.

(a-1) Any unencumbered balance of the Texas emerging technology fund may be appropriated only to one or more of the following:

(1) the Texas Research Incentive Program (TRIP) under Subchapter F, Chapter 62, Education Code;

(2) the Texas research university fund, subject to Subsection (b) of this section;

(3) the governor's university research initiative fund established under Subchapter H, Chapter 62, Education Code, as added by this Act;

(4) the Texas Enterprise Fund established under Section 481.078, Government Code; and

(5) the comptroller for the purposes of expenses incurred in managing the state's portfolio of equity positions and other investments in connection with awards from the Texas emerging technology fund in accordance with Section 490.104, Government Code, as added by this Act.

(b) The authority of the Texas research university fund to receive the appropriation described by Subsection (a-1) of this section is contingent on passage and enactment of H.B. 1000, or similar legislation relating to state support for general academic teaching institutions in this state by the 84th Legislature, Regular Session, 2015, that renames the existing Texas competitive knowledge fund and changes the purposes for which the fund can be used.

(c) The abolishment by this Act of the Texas emerging technology fund and the repeal of provisions of Chapter 490, Government Code, relating to that fund do not affect the validity of an agreement between the governor and an award recipient or a person to be awarded money that is entered into under Chapter 490 before September 1, 2015.

(d) Money that was deposited in the Texas emerging technology fund as a gift, grant, or donation under Chapter 490, Government Code, and that is encumbered by the specific terms of the gift, grant, or donation may be spent only in accordance with the terms of the gift, grant, or donation.

(e) Money from the Texas emerging technology fund that is encumbered because the money is awarded or otherwise obligated by agreement before September 1, 2015, but under the terms of the award or agreement will not be distributed until a later date shall be distributed in accordance with the terms of the award or agreement. If the governor determines that the money will not be distributed in accordance with the terms of the award or agreement, the governor shall certify that fact to the comptroller. On that certification, the comptroller shall make that money available in the general revenue fund to be used in accordance with legislative appropriation.

(f) On or after the effective date of this Act, the following payments or other amounts shall be sent to the comptroller for deposit to the Texas emerging technology fund to be used solely for the purposes of winding up the state's portfolio of equity positions and other investments as provided by Sections 490.101(b-1) and 490.104, Government Code, as added by this Act:

(1) any royalties, revenues, and other financial benefits realized from a project undertaken with money from the Texas emerging technology fund, as provided by a contract described by Section 490.103, Government Code;

(2) any interest or proceeds received as a result of a transaction authorized by former Section 490.101(h), Government Code;

(3) any money returned or repaid to the state by an award recipient pursuant to an agreement entered into under former Section 490.101(g), Government Code;

(4) any money derived from an interest the state retained in a capital improvement pursuant to an agreement entered into under former Section 490.101(g), Government Code; and

(5) any fund money returned by an entity that fails to perform an action guaranteed by a contract entered into under former Section 490.154 or 490.203, Government Code.

SECTION _____. A regional center of innovation and commercialization established under Section 490.152, Government Code, is abolished on the effective date of this Act. Each center shall transfer to the office of the governor a copy of any meeting minutes required to be retained under Section 490.1521, Government Code, as that section existed immediately before that section's repeal by this Act, and the office shall retain the minutes for the period prescribed by that section.

SECTION _____. Except as provided by this Act, on September 1, 2015, the following powers, duties, functions, and activities performed by the office of the governor immediately before that date are transferred to the Texas Treasury Safekeeping Trust Company:

(1) all powers, duties, functions, and activities related to equity positions in the form of stock or other security the governor has taken, on behalf of the state, in companies that received awards under the Texas emerging technology fund before September 1, 2015; and

(2) all powers, duties, functions, and activities related to other investments made by the governor, on behalf of the state, in connection with an award made under the Texas emerging technology fund before September 1, 2015.

SECTION _____. Chapter 62, Education Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. GOVERNOR'S UNIVERSITY RESEARCH INITIATIVE

Sec. 62.161. DEFINITIONS. In this subchapter:

(1) "Advisory board" means the governor's university research initiative advisory board.

(2) "Distinguished researcher" means a researcher who is:

(A) a Nobel laureate or the recipient of an equivalent honor; or

(B) a member of a national honorific society, such as the National Academy of Sciences, the National Academy of Engineering, or the Institute of Medicine, or an equivalent honorific organization.

(3) "Eligible institution" means a general academic teaching institution or health-related institution.

(4) "Fund" means the governor's university research initiative fund established under this subchapter.

(5) "General academic teaching institution" has the meaning assigned by Section 61.003.

(6) "Governing board" has the meaning assigned by Section 61.003.

(7) "Health-related institution" means a medical and dental unit as defined by Section 61.003 and any other public health science center, public medical school, or public dental school established by statute or in accordance with Chapter 61.

(8) "Office" means the Texas Economic Development and Tourism Office within the office of the governor.

(9) "Private or independent institution of higher education" has the meaning assigned by Section 61.003.

Sec. 62.162. ADMINISTRATION OF INITIATIVE. (a) The governor's university research initiative is administered by the Texas Economic Development and Tourism Office within the office of the governor.

(b) From the governor's university research initiative fund, the office shall award matching grants to assist eligible institutions in recruiting distinguished researchers.

(c) The office may adopt any rules the office considers necessary to administer this subchapter.

Sec. 62.163. MATCHING GRANTS. (a) An eligible institution may apply to the office for a matching grant from the fund. Before approval or disapproval of a grant application, the office shall consider the recommendation of the advisory board regarding the grant proposal. If the office approves a grant application, the office shall

award to the applicant institution a grant amount equal to the amount committed by the institution for the recruitment of a distinguished researcher, except as provided by Subsection (c)(2).

(b) A grant application must identify the source and amount of the eligible institution's matching funds and must demonstrate that the proposed use of the grant has the support of the institution's president and of the institution's governing board, the chair of the institution's governing board, or the chancellor of the university system, if the institution is a component of a university system. An applicant eligible institution may commit for matching purposes any funds of the institution available for that purpose other than appropriated general revenue.

(c) The office may set a deadline for grant applications for each state fiscal year. After fully funding approved grant applications received during an application period for a state fiscal year, the office may reopen applications for that year and:

(1) award the full amount of matching funds from the fund for new applications; or

(2) approve previously disapproved applications submitted before the original application deadline for receipt of a reduced grant amount.

(d) A matching grant received by an eligible institution under this subchapter may not be considered as a basis to reduce, directly or indirectly, the amount of money otherwise appropriated to the institution.

(e) A matching grant may not be used by an eligible institution to recruit a distinguished researcher or other employee from:

(1) another eligible institution; or

(2) a private or independent institution of higher education.

(f) The office shall require an application and all supporting documentation to be submitted to the office electronically in the manner prescribed by the office.

Sec. 62.164. GRANT AWARD CRITERIA; PRIORITIES. (a) The office may award grants only to grant proposals that involve the recruitment of distinguished researchers in the fields of science, technology, engineering, mathematics, and medicine. The office shall give priority to proposals that:

(1) demonstrate a reasonable probability of enhancing Texas' national and global economic competitiveness;

(2) demonstrate a reasonable probability of creating a nationally or internationally recognized locus of research superiority or a unique locus of research;

(3) are matched with a significant amount of funding from a federal or private source that may be transferred to the eligible institution;

(4) are interdisciplinary and collaborative; or

(5) include a strategic plan for intellectual property development and commercialization of technology.

(b) The office may award a grant to a proposal that:

(1) supports the recruitment of a distinguished researcher distinguished in, or to be engaged in, basic, translational, or applied research; or

(2) proposes the recruitment of a distinguished researcher for new research capabilities of the eligible institution or to expand the institution's existing research capabilities.

(c) A grant proposal should identify a specific distinguished researcher being recruited. In addition to the factors considered in evaluating proposals considered a priority under Subsection (a), the office may consider:

(1) the likelihood that the researcher being recruited will not accept a research position with the applicant eligible institution without the institution's receipt of a matching grant under this subchapter;

(2) the extent to which the subject matter of the researcher's research offers the opportunity for interdisciplinary and collaborative research at the applicant eligible institution and with other eligible institutions; and

(3) any commercialization track record of the researcher being recruited.

Sec. 62.165. CONFIDENTIALITY. Information collected or obtained by the office or the advisory board concerning the identity of a particular distinguished researcher who is the subject of a grant proposal under this subchapter is confidential unless the researcher and the applicant eligible institution consent to disclosure of the information. The information remains confidential until the date, if any, on which the researcher enters into an employment relationship with the recruiting institution as contemplated in the grant proposal.

Sec. 62.166. ADVISORY BOARD. (a) The governor's university research initiative advisory board is established to assist the office with the review and evaluation of applications for funding of grant proposals under this subchapter. The advisory board shall make recommendations to the office for approval or disapproval of those applications.

(b) The advisory board must be composed of at least nine members appointed by the governor. Of the members of the board:

(1) one-third of the members, as nearly as possible, must have a background in finance;

(2) one-third of the members, as nearly as possible, must have an academic background in science, technology, engineering, or mathematics; and

(3) one-third of the members, as nearly as possible, must be public members.

(c) Chapter 2110, Government Code, does not apply to the size, composition, or duration of the advisory board.

(d) A member of the advisory board who is or has been employed by, is or has been a party to a contract for any purpose with, or is a student or former student of an applicant eligible institution may not be involved in the review, evaluation, or recommendation of a grant proposal made by that institution.

(e) An advisory board member is not required to be a resident of this state.

(f) Appointments to the advisory board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointees.

(g) Members of the advisory board serve without compensation but are entitled to reimbursement for actual and necessary expenses in attending meetings of the board or performing other official duties authorized by the office.

Sec. 62.167. TIMELY ACTION ON APPLICATIONS. (a) The advisory board shall meet in person or by teleconference to consider grant applications under this subchapter and shall strive to present to the office the board's recommendation for approval or disapproval of an application not later than the 14th day after the date the board receives the application.

(b) The office shall make a final decision regarding approval of a grant application not later than the 14th day after the date the office receives the advisory board's recommendation.

Sec. 62.168. GOVERNOR'S UNIVERSITY RESEARCH INITIATIVE FUND.

(a) The governor's university research initiative fund is a dedicated account in the general revenue fund.

(b) The fund consists of:

(1) amounts appropriated or otherwise allocated or transferred by law to the fund; and

(2) gifts, grants, and other donations received for the fund.

(c) Sections 403.095 and 404.071, Government Code, do not apply to the fund.

(d) The fund may be used by the office only for the purposes of this subchapter, including for necessary expenses incurred in the administration of the fund and this subchapter.

The amendment to **CSHB 7** was read and was adopted by a viva voce vote.

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

Nays: Burton.

Senator Fraser offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSHB 7** (senate committee printing) by adding the following appropriately numbers SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Chapter 140, Local Government Code, is amended by adding Section 140.011 to read as follows:

Sec. 140.011. The Comptroller shall transfer funds to a newly created account for the purpose of reimbursing local government subdivisions who have lost in excess of 2% of their ad valorem tax revenue for the 100% disabled veterans tax exemption. The Comptroller shall have rulemaking authority for implementing this section.

The amendment to **CSHB 7** was read and was adopted without objection.

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

Senator Eltife offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSHB 7** by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. (a) Sections 201.354(d) and (g), Occupations Code, are amended to read as follows:

(d) A person whose license has been expired for 90 days or less may renew the license by paying to the board a renewal fee that is equal to ~~[the sum of]~~ 1-1/2 times the annual renewal fee set by the board under Section 201.153(a) ~~[and the increase in that fee required by Section 201.153(b)]~~. If a person's license has been expired for more than 90 days but less than one year, the person may renew the license by paying to the board a renewal fee that is equal to ~~[the sum of]~~ two times the annual renewal fee set by the board under Section 201.153(a) ~~[and the increase in that fee required by Section 201.153(b)]~~.

(g) A person may renew a license that has been expired for at least one year but not more than three years if:

(1) the board determines according to criteria adopted by board rule that the person has shown good cause for the failure to renew the license; and

(2) the person pays to the board:

(A) the annual renewal fee set by the board under Section 201.153(a) for each year in which the license was expired; and

(B) an additional fee in an amount equal to the sum of:

(i) the annual renewal fee set by the board under Section 201.153(a), multiplied by the number of years the license was expired, prorated for fractional years; and

(ii) two times the annual renewal fee set by the board under Section 201.153(a); ~~and~~

~~[(C) the increase in the annual renewal fee required by Section 201.153(b)].~~

(b) Section 351.304(b), Occupations Code, is amended to read as follows:

(b) A person whose license has been expired for 90 days or less may renew the license by paying to the board a renewal fee that is equal to ~~[the sum of]~~ one and one-half times the annual renewal fee set by the board under Section 351.152 ~~[and the additional fee required by Section 351.153]~~. If a person's license has been expired for more than 90 days but less than one year, the person may renew the license by paying to the board a renewal fee that is equal to ~~[the sum of]~~ two times the annual renewal fee set by the board under Section 351.152 ~~[and the additional fee required by Section 351.153]~~.

(c) Section 351.306(b), Occupations Code, is amended to read as follows:

(b) The person must pay to the board a fee that is equal to the amount of the renewal fee set by the board under Section 351.152 ~~[351.153(a)]~~.

(d) Sections 801.303(b) and (c), Occupations Code, are amended to read as follows:

(b) A person whose license has been expired for 90 days or less may renew the license by paying to the board a renewal fee that is equal to ~~[the sum of]~~ 1-1/2 times the renewal fee set by the board under Section 801.154(a) ~~[and the additional fee required by Section 801.154(b), if applicable]~~.

(c) A person whose license has been expired for more than 90 days but less than one year may renew the license by paying to the board a renewal fee that is equal to ~~[the sum of]~~ two times the renewal fee set by the board under Section 801.154(a) ~~[and the additional fee required by Section 801.154(b), if applicable].~~

(e) Section 801.305(b), Occupations Code, is amended to read as follows:

(b) The person must pay to the board a fee that is equal to the amount of the renewal fee set by the board under Section 801.154(a) ~~[and the additional fee required by Section 801.154(b)].~~

(f) Sections 901.155(a) and (c), Occupations Code, are amended to read as follows:

(a) The fee for the issuance or renewal of a license under this chapter consists of:

(1) the amount of the fee set by the board under Section 901.154; and

(2) ~~[the fee increase imposed under Section 901.406; and~~

~~(3)]~~ an additional \$10 annual fee to be deposited to the credit of the scholarship trust fund for fifth-year accounting students.

(c) The administrative costs incurred to collect the fee imposed under Subsection (a)(2) ~~[(a)(3)]~~ and to disburse the money may not exceed 10 percent of the total money collected.

(g) Section 901.405(f), Occupations Code, is amended to read as follows:

(f) A person who was licensed in this state, moved to another state, and is currently licensed and has been in practice in the other state for the two years preceding the date of application may obtain a new license without reexamination. A person described by this subsection whose license has been revoked under Section 901.502(3) or (4) may obtain a new license under this subsection. A person described by this subsection must pay to the board a fee that is equal to two times the normally required renewal fee for the license ~~[and is not subject to additional fees under Section 901.408].~~

(h) Section 901.408(a), Occupations Code, is amended to read as follows:

(a) A person, other than a person described by Section 901.405(f), who fails to pay the license renewal fee ~~[or the additional fee imposed under Section 901.407, as applicable,]~~ and any late fee before the first anniversary of the due date of the renewal fee ~~[or additional fee]~~ may renew the person's license only by submitting to the board an application for renewal accompanied by payment of:

(1) all accrued fees, including late fees; and

(2) the direct administrative costs incurred by the board in renewing the person's license.

(i) Sections 1001.353(b) and (c), Occupations Code, are amended to read as follows:

(b) A person whose license has been expired for 90 days or less may renew the license by paying to the board the required annual renewal fee and ~~[;]~~ a late renewal fee ~~[, and any applicable increase in fees as required by Section 1001.206].~~

(c) A person whose license has been expired for more than 90 days but less than two years may renew the license by paying to the board the required annual renewal fee and ~~[;]~~ a late renewal fee ~~[, and any applicable increase in fees as required by Section 1001.206]~~ for each delinquent year or part of a year.

(j) Section 1001.355(d), Occupations Code, is amended to read as follows:

- (d) To return to active status, a license holder on inactive status must:
- (1) file with the board a written notice requesting reinstatement to active status;
 - (2) pay the fee for the annual renewal of the license [~~and the fee increase required by Section 1001.206~~]; and
 - (3) provide evidence satisfactory to the board that the person has complied with the continuing education requirements adopted by the board.
- (k) Section 1101.154(a), Occupations Code, is amended to read as follows:
- (a) The fee for the issuance or renewal of a:
- (1) broker license is the amount of the fee set under Section [~~Sections~~] 1101.152 [~~and 1101.153~~] and an additional \$70 [~~\$20~~] fee;
 - (2) salesperson license is the amount of the fee set under Section 1101.152 and an additional \$20 fee; and
 - (3) certificate of registration is the amount of the fee set under Section 1101.152 and an additional \$20 fee.
- (l) The following provisions are repealed:
- (1) Section 153.053, Occupations Code;
 - (2) Sections 201.153(b) and (c), Occupations Code;
 - (3) Section 254.004(b), Occupations Code;
 - (4) Section 351.153, Occupations Code;
 - (5) Section 501.153, Occupations Code;
 - (6) Sections 801.154(b), (c), and (d), Occupations Code;
 - (7) Section 901.406, Occupations Code;
 - (8) Section 901.407, Occupations Code;
 - (9) Section 901.410, Occupations Code;
 - (10) Section 1001.206, Occupations Code;
 - (11) Section 1051.652, Occupations Code;
 - (12) Section 1052.0541, Occupations Code;
 - (13) Section 1053.0521, Occupations Code;
 - (14) Section 1071.1521, Occupations Code;
 - (15) Section 1101.153, Occupations Code;
 - (16) Section 1105.003(e), Occupations Code;
 - (17) Section 1152.053, Occupations Code;
 - (18) Subchapter H, Chapter 191, Tax Code; and
 - (19) Section 41, The Securities Act (Article 581-41, Vernon's Texas Civil Statutes).
- (m) The changes in law made by this section do not affect a surcharge, additional fee, additional charge, fee increase, tax, or late fee imposed before the effective date of this Act, and the law in effect before the effective date of this Act is continued in effect for purposes of the liability for and collection of those surcharges, additional fees, additional charges, fee increases, taxes, and late fees.

The amendment to **CSHB 7** was read and was adopted without objection.

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

Present-not voting: Bettencourt, Creighton, Ellis, Garcia, Huffman, Hinojosa, Perry, Rodríguez, Uresti, West, Whitmire, Watson.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 5

Amend **CSHB 7** as follows:

(1) Add a new section.

SECTION _____. Section 39.903(e), Utilities Code, is amended to read as follows:

(e) Money in the system benefit fund may be appropriated to provide funding solely for the following regulatory purposes, in the following order of priority:

(1) programs to:

(A) assist low-income electric customers by providing the 10 percent reduced rate prescribed by Subsection (h); and

(B) provide one-time bill payment assistance to electric customers who are or who have in their households one or more seriously ill or disabled low-income persons and who have been threatened with disconnection for nonpayment;

(2) customer research programs, education programs, or research grants, administrative expenses incurred by the commission in implementing and administering this chapter, and expenses incurred by the office under this chapter, expenses incurred by the office under this chapter;

(3) programs or research grants to assist low-income electric customers by providing the targeted energy efficiency programs described by Subsection (f)(2);

(4) programs or research grants to assist low-income electric customers by providing the 20 percent reduced rate prescribed by Subsection (h); and

(5) reimbursement to the commission and the Health and Human Services Commission for expenses incurred in the implementation and administration of an integrated eligibility process created under Section 17.007 for customer service discounts relating to retail electric service, including outreach expenses the commission determines are reasonable and necessary.

(2) On page 8, line 36, between "program" and "established", insert "or grant".

(3) On page 8, line 36, between "commission" and "to", insert "through research".

(4) On page 8, line 52, between "customer" and "education", insert "research and".

The amendment to **CSHB 7** was read and was adopted by a viva voce vote.

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

Nays: Burton.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 6

Amend **CSHB 7** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 708.151(c), Transportation Code, is amended to read as follows:

(c) If on or before the 45th day after the date the first notice was sent the person fails to pay the amount of the surcharge or fails to enter into an installment payment agreement with the department, the department shall send a second notice. ~~[If on or before the 60th day after the date the second notice was sent the person fails to pay the amount of the surcharge or fails to enter into an installment payment agreement with the department, the department shall send a third notice that advises the person that the person's driving privileges are suspended.]~~

SECTION _____. Section 708.154, Transportation Code, is amended to read as follows:

Sec. 708.154. CREDIT CARD PAYMENT OF SURCHARGE. ~~[(a)]~~ The department by rule may authorize the payment of a surcharge by use of a credit card. The rules shall require the person to pay all costs incurred by the department in connection with the acceptance of the credit card.

~~[(b) If a surcharge or a related cost is paid by credit card and the amount is subsequently reversed by the issuer of the credit card, the license of the person is automatically suspended.]~~

~~[(c) A license suspended under this section remains suspended until the person pays the amount of the surcharge and any related costs.]~~

SECTION _____. Section 708.152, Transportation Code, is repealed.

The amendment to **CSHB 7** was read and was adopted by a viva voce vote.

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

Nays: Burton.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 7

Amend **CSHB 7** (senate committee printing) by inserting the following new SECTION 18 (page 6, between lines 27 and 28) and renumbering the existing SECTIONS of the bill as appropriate:

SECTION 18. Section 85.2021, Natural Resources Code, is amended by adding Subsection (c-1) as follows:

(c-1) The commission shall charge a fee not to exceed \$300 to process a permit to drill an allocation well. A permit holder under this subsection may allocate production with reasonable probability. The commission shall adopt rules to implement the fee and the allocation of production. The rules must provide for extensive notice to all affected parties, including affected royalty or mineral interest owners.

The amendment to **CSHB 7** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 7 except as follows:

Nays: Burton, Fraser.

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

CSHB 7 as amended was passed to third reading by a viva voce vote.

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

Nays: Burton.

COMMITTEE SUBSTITUTE HOUSE BILL 7 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 **CSHB 7** be placed on its third reading and final passage.

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

Nays: Burton.

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

GUEST PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Bee County Judge Stephanie Silvas.

The Senate welcomed its guest.

VOTE RECONSIDERED ON SENATE BILL 1639

Senator Campbell moved to reconsider the vote by which **CSSB 1639** was passed to engrossment:

CSSB 1639, Relating to the procedures for municipal annexations.

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

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

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

Question: Shall **CSSB 1639** be passed to engrossment?

(Senator Eltife in Chair)

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1639** as follows:

(1) Strike SECTION 1 of the bill adding Section 43.003, Local Government Code (page 1, lines 21-28).

(2) Strike SECTION 2 of the bill redesignating and amending Section 43.051, Local Government Code (page 1, lines 29-36).

(3) Strike SECTION 3 of the bill adding Section 43.0212, Local Government Code (page 1, lines 37-54).

(4) Between SECTIONS 3 and 4 of the bill (page 1, between lines 54 and 55), add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Section 43.002(a), Local Government Code, is amended to read as follows:

(a) A municipality that annexes an area under this chapter, including an annexation under Subchapter C-2, C-3, or C-4, may not, after annexing an area, prohibit a person from:

(1) continuing to use land in the area in the manner in which the land was being used on the date the annexation proceedings were instituted if the land use was legal at that time; or

(2) beginning to use land in the area in the manner that was planned for the land before the 90th day before the effective date of the annexation if:

(A) one or more licenses, certificates, permits, approvals, or other forms of authorization by a governmental entity were required by law for the planned land use; and

(B) a completed application for the initial authorization was filed with the governmental entity before the date the annexation proceedings were instituted.

SECTION _____. Chapter 43, Local Government Code, is amended by adding Subchapter A-1 to read as follows:

SUBCHAPTER A-1. GENERAL APPLICABILITY OF ANNEXATION
AUTHORITY AND PROCEDURES

Sec. 43.011. GENERAL APPLICABILITY OF ANNEXATION AUTHORITY AND PROCEDURES. (a) Notwithstanding any other law, Section 43.0671 provides the exclusive annexation authority and procedures for a municipality wholly or partly located in a county with a population of 500,000 or more.

(b) A municipality wholly located in a county with a population of less than 500,000 that proposes to annex an area in a county with a population of 500,000 or more must follow the procedures described by Subchapter C-2, C-3, or C-4, as applicable.

(c) A municipality located in a county with a population of less than 500,000 that extends its corporate boundaries to include an area located in a county with a population of 500,000 or more is, after the date the municipality's boundaries are extended, subject to Subsection (a).

SECTION _____. The heading to Subchapter B, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER B. GENERAL AUTHORITY TO ANNEX: MUNICIPALITIES
WHOLLY LOCATED IN A COUNTY WITH POPULATION OF LESS THAN
500,000

(5) In SECTION 4 of the bill, in the heading to Subchapter C, Chapter 43, Local Government Code (page 1, lines 57-58), strike "OF AREAS WITH A POPULATION OF LESS THAN 200 [PROCEDURE FOR AREAS ANNEXED UNDER MUNICIPAL ANNEXATION PLAN]" and substitute "PROCEDURE FOR AREAS

ANNEXED UNDER MUNICIPAL ANNEXATION PLAN; MUNICIPALITIES WHOLLY LOCATED IN A COUNTY WITH POPULATION OF LESS THAN 500,000".

(6) Between SECTIONS 4 and 5 of the bill (page 1, between lines 58 and 59), insert the following appropriately numbered SECTIONS to the bill:

SECTION _____. Section 43.054(a), Local Government Code, is amended to read as follows:

(a) A municipality [~~with a population of less than 1.6 million~~] may not annex a publicly or privately owned area, including a strip of area following the course of a road, highway, river, stream, or creek, unless the width of the area at its narrowest point is at least 1,000 feet.

SECTION _____. Section 43.0562(a), Local Government Code, is amended to read as follows:

(a) After holding the hearings as provided by Section 43.0561:

(1) [~~if a municipality has a population of less than 1.6 million,~~] the municipality and the property owners of the area proposed for annexation shall negotiate for the provision of services to the area after annexation or for the provision of services to the area in lieu of annexation under Section 43.0563; or

(2) if a municipality proposes to annex a special district, as that term is defined by Section 43.052, the municipality and the governing body of the district shall negotiate for the provision of services to the area after annexation or for the provision of services to the area in lieu of annexation under Section 43.0751.

SECTION _____. Section 43.0563(a), Local Government Code, is amended to read as follows:

(a) The governing body of a municipality [~~with a population of less than 1.6 million~~] may negotiate and enter into a written agreement for the provision of services and the funding of the services in an area with:

(1) representatives designated under Section 43.0562(b), if the area is included in the municipality's annexation plan; or

(2) an owner of an area within the extraterritorial jurisdiction of the municipality if the area is not included in the municipality's annexation plan.

SECTION _____. The heading to Subchapter C-1, Chapter 43, Local Government Code, is amended to read as follows:

SUBCHAPTER C-1. ANNEXATION PROCEDURE FOR AREAS EXEMPTED FROM MUNICIPAL ANNEXATION PLAN; MUNICIPALITIES WHOLLY LOCATED IN A COUNTY WITH POPULATION OF LESS THAN 500,000

SECTION _____. Section 43.062(a), Local Government Code, is amended to read as follows:

(a) Sections 43.051, 43.054, 43.0545, 43.055, 43.0565, [~~43.0567,~~] and 43.057 apply to the annexation of an area to which this subchapter applies.

SECTION _____. Section 43.064, Local Government Code, is amended to read as follows:

Sec. 43.064. PERIOD FOR COMPLETION OF ANNEXATION[~~-, EFFECTIVE DATE~~]. [~~(a)~~] The annexation of an area must be completed within 90 days after the date the governing body institutes the annexation proceedings or those proceedings are void. Any period during which the municipality is restrained or enjoined by a court from annexing the area is not included in computing the 90-day period.

[~~(b) Notwithstanding any provision of a municipal charter to the contrary, the governing body of a municipality with a population of 1.6 million or more may provide that an annexation take effect on any date within 90 days after the date of the adoption of the ordinance providing for the annexation.~~]

(7) In SECTION 5 of the bill, in the recital (page 1, line 59), strike "Subchapter C,".

(8) In SECTION 5 of the bill, in the recital (page 1, line 60), strike "Sections 43.0511 through 43.0517" and substitute "Subchapters C-2 and C-3".

(9) In SECTION 5 of the bill, immediately before added Section 43.0511, Local Government Code (page 2, between lines 1 and 2), insert the following:

SUBCHAPTER C-2. GENERAL ANNEXATION AUTHORITY AND
PROCEDURES: MUNICIPALITIES WHOLLY OR PARTLY LOCATED IN A
COUNTY WITH POPULATION OF 500,000 OR MORE

Sec. 43.067. APPLICABILITY. This subchapter applies only to a municipality wholly or partly located in a county with a population of 500,000 or more.

Sec. 43.0671. EXCLUSIVE AUTHORITY AND PROCEDURES FOR ANNEXATION BY MUNICIPALITIES WHOLLY OR PARTLY LOCATED IN A COUNTY WITH POPULATION OF 500,000 OR MORE. (a) Notwithstanding any other law, the following provisions provide the exclusive authority and procedures for a municipality wholly or partly located in a county with a population of 500,000 or more to annex an area:

- (1) this subchapter, Subchapter C-3, and Subchapter C-4;
- (2) Section 43.0711; and
- (3) the provisions listed in Subsection (b).

(b) The following provisions apply to the annexation of an area by a municipality wholly or partly located in a county with a population of 500,000 or more:

- (1) Section 43.028;
- (2) Section 43.031;
- (3) Section 43.035;
- (4) Section 43.102; and
- (5) Section 43.905(a).

Sec. 43.0672. AUTHORITY TO ANNEX LIMITED TO EXTRATERRITORIAL JURISDICTION. Section 43.051 applies to the annexation of an area by a municipality wholly or partly located in a county with a population of 500,000 or more.

Sec. 43.0673. AUTHORITY OF MUNICIPALITY TO ANNEX AREA ON REQUEST OF OWNERS. (a) A municipality may annex an area if each owner of land in the area requests the annexation.

(b) If a municipality elects to annex an area under this section, the governing body of the municipality must first negotiate and enter into a written agreement for the provision of services in the area with the owners of land in the area. The municipality is not required to provide a service that is not included in the agreement.

(c) Before a municipality may annex an area under this section, the governing body of the municipality must conduct at least two public hearings. The hearings must be conducted not less than 10 business days apart. During the first public hearing, the governing body must provide persons interested in the annexation the opportunity to be heard. During the final public hearing, the governing body may adopt an ordinance annexing the area.

Sec. 43.0674. ANNEXATION OF ROADS AND RIGHTS-OF-WAY. Notwithstanding any other law, a municipality may by ordinance annex a road or other right-of-way on request of the owner of the road or right-of-way or the governing body of the political subdivision that maintains the road or right-of-way under the procedures applicable to a general-law municipality wholly located in a county with a population of less than 500,000.

Sec. 43.0675. PROVISION OF CERTAIN SERVICES TO ANNEXED AREA. (a) Except as provided by Subsection (c), if a municipality provides solid waste collection within its corporate boundaries before annexation, the municipality must provide those services in the area proposed for annexation on the effective date of the annexation of the area.

(b) Before the second anniversary of the date an area is included within the corporate boundaries of a municipality by annexation, the municipality may not:

(1) prohibit the collection of solid waste in the area by a privately owned solid waste management service provider; or

(2) impose a fee for solid waste management services on a person who continues to use the services of a privately owned solid waste management service provider.

(c) A municipality is not required to provide solid waste collection services under Subsection (a) to a person who continues to use the services of a privately owned solid waste management service provider as provided by Subsection (b).

Sec. 43.0676. EFFECT ON OTHER LAW. This subchapter, Subchapter C-3, and Subchapter C-4 do not affect the procedures described by Section 397.005 or 397.006 applicable to a defense community as defined by Section 397.001.

SUBCHAPTER C-3. ANNEXATION OF AREAS WITH POPULATION OF LESS THAN 200 BY MUNICIPALITIES WHOLLY OR PARTLY LOCATED IN A COUNTY WITH POPULATION OF 500,000 OR MORE

Sec. 43.068. APPLICABILITY. This subchapter applies only to a municipality wholly or partly located in a county with a population of 500,000 or more.

(10) In SECTION 5 of the bill, in the heading to added Section 43.0511, Local Government Code (page 2, line 2), strike "43.0511", substitute "43.0681", and renumber cross-references accordingly.

(11) In SECTION 5 of the bill, in added Section 43.0511, Local Government Code (page 2, line 4), strike the underlined colon.

(12) In SECTION 5 of the bill, in added Section 43.0511(1), Local Government Code (page 2, line 5), strike "(1)".

(13) In SECTION 5 of the bill, in added Section 43.0511(1), Local Government Code (page 2, line 6), strike "; and" and substitute an underlined period.

(14) In SECTION 5 of the bill, strike added Section 43.0511(2), Local Government Code (page 2, lines 7-9).

(15) In SECTION 5 of the bill, in the heading to added Section 43.0512, Local Government Code (page 2, line 10), strike "43.0512", substitute "43.0682", and renumber cross-references accordingly.

(16) In SECTION 5 of the bill, in the heading to added Section 43.0513, Local Government Code (page 2, line 32), strike "43.0513", substitute "43.0683", and renumber cross-references accordingly.

(17) In SECTION 5 of the bill, in added Section 43.0513(2), Local Government Code (page 2, line 39), strike "60-day" and substitute "150-day".

(18) In SECTION 5 of the bill, in the heading to added Section 43.0514, Local Government Code (page 2, line 43), strike "43.0514", substitute "43.0684", and renumber cross-references accordingly.

(19) In SECTION 5 of the bill, in the heading to added Section 43.0515, Local Government Code (page 2, line 48), strike "43.0515", substitute "43.0685", and renumber cross-references accordingly.

(20) In SECTION 5 of the bill, in added Section 43.0515(a), Local Government Code (page 2, line 50), strike "or an owner of land in the area".

(21) In SECTION 5 of the bill, strike the second sentence of added Section 43.0515(a), Local Government Code (page 2, lines 50-53).

(22) In SECTION 5 of the bill, in added Section 43.0515(b), Local Government Code (page 2, line 57), strike "90th" and substitute "180th".

(23) In SECTION 5 of the bill, in added Section 43.0515(e), Local Government Code (page 2, line 64), strike "person" and substitute "writing".

(24) In SECTION 5 of the bill, in the heading to added Section 43.0516, Local Government Code (page 2, line 69), strike "43.0516", substitute "43.0686", and renumber cross-references accordingly.

(25) In SECTION 5 of the bill, in the heading to added Section 43.0517, Local Government Code (page 3, line 19), strike "43.0517", substitute "43.0687", and renumber cross-references accordingly.

(26) Strike SECTION 6 of the bill amending the heading to Subchapter C-1, Chapter 43, Local Government Code (page 3, lines 29-32).

(27) In SECTION 7 of the bill, in the recital (page 3, line 33), strike "Subchapter C-1,".

(28) In SECTION 7 of the bill, in the recital (page 3, line 34), strike "Sections 43.0611 through 43.0618" and substitute "Subchapter C-4".

(29) In SECTION 7 of the bill, immediately before added Section 43.0611, Local Government Code (page 3, between lines 35 and 36), insert the following:

SUBCHAPTER C-4. ANNEXATION OF AREAS WITH POPULATION OF AT LEAST 200 BY MUNICIPALITIES WHOLLY OR PARTLY LOCATED IN A COUNTY WITH POPULATION OF 500,000 OR MORE

Sec. 43.069. APPLICABILITY. This subchapter applies only to a municipality wholly or partly located in a county with a population of 500,000 or more.

(30) In SECTION 7 of the bill, in the heading to added Section 43.0611, Local Government Code (page 3, line 36), strike "43.0611", substitute "43.0691", and renumber cross-references accordingly.

(31) In SECTION 7 of the bill, in the heading to added Section 43.0612, Local Government Code (page 3, line 47), strike "43.0612", substitute "43.0692", and renumber cross-references accordingly.

(32) In SECTION 7 of the bill, in the heading to added Section 43.0613, Local Government Code (page 3, line 69), strike "43.0613", substitute "43.0693", and renumber cross-references accordingly.

(33) In SECTION 7 of the bill, in the heading to added Section 43.0614, Local Government Code (page 4, line 11), strike "43.0614", substitute "43.0694", and renumber cross-references accordingly.

(34) In SECTION 7 of the bill, in the heading to added Section 43.0615, Local Government Code (page 4, line 19), strike "43.0615", substitute "43.0695", and renumber cross-references accordingly.

(35) In SECTION 7 of the bill, in the heading to added Section 43.0616, Local Government Code (page 4, line 29), strike "43.0616", substitute "43.0696", and renumber cross-references accordingly.

(36) In SECTION 7 of the bill, in the heading to added Section 43.0617, Local Government Code (page 4, line 43), strike "43.0617", substitute "43.0697", and renumber cross-references accordingly.

(37) In SECTION 7 of the bill, in the heading to added Section 43.0618, Local Government Code (page 4, line 67), strike "43.0618", substitute "43.0698", and renumber cross-references accordingly.

(38) Strike SECTION 8 of the bill amending Section 43.071(e), Local Government Code (page 5, lines 7-22).

(39) Strike SECTION 9 of the bill amending Section 43.0715(c), Local Government Code (page 5, lines 23-56).

(40) Strike SECTION 10 of the bill amending Section 43.072(d), Local Government Code (page 5, lines 57-67).

(41) Strike SECTION 11 of the bill amending Section 43.0751, Local Government Code (page 5, line 68, through page 8, line 22).

(42) In SECTION 12 of the bill, in the recital (page 8, line 24), strike "43.07512" and substitute "43.0711".

(43) In SECTION 12 of the bill, strike added Section 43.07512, Local Government Code (page 8, lines 25-33), and substitute the following:

Sec. 43.0711. AUTHORITY OF MUNICIPALITIES WHOLLY OR PARTLY LOCATED IN A COUNTY WITH POPULATION OF 500,000 OR MORE TO ANNEX CERTAIN DISTRICTS. (a) Notwithstanding any other law and except as provided by Subsection (b), a municipality wholly or partly located in a county with a population of 500,000 or more:

(1) subject to Subdivision (2), may annex a special district only if the municipality complies with the procedures provided by Subchapter C-2, C-3, or C-4, as applicable; and

(2) beginning September 1, 2015, may not enter into a strategic partnership agreement that provides for limited purpose annexation.

(b) With respect to either a special district or an industrial district identified by the governing body of a municipality that is located on September 1, 2015, within the extraterritorial jurisdiction of a municipality wholly or partly located in a county with a population of 500,000 or more, the municipality may under the law applicable to the municipality as it existed immediately before September 1, 2015:

(1) annex the district; or

(2) enter into a strategic partnership agreement with the district that provides for limited purpose annexation.

(44) Strike SECTION 13 of the bill amending Section 43.07515(a), Local Government Code (page 8, lines 34-38).

(45) In SECTION 14 of the bill, in the recital (page 8, line 39), strike "43.102(d)" and substitute "43.102(c)".

(46) In SECTION 14 of the bill, strike amended Section 43.102(d), Local Government Code (page 8, lines 41-46), and substitute the following:

(c) Except as provided by this subsection, the [The] area may be annexed without the consent of the owners or residents of the area. The annexation of an area under this section by a municipality wholly or partly located in a county with a population of 500,000 or more must comply with the procedures of Subchapter C-2, C-3, or C-4, as applicable.

(47) Strike SECTION 15 of the bill amending Section 43.1025(c), Local Government Code (page 8, lines 47-56).

(48) In SECTION 16 of the bill, strike added Section 43.1211, Local Government Code (page 8, lines 59-61), and substitute the following:

Sec. 43.1211. AUTHORITY OF MUNICIPALITIES WHOLLY OR PARTLY LOCATED IN A COUNTY WITH POPULATION OF 500,000 OR MORE TO ANNEX FOR LIMITED PURPOSES. (a) Except as provided by Section 43.0711(b), beginning September 1, 2015, a municipality wholly or partly located in a county with a population of 500,000 or more may not annex an area for the limited purposes of applying its planning, zoning, health, and safety ordinances in the area.

(b) This section supersedes any municipal charter provision that conflicts with this section.

(49) Strike SECTION 17 of the bill amending Section 43.127(a), Local Government Code (page 8, line 62, through page 9, line 4).

(50) Strike SECTION 18 of the bill amending Sections 43.141(a) and (b), Local Government Code (page 9, lines 5-25).

(51) Strike SECTION 19 of the bill amending Section 43.201(2), Local Government Code (page 9, lines 26-30).

(52) Strike SECTION 20 of the bill amending Section 43.203(a), Local Government Code (page 9, lines 31-41).

(53) In SECTION 21 of the bill, in amended Section 43.905(a), Local Government Code (page 9, lines 48-49), strike "43.0212, 43.0514, [~~43.0561~~] or 43.0614 [~~43.063~~]" and substitute "43.0561, [~~or~~] 43.063, 43.0674, 43.0684, or 43.0694".

(54) Strike SECTION 22 of the bill amending Section 775.0754(d), Health and Safety Code (page 9, lines 50-56).

(55) Strike SECTION 23 of the bill repealing certain provisions of law (page 9, line 57, through page 10, line 2).

(56) Between SECTIONS 23 and 24 of the bill (page 9, between lines 2 and 3), add the following appropriately numbered SECTION to the bill:

SECTION _____. Sections 43.056(d) and (h), 43.0546, and 43.0567, Local Government Code, are repealed.

(57) In the first sentence of SECTION 24 of the bill adding transition language (page 10, line 5), strike "former".

(58) Renumber SECTIONS of the bill accordingly.

The amendment to **CSSB 1639** was read and failed of adoption by the following vote: Yeas 9, Nays 22.

Yeas: Burton, Campbell, Estes, Fraser, Hall, Hinojosa, Nelson, Perry, Schwertner.

Nays: Bettencourt, Birdwell, Creighton, Ellis, Eltife, Garcia, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nichols, Rodríguez, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

(President in Chair)

Senator Bettencourt offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1639** as follows:

(1) Strike SECTION 1 of the bill, adding Section 43.003, Local Government Code (page 1, lines 21-28), and substitute the following:

SECTION 1. Subchapter A, Chapter 43, Local Government Code, is amended by adding Section 43.003 to read as follows:

Sec. 43.003. LIMITED PURPOSE ANNEXATION GENERALLY PROHIBITED; EXCEPTION. (a) Except as provided by Section 43.0751, beginning September 1, 2015, a municipality may not annex an area for the limited purposes of applying its planning, zoning, health, and safety ordinances in the area.

(b) This section supersedes any municipal charter provision that conflicts with this section.

(2) In SECTION 11 of the bill, in the recital (page 5, line 68 through page 6, line 1), strike "Section 43.0751, Local Government Code, is amended by amending Subsections (b), (d), (e), (f), (g), (h), (j), (k), (m), and (n) and adding Subsection (e-1)" and substitute "Sections 43.0751(b), (d), and (h), Local Government Code, are amended".

(3) In SECTION 11 of the bill, strike amended Sections 43.0751(e), (f), (g), (h), (j), (k), (m), and (n), Local Government Code, and added Section 43.0751(e-1), Local Government Code (page 6, line 39, through page 8, line 22) and substitute the following:

(h) On the full-purpose annexation conversion date set forth in the strategic partnership agreement pursuant to Subsection (f)(5) [(f)(5)(A)], the land included within the boundaries of the district shall be deemed to be within the full-purpose boundary limits of the municipality without the need for further action by the governing body of the municipality. The full-purpose annexation conversion date

established by a strategic partnership agreement may be altered only by mutual agreement of the district and the municipality. However, nothing herein shall prevent the municipality from terminating the agreement and instituting proceedings to annex the district, on request by the governing body of the district, on any date prior to the full-purpose annexation conversion date established by the strategic partnership agreement. ~~[Land annexed for limited or full purposes under this section shall not be included in calculations prescribed by Section 43.055(a).]~~

(4) Strike SECTION 12 of the bill, adding Section 43.07512, Local Government Code (page 8, lines 23-33).

(5) In SECTION 23(a) of the bill (page 9, line 62), strike "43.0751(o) and (r)," and substitute "43.0751(o),".

(6) Renumber SECTIONS of the bill accordingly.

The amendment to **CSSB 1639** was read and was adopted by a viva voce vote.

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

Nays: Watson.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 1639** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in the recital (page 1, line 22), strike "Section 43.003" and substitute "Sections 43.003 and 43.004".

(2) In SECTION 1 of the bill (page 1, between lines 28 and 29), add the following new section:

Sec. 43.004. EFFECT ON OTHER LAW. Section 43.0212, Subchapter C, and Subchapter C-1 do not affect the procedures described by Section 397.005 or 397.006 applicable to a defense community as defined by Section 397.001.

The amendment to **CSSB 1639** was read.

On motion of Senator Campbell, Floor Amendment No. 3 was tabled by the following vote: Yeas 18, Nays 13.

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

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

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

CSSB 1639 as amended was passed to engrossment by the following vote: Yeas 17, Nays 14.

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

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

**SENATE RULE 5.14(a) SUSPENDED
(Intent Calendar)
(Motion In Writing)**

Senator Hancock submitted the following Motion In Writing:

I move suspension of Senate Rule 5.14 to hold the Intent Calendar open until 5 p.m. today.

HANCOCK

The Motion In Writing was read and prevailed without objection.

**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 suspension of Senate Rule 11.13 to permit committees to meet while the Senate is in session.

HANCOCK

The Motion In Writing was read and prevailed without objection.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Nelson and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Finance might meet and consider **HB 3623** tomorrow.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Criminal Justice might meet and consider the following bills today:

HB 189, HB 207, HB 211, HB 324, HB 326, HB 480, HB 530, HB 549, HB 644, HB 710, HB 905, HB 1144, HB 1363, HB 1396, HB 1424, HB 1446, HB 1490, HB 1491, HB 1549, HB 1774, HB 1810, HB 1855, HB 1908, HB 1930, HB 2159, HB 2185, HB 2286, HB 2299, HB 2300, HB 2301, HB 2302, HB 2680, HB 2589, HB 2645, HB 3791.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Birdwell and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Subcommittee on Border Security might meet and consider **HB 12** tomorrow.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Birdwell and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Veteran Affairs and Military Installations might meet and consider the following bills today: **HB 118, HB 2965**.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Schwertner and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Health and Human Services might meet today.

SENATE RULES SUSPENDED
(Posting Rules)

Senator Huffman moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on State Affairs 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.

SENATE RULES SUSPENDED
(Posting Rules)

Senator Hancock moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Administration might meet in the Senate Chamber tomorrow.

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)

On motion of Senator Perry and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Agriculture, Water, and Rural Affairs might meet and consider **HB 1579** tomorrow.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Eltife and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Business and Commerce might meet and consider the following bills today:

HB 3438, HB 3439, HB 1265, HB 3043, HB 1532, HB 2493, HB 2391, HB 2392, HB 3089.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator L. Taylor and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet and consider **HB 1431** today.

**SENATE RULES SUSPENDED
(Posting Rules)**

Senator Nichols moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Transportation might meet in the Senate Chamber and consider the following bills today: **HB 3302, HB 3666, HB 463.**

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 Lucio moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Intergovernmental Relations might meet in the Senate Chamber and consider the following bills today: **HB 3951, HB 4059.**

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.

**HOUSE BILL 2655 REREFERRED
(Motion In Writing)**

Senator Estes submitted a Motion In Writing requesting that **HB 2655** be withdrawn from the Committee on Health and Human Services and rereferred to the Committee on Intergovernmental Relations.

The Motion In Writing was read and prevailed without objection.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Nelson and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Finance might meet and consider **HB 2318** tomorrow.

MOTION TO RECESS AND ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 4:11 p.m. agreed to recess, pending the receipt of committee reports, until 8:30 a.m. tomorrow for the Local and Uncontested Calendar Session.

The Senate further agreed to adjourn, upon conclusion of the Local and Uncontested Calendar Session, until 10:00 a.m. tomorrow.

CO-AUTHORS OF SENATE BILL 93

On motion of Senator Ellis, Senators Burton, Garcia, Hall, and Huffines will be shown as Co-authors of **SB 93**.

CO-AUTHORS OF SENATE BILL 1398

On motion of Senator Hall, Senators Birdwell, Huffines, and Kolkhorst will be shown as Co-authors of **SB 1398**.

CO-SPONSOR OF HOUSE BILL 74

On motion of Senator Zaffirini, Senator Rodríguez will be shown as Co-sponsor of **HB 74**.

CO-SPONSOR OF HOUSE BILL 114

On motion of Senator Hinojosa, Senator Campbell will be shown as Co-sponsor of **HB 114**.

CO-SPONSOR OF HOUSE BILL 483

On motion of Senator Kolkhorst, Senator Creighton will be shown as Co-sponsor of **HB 483**.

CO-SPONSOR OF HOUSE BILL 549

On motion of Senator Whitmire, Senator West will be shown as Co-sponsor of **HB 549**.

CO-SPONSOR OF HOUSE BILL 554

On motion of Senator Creighton, Senator Nelson will be shown as Co-sponsor of **HB 554**.

CO-SPONSOR OF HOUSE BILL 767

On motion of Senator Hinojosa, Senator West will be shown as Co-sponsor of **HB 767**.

CO-SPONSOR OF HOUSE BILL 1036

On motion of Senator Whitmire, Senator West will be shown as Co-sponsor of **HB 1036**.

CO-SPONSOR OF HOUSE BILL 1212

On motion of Senator Schwertner, Senator Bettencourt will be shown as Co-sponsor of **HB 1212**.

CO-SPONSORS OF HOUSE BILL 1363

On motion of Senator Whitmire, Senators Rodríguez and West will be shown as Co-sponsors of **HB 1363**.

CO-SPONSOR OF HOUSE BILL 1541

On motion of Senator Perry, Senator Rodríguez will be shown as Co-sponsor of **HB 1541**.

CO-SPONSOR OF HOUSE BILL 2171

On motion of Senator Zaffirini, Senator Rodríguez will be shown as Co-sponsor of **HB 2171**.

CO-SPONSOR OF HOUSE BILL 2187

On motion of Senator L. Taylor, Senator Creighton will be shown as Co-sponsor of **HB 2187**.

CO-SPONSORS OF HOUSE BILL 2246

On motion of Senator Huffman, Senators Ellis and Menéndez will be shown as Co-sponsors of **HB 2246**.

CO-SPONSOR OF HOUSE BILL 2341

On motion of Senator Seliger, Senator Watson will be shown as Co-sponsor of **HB 2341**.

CO-SPONSOR OF HOUSE BILL 3160

On motion of Senator West, Senator Rodríguez will be shown as Co-sponsor of **HB 3160**.

CO-SPONSOR OF HOUSE BILL 3405

On motion of Senator Campbell, Senator Zaffirini will be shown as Co-sponsor of **HB 3405**.

CO-SPONSOR OF HOUSE BILL 3474

On motion of Senator Schwertner, Senator Hinojosa will be shown as Co-sponsor of **HB 3474**.

CO-SPONSOR OF HOUSE BILL 3987

On motion of Senator Garcia, Senator Huffines will be shown as Co-sponsor of **HB 3987**.

CO-SPONSOR OF HOUSE BILL 3994

On motion of Senator Perry, Senator Kolkhorst will be shown as Co-sponsor of **HB 3994**.

CO-SPONSORS OF HOUSE JOINT RESOLUTION 77

On motion of Senator Bettencourt, Senators Creighton and Perry will be shown as Co-sponsors of **HJR 77**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 942 by Watson, In memory of the life of Andrew Michael Pedersen-Keel.

SR 950 by Birdwell and Burton, In memory of the life of William R. Moody.

SR 951 by Nelson, In memory of Morris Schuler Nelson.

HCR 129 (Campbell), Paying tribute to the U.S. military personnel from Texas who lost their lives in the line of duty.

Welcome and Congratulatory Resolutions

SR 917 by Ellis, Garcia, and Whitmire, Recognizing Beth Matusoff Merfish on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 918 by Ellis, Garcia, and Whitmire, Recognizing Andre Evans on the occasion of his graduation from the first fellowship class of New Leaders Council–Houston.

SR 919 by Ellis, Garcia, and Whitmire, Recognizing Hany Khalil on the occasion of his graduation from the first fellowship class of New Leaders Council–Houston.

SR 920 by Ellis, Garcia, and Whitmire, Recognizing Aaron Limonthas on the occasion of his graduation from the first fellowship class of New Leaders Council–Houston.

SR 921 by Ellis, Garcia, and Whitmire, Recognizing Danyahel Norris on the occasion of his graduation from the first fellowship class of New Leaders Council–Houston.

SR 922 by Ellis, Garcia, and Whitmire, Recognizing Jerry Peruchini on the occasion of his graduation from the first fellowship class of New Leaders Council–Houston.

SR 923 by Ellis, Garcia, and Whitmire, Recognizing José Eduardo Sánchez on the occasion of his graduation from the first fellowship class of New Leaders Council–Houston.

SR 924 by Ellis, Garcia, and Whitmire, Recognizing Michael Webb on the occasion of his graduation from the first fellowship class of New Leaders Council–Houston.

SR 925 by Ellis, Garcia, and Whitmire, Recognizing Veronica Bernal on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 926 by Ellis, Garcia, and Whitmire, Recognizing Carla Brailey on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 927 by Ellis, Garcia, and Whitmire, Recognizing Deborah Chen on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 928 by Ellis, Garcia, and Whitmire, Recognizing Sue Deigaard on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 929 by Ellis, Garcia, and Whitmire, Recognizing Caroline Evans on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 930 by Ellis, Garcia, and Whitmire, Recognizing Zhen Mahoney on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 931 by Ellis, Garcia, and Whitmire, Recognizing Shailey Gupta-Brietzke on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 932 by Ellis, Garcia, and Whitmire, Recognizing Diana Featherston on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 933 by Ellis, Garcia, and Whitmire, Recognizing Samia Mirza on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 934 by Ellis, Garcia, and Whitmire, Recognizing Bich-May Nguyen on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 935 by Ellis, Garcia, and Whitmire, Recognizing Tawny Tidwell on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 936 by Ellis, Garcia, and Whitmire, Recognizing Fran Watson on the occasion of her graduation from the first fellowship class of New Leaders Council–Houston.

SR 937 by Whitmire, Ellis, and Garcia, Recognizing Stephen Chao on the occasion of his graduation from the first fellowship class of New Leaders Council–Houston.

SR 941 by Estes, Welcoming the delegation of American Heritage Girls to the Capitol.

SR 944 by Menéndez, Recognizing St. Mary Magdalen Catholic Church on the occasion of its 75th anniversary.

SR 945 by Creighton, Commending Ryan Findley for achieving the rank of Eagle Scout.

SR 946 by Creighton, Commending Shane G. Davitt for achieving the rank of Eagle Scout.

SR 947 by Hall, Recognizing Ralph M. Hall for his life of service.

SR 948 by Ellis, Recognizing Norman C. Francis on the occasion of his retirement.

SR 949 by Ellis, Recognizing Jerry Dunfey on the occasion of his 80th birthday.

SR 952 by Campbell, Recognizing John C. Osborn on the occasion of his retirement.

HCR 127 (Huffman), Commemorating the 20th anniversary of the Westchase District in Houston.

Official Designation Resolution

HCR 110 (L. Taylor), Recognizing May 2015 as Amyotrophic Lateral Sclerosis Month.

RECESS

Pursuant to a previously adopted motion, the Senate recessed until 8:30 a.m. tomorrow for the Local and Uncontested Calendar Session.

APPENDIX

COMMITTEE REPORTS

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

May 21, 2015

INTERGOVERNMENTAL RELATIONS — HB 382

CRIMINAL JUSTICE — HB 307, HB 1286, HB 1083, HB 1061, HB 1015, HB 872, HB 642, HB 634, HB 518, HB 510, HB 1617, HB 1595, HB 1386, HB 1311, HB 1914, HB 1793, HB 1663, HB 2037, HB 2583, HB 2547, HB 2499, HB 2828, HB 2945, HB 3724, HB 3729, HB 4030, CSHB 885, CSHB 372, CSHB 1338, CSHB 2135, CSHB 1036

TRANSPORTATION — HB 565, HB 790, HB 1080, HB 1119, HB 1128, HB 1237, HB 1360, HB 1394, HB 1702, HB 2946, HB 2121, HB 2265, HB 2549, HB 3225, HB 3283

HEALTH AND HUMAN SERVICES — CSHB 2053, CSHB 2588, CSHB 2718, CSHB 781, CSHB 2789, CSHB 21

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — CSHB 14, CSHB 281, CSHB 2019

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — HB 2014, HB 2108, HB 2232, HB 906, HB 867, HB 19, HB 1640, HB 2827, HB 3996, HB 3547, HB 3404, HCR 85, HCR 46, HB 229

STATE AFFAIRS — CSHB 1927, CSSB 1684

BUSINESS AND COMMERCE — CSHB 1184

HIGHER EDUCATION — HB 2396, HB 2568, HB 2621, HB 1287, HB 700, HB 1300, HB 1807, HB 3748, HB 2812, HB 2629, HB 2472, HB 2921, HB 1054

BUSINESS AND COMMERCE — CSHB 1832

ADMINISTRATION — HB 2206 (Amended), HB 1074, HB 4199, HB 4207, HCR 62, HCR 76, HCR 77, HCR 81, HB 4183, HCR 93

CRIMINAL JUSTICE — CSHB 2150

ADMINISTRATION — HCR 94, HCR 106, HCR 104, HCR 105, HCR 78, HB 2407, HB 2290

EDUCATION — **HB 3106, HB 1559, HB 2610, HB 2660, HB 1706, HB 1474, HB 771**

FINANCE — **HB 1101, HB 2313, HB 2712, HB 1000, HB 1551, HB 2282**

HIGHER EDUCATION — **CSHB 3348**

INTERGOVERNMENTAL RELATIONS — **CSHB 2926, CSHB 3535, CSHB 2524**

EDUCATION — **CSHB 1170**

FINANCE — **CSHB 32, CSHB 114**

HIGHER EDUCATION — **HB 4046, CSHB 3577**

STATE AFFAIRS — **HB 638, HB 554, HB 408, HB 257, HB 262, HB 3710, HB 884, HB 825, HB 2390, HB 1781, HB 1683, HB 1455, HB 1449, HB 1329, HB 1190, HB 1114, HB 1026, HB 3307, HB 2851, HB 2665, HB 3512, HB 3517**

CRIMINAL JUSTICE — **HB 2589, HB 905, HB 2680, HB 480, HB 207, HB 3791, HB 189, HB 326, HB 644, HB 710, HB 2301, HB 1855, HB 2299, HB 1549**

BILLS ENGROSSED

May 20, 2015

SB 1009, SB 1227, SB 1908, SB 2072

BILLS AND RESOLUTIONS ENROLLED

May 20, 2015

SB 60, SB 292, SB 308, SB 363, SB 383, SB 408, SB 431, SB 450, SB 463, SB 540, SB 607, SB 680, SB 685, SB 737, SB 782, SB 783, SB 836, SB 853, SB 854, SB 862, SB 864, SB 871, SB 875, SB 914, SB 949, SB 956, SB 978, SB 1008, SB 1020, SB 1075, SB 1203, SB 1204, SB 1235, SB 1279, SB 1281, SB 1427, SB 1448, SB 1485, SB 1554, SB 1587, SB 1654, SB 1657, SB 1766, SB 1779, SB 1889, SB 2054, SCR 33, SCR 48, SJR 22, SR 913, SR 914, SR 915, SR 916, SR 938, SR 939, SR 940

SENT TO SECRETARY OF STATE

May 21, 2015

SJR 22

SENT TO GOVERNOR

May 21, 2015

SB 60, SB 292, SB 308, SB 363, SB 383, SB 408, SB 431, SB 450, SB 463, SB 540, SB 607, SB 680, SB 685, SB 737, SB 782, SB 783, SB 836, SB 853, SB 854, SB 862, SB 864, SB 871, SB 875, SB 914, SB 949, SB 956, SB 978, SB 1008, SB 1020, SB 1075, SB 1203, SB 1204, SB 1235, SB 1279, SB 1280, SB 1281, SB 1427, SB 1448, SB 1485, SB 1554, SB 1587, SB 1654, SB 1657, SB 1766, SB 1779, SB 1889, SB 2054, SCR 33, SCR 48

SIGNED BY GOVERNOR

May 21, 2015

SB 901, SB 925, SB 1353

