

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

NINETEENTH DAY

(Tuesday, February 28, 2017)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

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

Bishop George Sampleton, Inspiration Pentecostal Church, Bastrop, offered the invocation as follows:

O Lord, awaken the consciousness of all peoples and their leaders; raise up men and women full of love and generosity who can speak and act for peace, and show us new ways in which hatred can be left behind, wounds can be healed, and unity can be restored. 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 Uresti was recognized and presented Dr. Kristi Salinas of San Antonio as the Physician of the Day.

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

SENATE RESOLUTION 239

Senator Schwertner offered the following resolution:

SR 239, Recognizing February 28, 2017, as Sheriffs' Association of Texas Day.

The resolution was read.

On motion of Senator Uresti and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Schwertner, the resolution was adopted without objection.

GUESTS PRESENTED

Senator Schwertner, joined by Senators Kolkhorst, Lucio, Campbell, West, Hinojosa, Uresti, and Whitmire, was recognized and introduced to the Senate a Sheriffs' Association of Texas Day delegation, accompanied by Limestone County Sheriff Dennis Wilson, Jackson County Sheriff A. J. Louderback, and Executive Director Steve Westbrook.

The Senate welcomed its guests.

SENATE RESOLUTION 325

Senator West offered the following resolution:

SR 325, Recognizing February 28, 2017, as Grammy Texas Music Advocacy Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate a Grammy Texas Music Advocacy Day delegation, accompanied by Yolanda Adams, Kevin Russell, Ricky Anderson, Sarah Jaffe, and Theresa Jenkins.

The Senate welcomed its guests.

SENATE RESOLUTION 251

Senator Watson offered the following resolution:

SR 251, Recognizing February 28, 2017, as TASBO Day.

The resolution was again read.

The resolution was previously adopted on Tuesday, February 21, 2017.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate a Texas Association of School Business Officials Day delegation, accompanied by Executive Director Tracy Ginsburg and Board President Karen Smith.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Schwertner was recognized and introduced to the Senate a Texas Pharmacy Day delegation, accompanied by representatives of the Alliance of Independent Pharmacists of Texas.

The Senate welcomed its guests.

(Senator Hughes in Chair)

GUESTS PRESENTED

Senator Kolkhorst was recognized and introduced to the Senate a Lee County delegation.

The Senate welcomed its guests.

(President in Chair)

SENATE RESOLUTION 308

Senator Menéndez offered the following resolution:

WHEREAS, Proud residents of the Alamo City are visiting Austin on February 28, 2017, to celebrate VIVA San Antonio Day at the State Capitol; and

WHEREAS, The history of San Antonio can be traced back to 1691, when a group of Spanish explorers and missionaries came upon a river and named it San Antonio, in honor of Saint Anthony, whose feast day was being celebrated; and

WHEREAS, The city was founded in 1718 by Father Antonio Olivares; he established Mission San Antonio de Valero, which would become etched in the annals of history in 1836 as the Alamo, the site where 189 brave individuals held the mission for 13 days against an army of some 4,000 Mexican soldiers; the cry "Remember the Alamo" became the rallying point of the Texas Revolution; today, the Alamo is a shrine and museum and is widely recognized as the cradle of Texas liberty; and

WHEREAS, San Antonio became formally incorporated in 1837, when the fledgling Republic of Texas granted the city a charter; the community has since retained its sense of history and tradition while carefully blending in cosmopolitan progress; it continues to serve as a crossroads and a meeting place, where the rich cultural influences of Native Americans, Old Mexico, German immigrants, the Wild West, African Americans, and the Deep South mingle and merge; and

WHEREAS, The city has a proud military heritage; great military figures like Pershing, Stilwell, Krueger, LeMay, Chennault, and Eisenhower served at San Antonio military institutions, including Fort Sam Houston, the headquarters for the U.S. Army North and U.S. Army South, and Randolph Air Force Base, the home of Air Education and Training Command; in addition, San Antonio is the site of Lackland Air Force Base, the largest training wing in the United States Air Force, and the San Antonio Military Health System, home of all U.S. military medical training; and

WHEREAS, Recent years have brought remarkable economic development to San Antonio as its skilled workforce, excellent institutions of public and higher education, and high quality of life have attracted important corporate businesses and industries to the city; and

WHEREAS, The city's chambers of commerce serve as leading advocates for the business community and are dedicated to building and sustaining San Antonio's diverse and prosperous economy, particularly in the major local industries of health care, manufacturing, aerospace, information technology, and cybersecurity; and

WHEREAS, Millions of visitors a year delight in visiting San Antonio; in addition to the Alamo, highlights include La Villita, San Fernando Cathedral, the San Antonio Missions Trail, and the famed Paseo del Rio, also known as The Riverwalk; among the other attractions that make San Antonio one of the top tourist destinations in the country are SeaWorld San Antonio and the Six Flags Fiesta Texas theme park as well as the PGA Tour Valero Texas Open, the Alamo Bowl, and the five-time world champion San Antonio Spurs; and

WHEREAS, In April 2017, the city will once again celebrate Fiesta San Antonio, the biggest 11-day party in the state; first held more than 120 years ago, the event was founded by a group of women who decorated horse-drawn carriages for a parade in front of the Alamo and battled with flower blossoms instead of bullets to honor the heroes of the Alamo and the Battle of San Jacinto; and

WHEREAS, San Antonio is truly one of the treasures of the Lone Star State, and VIVA San Antonio Day provides a welcome opportunity to honor the city and its many fine residents; now, therefore, be it

RESOLVED, That the Senate of the 85th Texas Legislature hereby recognize February 28, 2017, as VIVA San Antonio Day at the State Capitol and extend to the visiting delegation sincere best wishes for an informative and enjoyable stay in Austin.

MENÉNDEZ
CAMPBELL
URESTI
ZAFFIRINI

SR 308 was read and was adopted without objection.

GUESTS PRESENTED

Senator Menéndez, joined by Senators Uresti, Campbell, and Zaffirini, was recognized and introduced to the Senate a VIVA San Antonio Day delegation, accompanied by 2017 VIVA San Antonio Chair Eddie Aldrete, San Antonio Chamber of Commerce Chair Rad Weaver, San Antonio Hispanic Chamber of Commerce Chair Esteban Lopez, North San Antonio Chamber of Commerce Chair Phyllis Galloway, San Antonio Spurs mascot The Coyote, and San Antonio Rampage mascot T-Bone.

The Senate welcomed its guests.

SENATE RESOLUTION 293

Senator Taylor of Galveston offered the following resolution:

SR 293, Recognizing William A. Staples on the occasion of his retirement.

The resolution was read and was adopted without objection.

GUEST PRESENTED

Senator Taylor of Galveston, joined by Senator Garcia, was recognized and introduced to the Senate University of Houston-Clear Lake President William A. Staples.

The Senate welcomed its guest.

SENATE RESOLUTION 278

Senator Kolkhorst offered the following resolution:

SR 278, Recognizing February 28, 2017, as Wharton County Day.

The resolution was again read.

The resolution was previously adopted on Wednesday, February 22, 2017.

GUESTS PRESENTED

Senator Kolkhorst was recognized and introduced to the Senate a Wharton County Day delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 301

Senator Huffman offered the following resolution:

SR 301, Recognizing the Greater Houston Women's Chamber of Commerce on the occasion of its 10th anniversary.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Huffman was recognized and introduced to the Senate a Greater Houston Women's Chamber of Commerce delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Estes was recognized and introduced to the Senate a Graham County delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Nichols was recognized and introduced to the Senate a Jacksonville Leadership Day delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a delegation of Texas nurses.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Bettencourt was recognized and introduced to the Senate a Texas Society of Anesthesiologists delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 315

Senator Rodríguez offered the following resolution:

SR 315, Recognizing February 28, 2017, as Culberson County Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Rodríguez was recognized and introduced to the Senate a Culberson County Day delegation, accompanied by County Commissioner Adrian Norman, County Auditor Mark Cabezuela, Sheriff Oscar Carrillo, Assistant Auditor Crystal Gonzalez, and Graciela Fuentes.

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.

RESOLUTION SIGNED

The President announced the signing of the following enrolled resolution in the presence of the Senate: **SCR 23**.

CONCLUSION OF MORNING CALL

The President at 12:17 p.m. announced the conclusion of morning call.

SENATE BILL 44 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, Senate Rule 7.13; Section 5, Article III of the Texas Constitution; and the regular order of business were suspended to take up for consideration **SB 44** at this time:

SB 44, Relating to petition requirements for an application for a place on the general primary election ballot for certain judicial offices.

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.

SENATE BILL 44 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 **SB 44** 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 JOINT RESOLUTION 38 ON SECOND READING

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **SJR 38** at this time (Submitted by Governor as an emergency matter):

SJR 38, Rescinding each and every application made at any time by the Texas Legislature to the United States Congress to call a national convention under Article V of the United States Constitution for proposing any amendment to that Constitution.

The resolution was read second time.

Senator Birdwell offered the following amendment to the resolution:

Floor Amendment No. 1

Amend **SJR 38** (senate committee report), on page 1, line 39, between "2017," and "that" by inserting "other than the application provided by H.C.R. No. 31, Acts of the 65th Legislature, Regular Session, 1977,".

The amendment to **SJR 38** 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. 1.

Senator Taylor of Collin offered the following amendment to the resolution:

Floor Amendment No. 2

Amend **SJR 38** (senate committee report), on page 1, between lines 43 and 44, by inserting the following:

RESOLVED, That the 85th Legislature of the State of Texas, Regular Session, 2017, hereby declares that any application to the United States Congress for the calling of a convention under Article V of the United States Constitution that is submitted by the Texas Legislature during or after this Regular Session shall be automatically rescinded, repealed, revoked, canceled, voided, and nullified if the applicable convention is not called on or before the 12th anniversary of the date the last legislative vote is taken on the application; and, be it further

The amendment to **SJR 38** 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.

SJR 38 as amended was adopted by the following vote: Yeas 31, Nays 0.

SENATE BILL 21 ON SECOND READING

Senator Birdwell moved that the regular order of business be suspended and that **SB 21** be taken up for consideration at this time (Submitted by Governor as an emergency matter):

SB 21, Relating to the qualifications, duties, and limitations of Texas delegates to a convention called under Article V of the United States Constitution.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

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

The bill was read second time.

Senator Estes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 21** (senate committee report) in SECTION 1 of the bill, in added Subchapter B, Chapter 393, Government Code, by adding a new appropriately numbered section after added Section 393.055 (page 3, between lines 11 and 12) to read as follows:

Sec. 393. . . . PROHIBITION ON ACCEPTANCE OF BENEFIT. A delegate or alternate delegate may not accept a gift, a loan, food or beverages, entertainment, lodging, transportation, or another benefit from a person, including a corporation, nonprofit organization, or individual, if that person is required to register as a lobbyist under Chapter 305 or under other law.

The amendment to **SB 21** was read and was adopted by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffines, Kolkhorst, Lucio, Menéndez, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, Zaffirini.

Nays: Burton, Huffman, Hughes, Miles, Nelson, Nichols, Perry, West, Whitmire.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 2

Amend **SB 21** (senate committee report) in SECTION 1 of the bill as follows:

(1) In added Section 393.103(b), Government Code (page 3, line 32), following "unauthorized vote", insert "for purposes of this section".

(2) At the end of added Subchapter C, Chapter 393, Government Code (page 3, between lines 47 and 48), insert the following appropriately numbered section:

Sec. 393. . . . CRIMINAL PENALTY. (a) A delegate or alternate delegate commits an offense if the delegate or alternate delegate knowingly casts an unauthorized vote.

(b) An offense under this section is a state jail felony.

(c) A judge granting community supervision to a defendant convicted of an offense under this section shall require as a condition of community supervision that the defendant submit to not less than 10 days of confinement in county jail. If a sentence of confinement is imposed on the revocation of community supervision, the term of confinement served under this subsection may not be credited toward completion of the sentence imposed.

The amendment to **SB 21** was read.

Senator Birdwell moved to table Floor Amendment No. 2.

The motion to table was lost by the following vote: Yeas 13, Nays 18.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Estes, Garcia, Lucio, Menéndez, Rodríguez, Schwertner, Seliger, Taylor of Collin, Zaffirini.

Nays: Campbell, Creighton, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Miles, Nelson, Nichols, Perry, Taylor of Galveston, Uresti, Watson, West, Whitmire.

The amendment to **SB 21** was adopted by the following vote: Yeas 18, Nays 13.

Yeas: Buckingham, Campbell, Creighton, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Taylor of Galveston, Uresti, West, Whitmire.

Nays: Bettencourt, Birdwell, Burton, Estes, Garcia, Lucio, Menéndez, Miles, Rodríguez, Seliger, Taylor of Collin, Watson, Zaffirini.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 3

Amend **SB 21** (senate committee report) in SECTION 1 of the bill as follows:

(1) In added Section 393.103(b), Government Code (page 3, line 32), strike "The determination" and substitute "Except as provided by Section 393.104, the determination".

(2) In added Subchapter C, Chapter 393, Government Code, after added Section 393.103 (page 3, between lines 47 and 48), insert the following:

Sec. 393.104. OVERSIGHT COMMITTEE. (a) The legislature shall appoint an Article V Oversight Committee at the time delegates and alternate delegates are appointed under Section 393.051.

(b) The committee consists of the following 10 members:

(1) the lieutenant governor;

(2) the speaker of the house of representatives;

(3) the chair of the senate state affairs committee;

(4) the chair of the house state affairs committee;

(5) three members of the senate appointed by the lieutenant governor; and

(6) three members of the house of representatives appointed by the speaker

of the house of representatives.

(c) The lieutenant governor and the speaker of the house of representatives are joint chairs of the committee.

(d) If the legislature is not convened in regular or special session at any time during which an Article V convention is convened, the members of the committee shall:

(1) meet at the call of either joint chair at the State Capitol; and

(2) determine whether a vote cast by a delegate or alternate delegate is an unauthorized vote for the purposes of Section 393.103.

(e) A vote cast by a delegate or alternate delegate is an unauthorized vote for the purposes of Section 393.103 if five or more members of the committee determine by committee vote that the vote cast was an unauthorized vote.

(f) The committee is not authorized to take any action when the legislature is convened in regular or special session.

The amendment to **SB 21** was read.

Senator Hughes offered the following amendment to Floor Amendment No. 3:

Floor Amendment No. 4

Amend Amendment No. 3, by Hughes, to **SB 21** (senate committee report) on page 2, line 4, by striking "five" and substituting "six".

The amendment to Floor Amendment No. 3 was read.

Senator Hughes withdrew Floor Amendment No. 4.

Senator Birdwell offered the following amendment to Floor Amendment No. 3:

Floor Amendment No. 5

Amend Amendment No. 3, by Hughes, to **SB 21** (senate committee report) on page 2, line 4, by striking "five" and substituting "seven".

The amendment to Floor Amendment No. 3 was read and was adopted by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Lucio, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, Zaffirini.

Nays: Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Menéndez, Miles, Nelson, West, Whitmire.

Question recurring on the adoption of Floor Amendment No. 3, the amendment as amended was adopted by the following vote: Yeas 27, Nays 4.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire.

Nays: Garcia, Miles, Rodríguez, Zaffirini.

SB 21 as amended was passed to engrossment by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

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

SENATE JOINT RESOLUTION 2 ON SECOND READING

Senator Birdwell moved that the regular order of business be suspended and that **SJR 2** be taken up for consideration at this time (Submitted by Governor as an emergency matter):

SJR 2, Applying to the Congress of the United States to call a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

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

The resolution was read second time.

Senator Rodríguez offered the following amendment to the resolution:

Floor Amendment No. 1

Amend **SJR 2** (senate committee report) as follows:

(1) On page 1, line 47, between "to call a" and "convention", insert "public".

(2) On page 1, between lines 52 and 53, insert the following:

RESOLVED, That the 85th Texas Legislature hereby declares that this application to Congress is conditioned on the requirement that Congress, in calling the convention, specify that it be held in public, with all official deliberations, debates, and voting conducted in public, and that this application is automatically revoked if the convention is not called in the manner required by this application; and, be it further

(3) On page 1, line 58, between "a" and "convention" insert "public".

(4) On page 2, line 8, between "Congress for a" and "convention", insert "public".

(5) On page 2, line 17, immediately after "Congress for a", insert "public".

The amendment to **SJR 2** was read.

On motion of Senator Birdwell, Floor Amendment No. 1 was tabled by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

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

Senator Rodríguez offered the following amendment to the resolution:

Floor Amendment No. 2

Amend **SJR 2** (senate committee report) as follows:

(1) On page 1, lines 50-51, strike ", to limit the power and jurisdiction of the federal government,".

(2) On page 1, lines 60-61, strike ", to limit the power and jurisdiction of the federal government,".

(3) On page 2, lines 11-12, strike ", to limit the power and jurisdiction of the federal government,".

(4) On page 2, lines 20-21, strike ", to limit the power and jurisdiction of the federal government,".

The amendment to **SJR 2** was read.

On motion of Senator Birdwell, Floor Amendment No. 2 was tabled by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

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

SJR 2 was adopted by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

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

SENATE BILL 21 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 **SB 21** be placed on its third reading and final passage:

SB 21, Relating to the qualifications, duties, and limitations of Texas delegates to a convention called under Article V of the United States Constitution.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Garcia, Menéndez, Miles, Rodríguez.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

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

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)
(Motion In Writing)

Senator Kolkhorst submitted the following Motion In Writing:

Mr. President:

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

KOLKHORST

The Motion In Writing was read and prevailed without objection.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Taylor of Galveston 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 today.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 3:39 p.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

(Senator Creighton in Chair)

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time, and referred to the committees indicated:

SB 876 by Hancock

Relating to service and filing requirements for a party seeking judicial review in certain workers' compensation cases.

To Committee on Business and Commerce.

SB 877 by Hancock

Relating to liability of certain political subdivisions in certain workers' compensation actions.

To Committee on Business and Commerce.

SB 878 by Hancock

Relating to limited driver personal automobile insurance policies.

To Committee on Business and Commerce.

SB 879 by Uresti

Relating to the eligibility of a person to serve as and receive monetary assistance for serving as a relative or other designated caregiver.

To Committee on Health and Human Services.

SB 880 by Uresti

Relating to a documented member of the Kickapoo Traditional Tribe of Texas hunting certain deer.

To Committee on Agriculture, Water, and Rural Affairs.

SB 881 by Uresti

Relating to the board of directors of the Maverick County Hospital District.

To Committee on Intergovernmental Relations.

SB 882 by Uresti

Relating to pretrial hearings in felony cases.

To Committee on Criminal Justice.

SB 883 by Perry

Relating to the disclosure of life-sustaining treatment policies and to life-sustaining treatment for a patient under 18 years of age.

To Committee on Health and Human Services.

SB 884 by Whitmire, Bettencourt, Creighton, Garcia, Kolkhorst, Lucio, Miles, Taylor of Galveston

Relating to the authority of certain counties to use county revenue or incur debt to improve or redevelop certain sports facilities.

To Committee on Intergovernmental Relations.

SB 885 by Seliger

Relating to eligibility for a TEXAS grant and to administration of the TEXAS grant program.

To Committee on Higher Education.

SB 886 by Seliger

Relating to the Texas Educational Opportunity Grant program.

To Committee on Higher Education.

SB 887 by Seliger

Relating to a requirement that certain participating institutions under the student loan program administered by the Texas Higher Education Coordinating Board provide loan debt information to students.

To Committee on Higher Education.

SB 888 by Seliger

Relating to the sale of lottery tickets by certain wine and beer retailers.

To Committee on Business and Commerce.

SB 889 by Perry

Relating to collecting and reporting certain information by the Department of Family and Protective Services relating to certain alcohol and controlled substance use.

To Committee on Health and Human Services.

SB 890 by Kolkhorst

Relating to Medicaid beds in nursing facilities.

To Committee on Health and Human Services.

SB 891 by Taylor of Collin

Relating to a prohibition on converting state highway lanes to tolled or other types of managed lanes.

To Committee on Transportation.

SB 892 by Perry

Relating to protection of the rights of conscience for child welfare services providers.

To Committee on State Affairs.

SB 893 by Hughes

Relating to the protection of religious beliefs and moral convictions regarding marriage.

To Committee on State Affairs.

SB 894 by Buckingham

Relating to the Health and Human Services Commission's strategy for managing audit resources, including procedures for auditing and collecting payments from Medicaid managed care organizations.

To Committee on Health and Human Services.

SB 895 by Seliger

Relating to the transparency of certain information related to prescription drug coverage provided by certain health benefit plans.

To Committee on Business and Commerce.

SB 896 by Seliger

Relating to the status of powdered alcohol as an alcoholic beverage for purposes of the Alcoholic Beverage Code.

To Committee on Business and Commerce.

SB 897 by Seliger

Relating to an election of the board of directors of the Ochiltree County Hospital District.

To Committee on Intergovernmental Relations.

SB 898 by Bettencourt

Relating to the ownership and local regulation of trees and timber.

To Committee on Agriculture, Water, and Rural Affairs.

SB 900 by Huffman

Relating to the punishment for certain offenses involving family violence; changing the eligibility for parole and mandatory supervision for those offenses.

To Committee on State Affairs.

SB 901 by West

Relating to the prosecution of the offense of operation of unmanned aircraft over correctional facility or critical infrastructure facility.

To Committee on Criminal Justice.

SB 902 by Birdwell

Relating to a prohibition on the adoption of certain library standards by the Texas State Library and Archives Commission.

To Committee on Business and Commerce.

SB 903 by Birdwell

Relating to the prosecution of and punishment for the offense of criminal mischief involving property used for flood control purposes or a dam.

To Committee on Criminal Justice.

SB 904 by Birdwell

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

To Committee on Intergovernmental Relations.

SB 905 by Birdwell

Relating to the creation of the Cresson Crossroads Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Intergovernmental Relations.

SB 906 by Birdwell

Relating to the movement of portable building units over a state highway; authorizing a fee.

To Committee on Transportation.

SB 907 by Birdwell

Relating to the definition of the least restrictive environment for the placement of children in foster care.

To Committee on Health and Human Services.

SB 908 by Creighton

Relating to the operation of medical supply transport vehicles during a declared state of disaster.

To Committee on Natural Resources and Economic Development.

SB 909 by Hughes

Relating to the elimination of certain formula funding and dropped course restrictions for students enrolled in accelerated, affordable baccalaureate programs at public institutions of higher education.

To Committee on Higher Education.

SB 911 by Huffman

Relating to the form of a marriage license and an application for a marriage license.

To Committee on State Affairs.

SB 912 by Huffman

Relating to certain powers of an associate judge under the Family Code.

To Committee on State Affairs.

SB 913 by Seliger

Relating to the limitation on the amount of supplemental payments that a person may agree to provide to a school district or any other entity on behalf of a school district under the Texas Economic Development Act.

To Committee on Natural Resources and Economic Development.

SB 914 by Campbell

Relating to the creation of the Kendall County Water Control and Improvement District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Intergovernmental Relations.

SB 915 by Hughes

Relating to captive insurance companies.

To Committee on Business and Commerce.

SB 916 by Seliger

Relating to the regulation of the sale of dextromethorphan to minors; providing civil penalties.

To Committee on Health and Human Services.

SB 917 by Taylor of Collin

Relating to the creation of the offense of improper contact with an adult victim.

To Committee on Criminal Justice.

SB 918 by Rodríguez

Relating to sexual assault and domestic violence awareness training and reporting by cosmetology license holders.

To Committee on Business and Commerce.

SB 919 by Rodríguez

Relating to the authority of an advanced practice registered nurse or physician assistant to sign a death certificate or out-of-hospital do-not-resuscitate order.

To Committee on Health and Human Services.

SB 920 by Whitmire

Relating to access to a residence or former residence to retrieve personal property, including access based on danger of family violence.

To Committee on State Affairs.

SB 921 by Perry

Relating to a late fee for failing to pay rent under a residential lease.

To Committee on Business and Commerce.

SB 922 by Buckingham

Relating to the reimbursement of certain providers under the Medicaid program for the provision of telehealth services.

To Committee on Health and Human Services.

SB 923 by Perry

Relating to named driver insurance policies and certain related exclusions.

To Committee on Business and Commerce.

SB 924 by Perry

Relating to informal dispute resolutions for violations of health and safety standards at certain long-term care facilities.

To Committee on Health and Human Services.

SB 925 by Garcia

Relating to the facilitation of voting by persons confined in certain jails.

To Committee on State Affairs.

SB 1138 by Whitmire, Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Zaffirini

Relating to the creation of the blue alert system to aid in the apprehension of an individual suspected of killing or causing serious bodily injury to a law enforcement officer.

To Committee on Criminal Justice.

SJR 39 by Uresti

Proposing a constitutional amendment to authorize the Kickapoo Traditional Tribe of Texas to conduct gaming by executing a gaming agreement with this state; providing for licensing of persons under the agreement; limiting certain taxes and fees.

To Committee on State Affairs.

CO-AUTHORS OF SENATE BILL 7

On motion of Senator Bettencourt, Senators Huffines, Huffman, Hughes, Nelson, Rodríguez, Schwertner, West, and Zaffirini will be shown as Co-authors of **SB 7**.

CO-AUTHOR OF SENATE BILL 10

On motion of Senator Hancock, Senator Kolkhorst will be shown as Co-author of **SB 10**.

CO-AUTHORS OF SENATE BILL 11

On motion of Senator Schwertner, Senators Hughes and Menéndez will be shown as Co-authors of **SB 11**.

CO-AUTHORS OF SENATE BILL 49

On motion of Senator Zaffirini, Senators Bettencourt and Rodríguez will be shown as Co-authors of **SB 49**.

CO-AUTHOR OF SENATE BILL 102

On motion of Senator Hall, Senator Garcia will be shown as Co-author of **SB 102**.

CO-AUTHOR OF SENATE BILL 271

On motion of Senator Burton, Senator Watson will be shown as Co-author of **SB 271**.

CO-AUTHOR OF SENATE BILL 325

On motion of Senator Burton, Senator Miles will be shown as Co-author of **SB 325**.

CO-AUTHOR OF SENATE BILL 381

On motion of Senator Burton, Senator Watson will be shown as Co-author of **SB 381**.

CO-AUTHOR OF SENATE BILL 415

On motion of Senator Perry, Senator Nelson will be shown as Co-author of **SB 415**.

CO-AUTHORS OF SENATE BILL 419

On motion of Senator Kolkhorst, Senators Buckingham and Zaffirini will be shown as Co-authors of **SB 419**.

CO-AUTHOR OF SENATE BILL 494

On motion of Senator Burton, Senator Watson will be shown as Co-author of **SB 494**.

CO-AUTHOR OF SENATE BILL 782

On motion of Senator Campbell, Senator Nichols will be shown as Co-author of **SB 782**.

CO-AUTHOR OF SENATE BILL 827

On motion of Senator Seliger, Senator Perry will be shown as Co-author of **SB 827**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 292 by West, In memory of Harold Boyd Sr.

SR 324 by Creighton, In memory of Billy Ray "Wild Bill" Clark.

HCR 80 (Uresti), In memory of Choco Gonzalez Meza of San Antonio.

Welcome and Congratulatory Resolutions

SR 283 by West, Burton, Hall, Hancock, Huffines, Nelson, and Taylor of Collin, Recognizing Jerry Jones on the occasion of his induction into the Pro Football Hall of Fame.

SR 303 by West, Recognizing the Young Men's Leadership Academy at Fred Florence Middle School.

SR 319 by Watson, Recognizing Paul S. Lewis on the occasion of his retirement.

SR 321 by Nichols, Recognizing Ronald H. Hufford on the occasion of his retirement.

SR 323 by West, Welcoming the South Central Region of Jack and Jill of America, Incorporated, to the Capitol.

SR 326 by West, Recognizing the Trinity Chapter of The Links, Incorporated, for its commitment to service.

SR 329 by Kolkhorst, Recognizing Diana Glenz on the occasion of her retirement.

SR 330 by Menéndez, Recognizing Joe J. Bernal on the occasion of his 90th birthday.

SR 332 by Lucio, Recognizing Perry Homes on the occasion of its 50th anniversary.

Official Designation Resolutions

SR 297 by Hall, Recognizing February 28, 2017, as Fannin County Day.

SR 322 by Hall, Recognizing March 2, 2017, as Hunt County Day.

SR 328 by Zaffirini and Perry, Recognizing March 1, 2017, as United Way Day.

HCR 40 (Nichols), Recognizing February 15, 2017, as Alabama-Coushatta Tribe of Texas Day at the State Capitol.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 4:02 p.m. adjourned until 11:00 a.m. tomorrow.

APPENDIX

RESOLUTIONS ENROLLED

February 27, 2017

SCR 23, SR 227, SR 279, SR 281, SR 282, SR 284, SR 285, SR 286, SR 287, SR 288, SR 289, SR 290, SR 291, SR 295, SR 298, SR 299, SR 300, SR 302, SR 304, SR 306, SR 309, SR 310, SR 311, SR 312, SR 314, SR 317