

# SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FORTY-FIRST DAY**

(Tuesday, April 18, 2017)

The Senate met at 12:00 p.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.

Pastor Scott Belin, Second Baptist Church, Houston, was introduced by Senator Kolkhorst and offered the invocation as follows:

Almighty God, Jehovah, we humbly come before You today. Thank You for the perfect, unconditional love You show us. Would You please help us to reciprocate that love back to You and the people that You have given us to shepherd, as well as serve. Today, we pray for these servants in the Texas Senate. May they follow Jesus' example of servant leadership and recognize that You give all authority. They are accountable to You first and foremost and then to the people of the great State of Texas. As the Bible says in 1 Corinthians, Do not look out only for yourselves; look out for the good of others also. Please grant these men and women in the Senate Your supernatural wisdom and guidance. And we pray that they would be surrounded by Your mighty protective angels. For it is in the name of my lord and savior, Jesus Christ. 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.

## MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Tuesday, April 18, 2017 - 1

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**HB 9** Capriglione

Relating to cybercrime; creating criminal offenses.

**HB 13** Price

Relating to the creation of a matching grant program to support community mental health programs for individuals experiencing mental illness.

**HB 66** Guillen

Relating to determining eligibility for a Texas Armed Services Scholarship and to the appointment by certain elected officials of students to receive that scholarship.

**HB 71** Martinez, "Mando"

Relating to the transportation of certain mental health patients.

**HB 88** Martinez, "Mando"

Relating to an unlawful employment practice by an employer whose leave policy does not permit an employee to use leave to care for the employee's foster child.

**HB 217** Canales

Relating to the authority of certain persons to defer or abate the collection of ad valorem taxes on a person's residence homestead.

**HB 257** Hernandez

Relating to a report by the Texas Workforce Commission regarding the transition from military service to employment.

**HB 271** Miller

Relating to the establishment of the Veterans Recovery Pilot Program to provide certain veterans with hyperbaric oxygen treatment.

**HB 280** Howard

Relating to a grant program for reducing workplace violence against nurses.

**HB 281** Howard

Relating to establishing a statewide electronic tracking system for evidence of a sex offense.

**HB 322** Canales

Relating to the expunction of arrest records and files for certain veterans and the waiver of fees and costs charged for the expunction.

**HB 394** Howard

Relating to the designation of the Lady Bird Johnson Wildflower Center at The University of Texas at Austin as the state botanical garden and arboretum.

**HB 448** Guillen

Relating to the transfer of certain revenue into the state parks account.

- HB 455** Metcalf  
Relating to the authority of a property owner to participate by telephone conference call at a protest hearing by an appraisal review board.
- HB 457** Holland  
Relating to the confidentiality of certain home address information in ad valorem tax appraisal records.
- HB 635** Howard  
Relating to issuance of a vendor permit for the sale of goods during an authorized event held in the Texas mall area of the Capitol Complex.
- HB 669** Canales  
Relating to the inclusion of a magistrate's name on certain signed orders.
- HB 791** Lozano  
Relating to allowing certain individuals appointed by the governor to state office to file required financial statements by certified mail.
- HB 827** Blanco  
Relating to a database for prospective employers to qualify veterans' military service experience and employment qualifications.
- HB 846** Raney  
Relating to the implementation of student financial assistance programs for veterans and their families.
- HB 878** King, Ken  
Relating to the extension and modification of a public school district depository contract.
- HB 897** Ashby  
Relating to the exemption from the taxes imposed on the sale, use, or rental of a motor vehicle for certain motor vehicles used for religious purposes.
- HB 915** Thompson, Ed  
Relating to named driver insurance policies and certain related exclusions.
- HB 920** Kacal  
Relating to the operation of all-terrain vehicles and recreational off-highway vehicles.
- HB 970** Cortez  
Relating to the establishment of a state plan for Streptococcus pneumoniae education and prevention.
- HB 1001** Israel  
Relating to recording of minutes for a local canvassing authority.
- HB 1128** Wray  
Relating to the date and time for the public sale of real property.
- HB 1177** Murr  
Relating to the release on personal bond of a person arrested for an out-of-county offense under certain circumstances.
- HB 1178** Kuempel  
Relating to the punishment for burglary and theft of controlled substances.

- HB 1346** Button  
Relating to the date for prepayment of taxes on a dealer's heavy equipment inventory.
- HB 1406** Blanco  
Relating to the authority of the asset management division of the General Land Office to sell real property to a federally recognized Indian tribe.
- HB 1432** Vo  
Relating to restrictions or conditions on certain payments to the Texas Workforce Commission.
- HB 1433** Vo  
Relating to the statute of limitations applicable to the collection of a contribution, a penalty, or interest under the Texas Unemployment Compensation Act.
- HB 1470** Villalba  
Relating to the public sale of real property under a power of sale in a security instrument.
- HB 1495** Thompson, Senfronia  
Relating to the rendition of certain temporary orders during the pendency of a suit for modification of an order that provides for the conservatorship, support, or possession of or access to a child.
- HB 1508** Giddings  
Relating to notice to applicants to and enrollees in certain educational programs regarding the consequences of a criminal conviction on eligibility for an occupational license.
- HB 1545** Clardy  
Relating to the acceptance of certain high school courses to satisfy part of the training required to obtain a peace officer license.
- HB 1559** Frullo  
Relating to the provision of surplus lines insurance to certain commercial insureds.
- HB 1612** Romero, Jr.  
Relating to the authority of the Texas Alcoholic Beverage Commission to offer a civil penalty in lieu of suspending a permit or license.
- HB 1631** King, Ken  
Relating to an election of the board of directors of the Ochiltree County Hospital District.
- HB 1699** Geren  
Relating to the participation by qualified persons in the Department of Public Safety's driver record monitoring pilot program.
- HB 1731** King, Ken  
Relating to the inclusion of students receiving treatment in a residential facility in the determination of dropout rates for purposes of public school accountability.
- HB 1780** Dale  
Relating to requirements for membership in the reserve officer corps of the Department of Public Safety of the State of Texas.

- HB 1862** Lucio III  
Relating to the designation of certain river or stream segments as being of unique ecological value.
- HB 2005** Larson  
Relating to the duty of the Texas Water Development Board to conduct studies of and prepare and submit reports on aquifer storage and recovery.
- HB 2007** Cospier  
Relating to the licensing and regulation of certain military dentists and dental hygienists who provide voluntary charity dental or dental hygiene care.
- HB 2060** Oliveira  
Relating to the eligibility requirements for employment as an ombudsman of the Office of Injured Employee Counsel under the Texas Workers' Compensation Act.
- HB 2095** Kuempel  
Relating to transfer of a plumber's license number on the retirement or death of the plumber.
- HB 2111** Romero, Jr.  
Relating to changing statutory references to hearing officer and hearings officer to administrative law judge under the workers' compensation system.
- HB 2112** Romero, Jr.  
Relating to certain workers' compensation reporting requirements.
- HB 2124** Minjarez  
Relating to the procedures for identifying and notifying relevant federal agencies about certain child abuse and neglect investigations.
- HB 2299** Thompson, Senfronia  
Relating to verification of alcohol content for prior approval of malt beverages.
- HCR 30** Springer  
Urging Congress to direct the Bureau of Land Management to affirm the provisions of the Red River Boundary Compact and to acknowledge that the vegetation line on the south bank of the Red River forms the boundary between Oklahoma and Texas.
- HCR 31** Springer  
Urging Congress to encourage the U.S. Department of Agriculture to revise existing policies that promote the waste of water after an irrigated crop has been declared a failure.
- HCR 59** Bailes  
Urging Congress to pass a budget.
- SCR 50** Whitmire Sponsor: Kacal  
Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, April 12, 2017, and ending on Tuesday, April 18, 2017.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**PHYSICIAN OF THE DAY**

Senator Watson was recognized and presented Dr. James Brown of Austin as the Physician of the Day.

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

**GUESTS PRESENTED**

Senator Buckingham was recognized and introduced to the Senate the Richland Springs High School football team, accompanied by Head Coach Jerry Burkhart.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Schwertner was recognized and introduced to the Senate a Texas Task Force 1 delegation.

The Senate welcomed its guests.

**MESSAGES FROM THE GOVERNOR**

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

April 17, 2017  
Austin, Texas

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

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Texas Board of Criminal Justice for terms to expire February 1, 2023:

Emilio E.F. "Mano" DeAyala  
Houston, Texas

(replacing Leopoldo R. "Leo" Vasquez, III of Houston whose term expired)

Larry Don Miles  
Amarillo, Texas

(Pastor Miles is being reappointed)

Patrick L. O'Daniel  
Austin, Texas

(replacing Lawrence J. "Larry" Gist of Beaumont whose term expired)

Respectfully submitted,

/s/Greg Abbott  
Governor

April 18, 2017  
Austin, Texas

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

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Commission on Jail Standards for terms to expire as indicated:

To Expire January 31, 2021:

Melinda E. Taylor

Austin, Texas

(replacing Irene A. Armendariz of El Paso whose term expired)

To Expire January 31, 2023:

Duane Lock

Southlake, Texas

(replacing Allan D. Cain of Carthage whose term expired)

Andrew B. "Ben" Perry

Waco, Texas

(replacing Stanley Dewayne Egger of Tuscola whose term expired)

Esmail Porsa, M.D.

Murphy, Texas

(Dr. Porsa is being reappointed)

Respectfully submitted,

/s/Greg Abbott

Governor

### SENATE RESOLUTION 346

Senator Lucio offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Pan American Round Tables of Texas on the occasion of the organization's 100th anniversary; and

WHEREAS, The Pan American Round Table Movement began in 1916 as an endeavor of Florence Terry Griswold; a truly compassionate Texan, she was determined to help the women and children who had fled Mexico and had sought refuge from the perils of revolution by making their way to San Antonio; and

WHEREAS, Pan Americanism was born as a result of the Monroe Doctrine, which was issued to protect citizens of the Western Hemisphere; the Pan American Round Table was created with a mission to foster peace, mutual understanding, knowledge, and friendship among all the people of the Western Hemisphere; and

WHEREAS, Today, the Pan American Round Tables of Texas has 20 chapters across the state; members actively promote the international organization's mission of service by awarding local and statewide scholarships, and over the years, these scholarships have made a difference in the lives of countless individuals; and

WHEREAS, The Pan American Round Table has a special place in our state's unique history, and under the exemplary leadership of state director Isabel Vezzetti, the Texas chapters have contributed greatly to the international organization's success; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 85th Legislature, hereby commend all the members of the Pan American Round Tables of Texas for their outstanding work promoting peace and mutual understanding among the people of the Western Hemisphere and extend to them best wishes on the occasion of the organization's 100th anniversary; and, be it further

RESOLVED, That a copy of this Resolution be prepared for this organization as an expression of esteem from the Texas Senate.

**SR 346** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Lucio was recognized and introduced to the Senate a delegation of the Pan American Round Tables of Texas organization, accompanied by State Director Isabel Vezzetti, Peggy Clark, Sylvia Williams, Lana Harper, and Alliance Director General Nhury Gutierrez Vilches of Chile.

The Senate welcomed its guests.

### **PERMISSION TO INTRODUCE GRANTED (Motion In Writing)**

Mr. President:

The following members hereby request to suspend Senate Rule 7.07(b), Limitations on Introduction, to permit the introduction of bills and resolutions as listed below:

On motion of Senator Creighton: **SCR 51, SCR 52.**

On motion of Senator Hancock: **SB 2279.**

On motion of Senator Hughes: **SB 2278.**

The Motion In Writing was read and prevailed without objection.

### **SENATE BILLS AND RESOLUTIONS ON FIRST READING**

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

**SB 2273** by Campbell

Relating to the creation of the Kendall County Water Control and Improvement District No. 4; 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 2274** by Creighton

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

To Committee on Intergovernmental Relations.



**SB 2275** by Creighton

Relating to the creation of the Lakewood 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 2276** by Creighton

Relating to the creation of Lakewood Improvement District of Harris County; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

To Committee on Intergovernmental Relations.

**SB 2277** by Creighton

Relating to the creation of the Lakewood Municipal Utility 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 2278** by Hughes

Relating to the designation of a portion of Farm-to-Market Road 4000 in Titus County as the Titus County Vietnam Veterans Memorial Highway.

To Committee on Transportation.

**SB 2279** by Hancock

Relating to ownership, control, or operation of a franchised or nonfranchised dealer or dealership by certain manufacturers.

To Committee on Business and Commerce.

**SCR 51** by Creighton

Urging appropriate state agencies to support the establishment of a veterans memorial in Conroe.

To Committee on Veteran Affairs and Border Security.

**SCR 52** by Creighton

Urging Congress to pass S.2896, the Care Veterans Deserve Act of 2016.

To Committee on Veteran Affairs and Border Security.

**GUESTS PRESENTED**

Senator West was recognized and introduced to the Senate a delegation of Texas Licensed Professional Counselors.

The Senate welcomed its guests.

**CONCLUSION OF MORNING CALL**

The President at 12:38 p.m. announced the conclusion of morning call.

**SENATE BILL 671 ON SECOND READING**

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 671** at this time on its second reading:

**SB 671**, Relating to the public high school graduation credit requirements for a language other than English.

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 671 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 **SB 671** be placed on its third reading and final passage.

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

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

#### **COMMITTEE SUBSTITUTE SENATE BILL 1430 ON SECOND READING**

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1430** at this time on its second reading:

**CSSB 1430**, Relating to a requirement that the Texas Commission on Environmental Quality provide an expedited procedure for acting on certain applications for an amendment to a water right by certain applicants that use desalinated seawater.

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.

#### **COMMITTEE SUBSTITUTE SENATE BILL 1430 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 **CSSB 1430** 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 697 ON SECOND READING**

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 697** at this time on its second reading:

**SB 697**, Relating to health benefit coverage for prescription drug synchronization.

The bill was read second time.

Senator Buckingham offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **SB 697** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, between added Sections 1369.452 and 1369.453, Insurance Code (page 2, lines 15-16), insert the following:

Sec. 1369.453. APPLICABILITY TO CERTAIN MEDICATIONS. This subchapter applies with respect to only a medication that:

(1) is covered by the enrollee's health benefit plan;

(2) meets the prior authorization criteria specifically applicable to the medication under the health benefit plan on the date the request for synchronization is made;

(3) is used for treatment and management of a chronic illness, as that term is defined by Section 1369.456;

(4) may be prescribed with refills;

(5) is a formulation that can be effectively dispensed in accordance with the medication synchronization plan described by Section 1369.456; and

(6) is not, according to the schedules established by the commissioner of the Department of State Health Services under Chapter 481, Health and Safety Code:

(A) a Schedule II controlled substance; or

(B) a Schedule III controlled substance containing hydrocodone.

(2) In SECTION 1 of the bill, in added Section 1369.453(a), Insurance Code (page 2, line 18), between "for" and "a", insert "a partial supply of".

(3) In SECTION 1 of the bill, in added Section 1369.453(a), Insurance Code (page 2, lines 19-20), strike "dispensed in a quantity that is less than a 30 days' supply".

(4) Renumber the sections added by the bill to Chapter 1369, Insurance Code, and any cross-references to those sections appropriately.

The amendment to **SB 697** 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.

**SB 697** as amended was passed to engrossment by a viva voce vote.

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

**SENATE BILL 697 ON THIRD READING**

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 697** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 226 ON SECOND READING**

Senator Taylor of Collin moved to suspend the regular order of business to take up for consideration **CSSB 226** at this time on its second reading:

**CSSB 226**, Relating to the procedure for action on certain applications for an amendment to a water right.

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

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, West, Whitmire, Zaffirini.

Nays: Garcia, Menéndez, Miles, Rodríguez, Uresti, Watson.

The bill was read second time and was passed to engrossment by the following vote: Yeas 25, Nays 6. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 226 ON THIRD READING**

Senator Taylor of Collin moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 226** be placed on its third reading and final passage.

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

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, West, Whitmire, Zaffirini.

Nays: Garcia, Menéndez, Miles, Rodríguez, Uresti, Watson.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 6. (Same as previous roll call)

**SENATE BILL 832 ON SECOND READING**

Senator Estes moved to suspend the regular order of business to take up for consideration **SB 832** at this time on its second reading:

**SB 832**, Relating to the authority of certain municipalities to pledge revenue from the municipal hotel occupancy tax for the payment of obligations related to hotel projects.

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

Yeas: Bettencourt, Buckingham, Campbell, Creighton, Estes, Garcia, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Hall, Huffines, Taylor of Collin.

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

**SENATE BILL 832 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 **SB 832** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Buckingham, Campbell, Creighton, Estes, Garcia, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Burton, Hall, Huffines, Taylor of Collin.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 894 ON SECOND READING**

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 894** at this time on its second reading:

**CSSB 894**, 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.

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.

**COMMITTEE SUBSTITUTE  
SENATE BILL 894 ON THIRD READING**

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 894** 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 1345 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **SB 1345** at this time on its second reading:

**SB 1345**, Relating to the exemption from ad valorem taxation of property owned by a charitable organization and used to provide tax return preparation and other financial services without regard to the beneficiaries' ability to pay.

The motion prevailed.

Senator Hall 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: Hall.

#### **SENATE BILL 1345 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1345** be placed on its third reading and final passage.

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

Nays: Hall.

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

#### **SENATE BILL 1923 ON SECOND READING**

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1923** at this time on its second reading:

**SB 1923**, Relating to infrastructure funding for state hospital facilities and other state facilities, including the creation of the state hospital fund.

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 1923 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 **SB 1923** be placed on its third reading and final passage.

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

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

#### **COMMITTEE SUBSTITUTE SENATE BILL 208 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 208** at this time on its second reading:

**CSSB 208**, Relating to the regulation of metal recycling entities; providing an administrative penalty; creating a criminal offense.

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 West offered the following amendment to the bill:

### **Floor Amendment No. 1**

Amend **CSSB 208** (senate committee report), in SECTION 5 of the bill, as follows:

(1) In the recital for that section (page 2, lines 51 and 52), between "Subsections (b-1)" and "and (f)", insert ", (b-2)",.

(2) Strike Sections 1956.041(a), (b), and (b-1), Occupations Code (page 2, line 53, through page 3, line 3), and substitute the following:

(a) The commission, after notice and an opportunity for a hearing, may impose an administrative penalty on a person who:

(1) violates this subchapter or Subchapter A-2 or a rule or order of the commission under this chapter; or

(2) engages in conduct that would constitute an offense under Section 1956.040(c-2) or (c-4) [Section 1956.036].

(b) Except as provided by Subsection (b-1), the [The] amount of the administrative penalty may not exceed \$1,000. Each day a violation occurs or continues to occur is a separate violation for the purpose of imposing a penalty under this section. In determining the amount of the administrative penalty under this section, the commission shall consider:

(1) the seriousness of the violation, including the nature, circumstances, extent, and gravity of the violation;

(2) the economic harm caused by the violation;

(3) the history of previous violations;

(4) the amount necessary to deter a future violation;

(5) efforts to correct the violation; and

(6) any other matter that justice may require.

(b-1) The amount of an administrative penalty for engaging in conduct described by Subsection (a)(2) or for a violation of Section 1956.036(f) may not exceed \$1,000 for each violation. The aggregate penalty under this subsection for multiple violations may not exceed \$10,000.

(b-2) The commission by rule shall adopt a standardized penalty schedule for a violation based on the criteria listed in Subsection (b).

The amendment to **CSSB 208** 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.

**CSSB 208** 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: Huffines.

**COMMITTEE SUBSTITUTE  
SENATE BILL 208 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 208** be placed on its third reading and final passage.

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

Nays: Huffines.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 840 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 840** at this time on its second reading:

**CSSB 840**, Relating to certain images captured by an unmanned aircraft.

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.

**COMMITTEE SUBSTITUTE  
SENATE BILL 840 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 840** 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.

**ACKNOWLEDGMENT**

The President acknowledged the presence of Dean and Barbara Hancock, parents of Senator Kelly Hancock.

The Senate welcomed its guests.

**SENATE BILL 563 ON SECOND READING**

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 563** at this time on its second reading:

**SB 563**, Relating to the definition of commercial property insurance for purposes of certain provisions governing insurance rates and policy forms.

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 563 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 **SB 563** 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.

**(Senator Hughes in Chair)**

**SENATE BILL 489 ON SECOND READING**

Senator Lucio moved to suspend the regular order of business to take up for consideration **SB 489** at this time on its second reading:

**SB 489**, Relating to recommendations regarding instruction in public schools to prevent the use of e-cigarettes.

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

Yeas: Bettencourt, Birdwell, Campbell, Estes, Garcia, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Buckingham, Burton, Creighton, Hall, Taylor of Collin.

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

**SENATE BILL 489 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 489** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Birdwell, Campbell, Estes, Garcia, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Buckingham, Burton, Creighton, Hall, Taylor of Collin.

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

**(President in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 1327 ON SECOND READING**

Senator Seliger moved to suspend the regular order of business to take up for consideration **CSSB 1327** at this time on its second reading:

**CSSB 1327**, Relating to the authority of a district engineer for the Texas Department of Transportation to temporarily lower speed limits.

The motion prevailed.

Senator Huffines asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

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

Nays: Huffines.

### **COMMITTEE SUBSTITUTE SENATE BILL 1327 ON THIRD READING**

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1327** 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)

### **SENATE BILL 1408 ON SECOND READING**

Senator Huffines moved to suspend the regular order of business to take up for consideration **SB 1408** at this time on its second reading:

**SB 1408**, Relating to the carrying of a handgun by certain first responders and volunteer emergency services personnel.

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

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

Nays: Garcia, Menéndez, Rodríguez, Uresti, Watson, West.

The bill was read second time.

Senator Huffines offered the following amendment to the bill:

#### **Floor Amendment No. 1**

Amend **SB 1408** (senate committee printing) in SECTION 2 of the bill, in added Section 411.184(b), Government Code (page 1, lines 57-58), by striking "must complete before the first responder may carry a concealed handgun while on duty" and substitute "may complete to receive a certificate of completion from the department under this section".

The amendment to **SB 1408** 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.

**SB 1408** as amended was passed to engrossment by the following vote: Yeas 25, Nays 6.

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

Nays: Garcia, Menéndez, Rodríguez, Uresti, Watson, West.

#### **SENATE BILL 1408 ON THIRD READING**

Senator Huffines moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1408** be placed on its third reading and final passage.

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

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

Nays: Garcia, Menéndez, Rodríguez, Uresti, Watson, West.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 6. (Same as previous roll call)

**(Senator Watson in Chair)**

#### **SENATE BILL 588 ON SECOND READING**

Senator Lucio moved to suspend the regular order of business to take up for consideration **SB 588** at this time on its second reading:

**SB 588**, Relating to information regarding private employers who have veteran's employment preference policies.

The motion prevailed.

Senator Huffines asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

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

Nays: Huffines.

#### **SENATE BILL 588 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 588** 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)

**(President in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 317 ON SECOND READING**

Senator Nichols moved to suspend the regular order of business to take up for consideration **CSSB 317** at this time on its second reading:

**CSSB 317**, Relating to the continuation and functions of the Executive Council of Physical Therapy and Occupational Therapy Examiners, the Texas Board of Physical Therapy Examiners, and the Texas Board of Occupational Therapy Examiners; authorizing a fee.

The motion prevailed.

Senator Hall asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

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

**Floor Amendment No. 1**

Amend **CSSB 317** (senate committee printing) as follows:

(1) In SECTION 1.04 of the bill, strike added Section 452.059(b), Occupations Code (page 2, line 53, through page 3, line 5), and substitute the following:

(b) The training program required under this section must provide the person with information regarding:

(1) the law governing the operations of the executive council, physical therapy board, and occupational therapy board;

(2) the programs, functions, rules, and budgets of the executive council, physical therapy board, and occupational therapy board;

(3) the scope of and limitations on the rulemaking authority of the executive council, physical therapy board, and occupational therapy board;

(4) the types of executive council, physical therapy board, and occupational therapy board rules, interpretations, and enforcement actions that may implicate federal antitrust law by limiting competition or impacting prices charged by persons engaged in a profession or business regulated by the executive council, physical therapy board, or occupational therapy board, including rules, interpretations, and enforcement actions that:

(A) regulate the scope of practice of persons engaged in a profession or business regulated by the executive council, physical therapy board, or occupational therapy board;

(B) restrict advertising by persons engaged in a profession or business regulated by the executive council, physical therapy board, or occupational therapy board;

(C) affect the price of goods or services provided by persons engaged in a profession or business regulated by the executive council, physical therapy board, or occupational therapy board; or

(D) restrict participation in a profession or business regulated by the executive council, physical therapy board, or occupational therapy board;

(5) the results of the most recent formal audit of the executive council, physical therapy board, and occupational therapy board;

(6) the requirements of:

(A) laws relating to open meetings, public information, administrative procedure, and disclosure of conflicts of interest; and

(B) other laws applicable to members of the executive council, physical therapy board, and occupational therapy board in performing their duties; and

(7) any applicable ethics policies adopted by the executive council or the Texas Ethics Commission.

(2) In SECTION 2.05 of the bill, strike amended Section 453.060(b), Occupations Code (page 5, lines 19-43), and substitute the following:

(b) The [A] training program must [shall] provide the person with information [to a participant] regarding:

(1) the law governing board and executive council operations [this chapter];

(2) the programs, functions, rules, and budgets of [operated by] the board and executive council;

(3) the scope of and limitations on the rulemaking authority [the role and functions] of the board and executive council;

(4) the types of board and executive council rules, interpretations, and enforcement actions that may implicate federal antitrust law by limiting competition or impacting prices charged by persons engaged in a profession or business regulated by the board, including rules, interpretations, and enforcement actions that:

(A) regulate the scope of practice of persons engaged in a profession or business regulated by the board;

(B) restrict advertising by persons engaged in a profession or business regulated by the board;

(C) affect the price of goods or services provided by persons engaged in a profession or business regulated by the board; or

(D) restrict participation in a profession or business regulated by the board [the rules of the board, with an emphasis on the rules that relate to disciplinary and investigatory authority];

(5) [the current budget for the board;

[(6)] the results of the most recent formal audit of the board and executive council;

(6) [(7)] the requirements of:

(A) laws relating to open meetings, public information, administrative procedure, and disclosure of conflicts [Chapters 551, 552, 2001, and 2002, Government Code;

[(8) the requirements of the conflict] of interest; and

(B) [laws and] other laws applicable to members of the board in performing their duties [relating to public officials]; and

(7) ~~(9)~~ any applicable ethics policies adopted by the board or the Texas Ethics Commission.

(3) In SECTION 4.06 of the bill, strike amended Section 454.059(b), Occupations Code (page 25, lines 32-55), and substitute the following:

(b) The training program must ~~shall~~ provide the person with information ~~to a participant~~ regarding:

(1) the law governing board and executive council operations ~~[this chapter];~~

(2) the programs, functions, rules, and budgets of ~~[operated by]~~ the board and executive council;

(3) the scope of and limitations on the rulemaking authority ~~[role and functions]~~ of the board and executive council;

(4) the types of board and executive council rules, interpretations, and enforcement actions that may implicate federal antitrust law by limiting competition or impacting prices charged by persons engaged in a profession or business regulated by the board, including rules, interpretations, and enforcement actions that:

(A) regulate the scope of practice of persons engaged in a profession or business regulated by the board;

(B) restrict advertising by persons engaged in a profession or business regulated by the board;

(C) affect the price of goods or services provided by persons engaged in a profession or business regulated by the board; or

(D) restrict participation in a profession or business regulated by the board ~~[the rules of the board, with an emphasis on the rules that relate to disciplinary and investigatory authority];~~

(5) ~~[the current budget for the board;~~

~~(6)]~~ the results of the most recent formal audit of the board and executive council;

(6) ~~(7)~~ the requirements of:

(A) laws relating to open meetings, public information, administrative procedure, and disclosure of conflicts of interest; and

(B) other laws applicable to members of the board in performing their duties ~~[Chapters 551, 552, 2001, and 2002, Government Code;~~

~~(8) the requirements of the conflict of interest laws and other laws relating to public officials]; and~~

(7) ~~(9)~~ any applicable ethics policies adopted by the board or the Texas Ethics Commission.

The amendment to **CSSB 317** 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 Buckingham offered the following amendment to the bill:

### **Floor Amendment No. 2**

Amend **CSSB 317** (senate committee printing) as follows:

(1) Strike SECTION 2.19 of the bill, amending Section 453.254, Occupations Code (page 9, lines 22 through 31), and substitute the following:

SECTION 2.19. Section 453.254, Occupations Code, is amended by adding Subsections (e) and (f) to read as follows:

(e) An organization authorized by the board under Subsection (d) may not be a provider of continuing competence activities.

(f) The board by rule shall establish a process for selecting an appropriate organization to approve continuing competence activities under Subsection (d). The selection process must include a request for proposal and bidding process. If the board authorizes an organization to approve continuing competence activities under Subsection (d), the board shall request bids and proposals from that organization and other organizations at least once every four years.

(2) In SECTION 2.29 of the bill (page 11, line 9), strike "453.254(e)" and substitute "453.254(f)".

(3) Strike SECTION 4.18 of the bill, amending Section 454.254, Occupations Code (page 29, lines 23 through 33), and substitute the following:

SECTION 4.18. Section 454.254, Occupations Code, is amended by adding Subsections (e) and (f) to read as follows:

(e) A license holder peer organization authorized by the board under Subsection (d) may not be a provider of continuing education courses.

(f) The board by rule shall establish a process for selecting a license holder peer organization in this state to evaluate and approve continuing education courses under Subsection (d). The selection process must include a request for proposal and bidding process. If the board authorizes a peer organization to evaluate and approve continuing education courses under Subsection (d), the board shall request bids and proposals from that organization and other organizations at least once every four years.

(4) In SECTION 4.26 of the bill (page 31, line 5), strike "454.254(e)" and substitute "454.254(f)".

The amendment to **CSSB 317** 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.

### VOTE RECONSIDERED

On motion of Senator Watson and by unanimous consent, the vote by which Floor Amendment No. 2 was adopted was reconsidered.

Question: Shall Floor Amendment No. 2 to **CSSB 317** be adopted?

Senator Buckingham withdrew Floor Amendment No. 2.

**CSSB 317** 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: Hall.

**COMMITTEE SUBSTITUTE  
SENATE BILL 317 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 **CSSB 317** be placed on its third reading and final passage.

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

Nays: Hall.

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

**SENATE BILL 677 ON SECOND READING**

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 677** at this time on its second reading:

**SB 677**, Relating to the creation of a task force to identify opportunities for academic credit and industry recognition for inmates of the Texas Department of Criminal Justice.

The bill was read second time.

Senator Miles offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **SB 677** (senate committee printing) in SECTION 1 of the bill, in added Section 19.012, Education Code, as follows:

(1) In Subsection (b) (page 1, line 30), strike "seven" and substitute "eight".

(2) In Subsection (b)(5) (page 1, line 43), strike "and".

(3) In Subsection (b)(6) (page 1, line 45), strike the underlined period and substitute the following:

; and

(7) one representative of a faith-based organization, appointed by the governor.

(4) Strike Subsection (e) (page 1, lines 50-53), and reletter subsequent subsections and cross-references to those subsections accordingly.

The amendment to **SB 677** 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.

**SB 677** as amended was passed to engrossment by a viva voce vote.

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

**SENATE BILL 677 ON THIRD READING**

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 677** 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.



(Senator Uresti in Chair)

COMMITTEE SUBSTITUTE  
SENATE BILL 977 ON SECOND READING

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSSB 977** at this time on its second reading:

**CSSB 977**, Relating to the use of state money for high-speed rail operated by a private entity.

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

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

Nays: Garcia, Menéndez, Rodríguez, Watson, Zaffirini.

The bill was read second time.

Senator Schwertner offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 977** (senate committee report) in SECTION 1 of the bill, in added Section 199.003, Transportation Code (page 1, between lines 48 and 49) by inserting the following:

(d) This section is not intended to preclude or limit the execution of the department's responsibilities under federal law or other state law, including:

- (1) regulatory responsibilities;
- (2) oversight of transportation projects;
- (3) environmental review;
- (4) policy development;
- (5) communication with public officials; or
- (6) coordinating with a private entity that operates or proposes to operate high-speed rail in the same manner that the department coordinates with other entities that operate transportation projects.

The amendment to **CSSB 977** 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.

**CSSB 977** as amended was passed to engrossment by the following vote: Yeas 26, Nays 5.

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

Nays: Garcia, Menéndez, Rodríguez, Watson, Zaffirini.

**COMMITTEE SUBSTITUTE  
SENATE BILL 977 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 **CSSB 977** be placed on its third reading and final passage.

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

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

Nays: Garcia, Menéndez, Rodríguez, Watson, Zaffirini.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 979 ON SECOND READING**

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSSB 979** at this time on its second reading:

**CSSB 979**, Relating to the disposition of real property intended for high-speed rail projects.

The motion prevailed.

Senators Estes and 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 **CSSB 979** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, strike added Section 112.063(b), Transportation Code (page 1, lines 30-39), and substitute the following:

(b) Except as provided by Subsection (d), a private entity that operates or plans to operate a high-speed rail project, represents itself as having the power of eminent domain, and acquires real property for a high-speed rail project may not use the property for any purpose other than a high-speed rail project.

(c) Except as provided by Subsection (d), a person from whom real property is acquired by a private entity as described by Subsection (b), and the person's heirs, successors, and assigns, are entitled to notice and opportunity to repurchase the property before all other purchasers if:

(1) the high-speed rail project for which the property was acquired is canceled before the property is used for that project;

(2) the property is not used for the high-speed rail project for which the property was acquired before the 10th anniversary of the date of acquisition; or

(3) the property becomes unnecessary for the high-speed rail project for which the property was acquired before the 10th anniversary of the date of acquisition.

(d) Subsections (b) and (c) do not apply to real property acquired by a private entity as described by Subsection (b) that is not acquired through a condemnation proceeding under Chapter 21, Property Code, if, before the acquisition of the property:

(1) the entity acquiring the property gives written notice to the person from whom the property is to be acquired that the property may be used for a purpose other than a high-speed rail project; and

(2) the person from whom the property is to be acquired signs a statement acknowledging that written notice was given under Subdivision (1).

(e) This section does not affect:

(1) the rights of a person from whom real property is acquired under Chapter 21, Property Code; or

(2) any statutory right of an entity with the power of eminent domain.

(2) Reletter subsequent subsections of added Section 112.063, Transportation Code, accordingly.

**(President in Chair)**

The amendment to **CSSB 979** 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.

**CSSB 979** 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: Estes, Huffines.

**COMMITTEE SUBSTITUTE  
SENATE BILL 445 ON SECOND READING**

Senator Burton moved to suspend the regular order of business to take up for consideration **CSSB 445** at this time on its second reading:

**CSSB 445**, Relating to the authorization and reporting of expenditures for lobbying activities by certain political subdivisions and other public entities.

The motion prevailed by the following vote: Yeas 24, Nays 7.

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

Nays: Garcia, Lucio, Menéndez, Rodríguez, Seliger, Watson, Zaffirini.

The bill was read second time.

Senator Burton offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 445** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 140.012, Local Government Code, strike added Subsection (b) (page 1, lines 41-48) and substitute the following:

(b) A political subdivision or entity described by Subsection (a) may enter into a contract to spend money to directly or indirectly influence or attempt to influence the outcome of any legislation only if the contract, purpose of the contract, recipient of the contract, and amount of the contract expenditure are authorized by a majority vote of the governing body of the political subdivision or entity in an open meeting of the governing body. The contract expenditure must be voted on by the governing body as a stand-alone item on the agenda at the meeting. The governing body may approve multiple contract expenditures for the purpose described by this subsection by a single vote of the governing body, if the total amount of those expenditures is stated as a separate item on the meeting agenda.

(2) In added Section 140.012, Local Government Code, following Section 140.012(f) (page 2, between lines 27 and 28), insert the following:

(g) This section does not apply to expenditures or contracts of a political subdivision or entity described by Subsection (a) that are related to a person who is a full-time employee of the political subdivision or entity, or to the reimbursement of expenses for a full-time employee of the political subdivision or entity.

The amendment to **CSSB 445** 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.

**CSSB 445** as amended was passed to engrossment by the following vote: Yeas 24, Nays 7.

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

Nays: Garcia, Lucio, Menéndez, Rodríguez, Seliger, Watson, Zaffirini.

### **COMMITTEE SUBSTITUTE SENATE BILL 445 ON THIRD READING**

Senator Burton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 445** be placed on its third reading and final passage.

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

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

Nays: Garcia, Menéndez, Rodríguez, Seliger, Watson, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7.

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

Nays: Garcia, Lucio, Menéndez, Rodríguez, Seliger, Watson, Zaffirini.

### SENATE BILL 655 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 655** at this time on its second reading:

**SB 655**, Relating to certain notice of the extent of a municipality or its extraterritorial jurisdiction.

The bill was read second time.

Senator Bettencourt offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **SB 655** (senate committee printing) as follows:

(1) In SECTION 2 of the bill, in added Section 43.052(f-1), Local Government Code (page 1, line 30), between "a" and "municipality", insert "home-rule".

(2) In SECTION 3 of the bill, in amended Section 43.0561(c), Local Government Code (page 2, line 11), between "(C)" and "in", insert "if the municipality is a home-rule municipality".

(3) In SECTION 3 of the bill, in added Section 43.0561(e), Local Government Code (page 2, line 21), between "(e)" and "If", insert "This subsection applies only to a home-rule municipality".

(4) In SECTION 4 of the bill, in amended Section 43.063(c), Local Government Code (page 2, line 52), between "(C)" and "in", insert "if the municipality is a home-rule municipality".

(5) In SECTION 4 of the bill, in added Section 43.063(e), Local Government Code (page 2, line 62), between "(e)" and "If", insert "This subsection applies only to a home-rule municipality".

The amendment to **SB 655** 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 Perry offered the following amendment to the bill:

#### Floor Amendment No. 2

Amend **SB 655** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in the recital (page 1, line 21), strike "adding Subsection", insert "amending Subsection (a) and adding Subsections (a-1) and".

(2) In SECTION 1 of the bill, in amended Section 41.001, Local Government Code (page 1, between lines 21 and 22), insert the following:

(a) Each municipality shall prepare a map that shows the boundaries of the municipality and of its extraterritorial jurisdiction. The municipality shall maintain a copy of the map in a location that is easily accessible to the public, including:

(1) ~~[A copy of the map shall be kept]~~ in the office of the secretary or clerk of the municipality;

(2) if ~~[if]~~ the municipality has a municipal engineer, ~~[a copy of the map shall also be kept]~~ in the office of the engineer; and

(3) if the municipality maintains an Internet website, making a copy of the map available on the municipality's website.

(a-1) A municipality must make a copy of a map required under this section available without charge.

(3) In SECTION 1 of the bill, in added Section 41.001(d), Local Government Code (page 1, line 23), between "shall" and "make", insert "create or contract for the creation of and".

(4) In SECTION 1 of the bill, in added Section 41.001(d), Local Government Code (page 1, line 26), after the period, insert the following:

If the municipality maintains an Internet website, the municipality shall make the digital map available on the municipality's website.

(5) In SECTION 2 of the bill, in added Section 43.052(f-2), Local Government Code (page 1, line 54), between "create" and "and", insert "or contract for the creation of".

(6) In SECTION 2 of the bill, in added Section 43.052(f-2), Local Government Code (page 1, line 60), after the period, insert the following:

If the municipality maintains an Internet website, the municipality shall make the digital map available on the municipality's website.

(7) In SECTION 5 of the bill, in added Section 43.0635, Local Government Code (page 3, line 14), between "create" and "and", insert "or contract for the creation of".

(8) In SECTION 5 of the bill, in added Section 43.0635, Local Government Code (page 3, line 20), after the period, insert the following:

If the municipality maintains an Internet website, the municipality shall make the digital map available on the municipality's website.

The amendment to **SB 655** 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.

Senator Perry offered the following amendment to the bill:

### **Floor Amendment No. 3**

Amend **SB 655** (senate committee printing) as follows:

In SECTION 1 of the bill, in Section 41.001(d), Local Government Code (page 1, between line 26 and 27), by adding subsection (e), to state the following: "(e) a home-rule municipality that does not have geographic information software, shall make a copy of the digital map available in any other widely used electronic format, in accordance with subsection (d)."

The amendment to **SB 655** 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. 3.

Senator Lucio offered the following amendment to the bill:

#### **Floor Amendment No. 4**

Amend **SB 655** (senate committee printing) as follows:

(1) In SECTION 2 of the bill, in added Section 43.052(f-1)(4), Local Government Code (page 1, line 47), strike "a list of municipal ordinances" and substitute "a brief description of each municipal ordinance".

(2) In SECTION 3 of the bill, in added Section 43.0561(e)(4), Local Government Code (page 2, line 28), strike "a list of municipal ordinances" and substitute "a brief description of each municipal ordinance".

(3) In SECTION 4 of the bill, in added Section 43.063(e)(4), Local Government Code (page 2, line 69), strike "a list of municipal ordinances" and substitute "a brief description of each municipal ordinance".

The amendment to **SB 655** 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. 4.

**SB 655** as amended was passed to engrossment by a viva voce vote.

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

#### **SENATE BILL 655 ON THIRD READING**

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 655** 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 1198 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **SB 1198** at this time on its second reading:

**SB 1198**, Relating to the conversion of the Hays Caldwell Public Utility Agency to the Alliance Regional Water Authority; providing authority to issue bonds; granting the power of eminent domain; providing authority to impose fees.

The motion prevailed.

Senators Bettencourt, Buckingham, Kolkhorst, Nichols, Schwertner, and Taylor of Collin asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **SB 1198** (Senate Committee Printing) in SECTION 2 of the bill by striking added Section 11010.105, Special District Local Laws Code (page 4, lines 58-60), and renumbering subsequent sections accordingly.

The amendment to **SB 1198** 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.

**SB 1198** 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: Bettencourt, Buckingham, Taylor of Collin.

**SENATE BILL 1198 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 1198** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Buckingham, Taylor of Collin.

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

**SENATE BILL 289 ON SECOND READING**

Senator Taylor of Collin moved to suspend the regular order of business to take up for consideration **SB 289** at this time on its second reading:

**SB 289**, Relating to the preparation of government growth impact statements for rules proposed by state agencies.

The motion prevailed.

Senator Watson 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: Watson.



**SENATE BILL 289 ON THIRD READING**

Senator Taylor of Collin moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 289** be placed on its third reading and final passage.

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

Nays: Watson.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 451 ON SECOND READING**

Senator Hancock moved to suspend the regular order of business to take up for consideration **CSSB 451** at this time on its second reading:

**CSSB 451**, Relating to regulation of short-term rentals and short-term rental marketplaces by municipalities and counties.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Estes, Hall, Hancock, Hinojosa, Huffines, Hughes, Lucio, Miles, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Collin, West, Whitmire.

Nays: Creighton, Garcia, Huffman, Kolkhorst, Menéndez, Rodríguez, Taylor of Galveston, Uresti, Watson, Zaffirini.

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 451** as follows:

- 1) In Sec 250.008(d), Local Government Code (page 2, line 18 of the committee report), strike "or county";
- 2) In Sec 250.008(e), Local Government Code (page 2, line 30 of the committee report), strike "or county";

The amendment to **CSSB 451** 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 Hancock offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSSB 451** (senate committee printing) on page 2, line 29, by inserting "all" between "prohibit" and "short-term".

The amendment to **CSSB 451** 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.

Senator Hughes offered the following amendment to the bill:

**Floor Amendment No. 3**

Amend **CSSB 451** (senate committee printing) in SECTION 1 of the bill, in added Section 250.008, Local Government Code, as follows:

(1) In Subsection (c) (page 1, lines 53-56), strike the first sentence and substitute the following:

Except as provided by this section, a municipality may not adopt or enforce a local law that restricts the use of or otherwise regulates a short-term rental based on the property's classification, use, or homestead status.

(2) In Subsection (c) (page 1, lines 56-57), strike "Local laws authorized by this subsection include regulations" and substitute "If otherwise authorized by law, a municipality may adopt or enforce a local law applicable to short-term rentals".

(3) Strike Subsection (c)(1)(F) (page 2, lines 6-7) and substitute the following:

(F) annual registration of short-term rentals, including the assessment of a reasonable and necessary administrative fee related to processing and administration of the registration, not to exceed \$100 annually;

(4) In Subsection (d)(5) (page 2, line 26), immediately after the underlined semicolon, insert "and".

(5) In Subsection (d)(6) (page 2, line 27), strike "; and" and substitute an underlined period.

(6) Strike Subsection (d)(7) (page 2, lines 28-29).

(7) In Subsection (g) (page 2, line 51), between "If" and "authorized", insert "a hotel occupancy tax is".

(8) In Subsection (i) (page 2, line 65), immediately after the underlined period, insert the following:

This subsection is not intended to:

(1) impose any additional obligation other than an obligation that exists under applicable federal, state, and local laws; or

(2) create an additional cause of action.

The amendment to **CSSB 451** was read and was adopted by the following vote: Yeas 26, Nays 5.

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

Nays: Hancock, Menéndez, Uresti, Watson, Zaffirini.

Senator Nichols offered the following amendment to the bill:

**Floor Amendment No. 4**

Amend **CSSB 451** (senate committee printing), in SECTION 1 of the bill, in added Section 250.008, Local Government Code (page 2, line 33) before the word "property" insert the word "private".

The amendment to **CSSB 451** 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. 4.

Senator Taylor of Galveston offered the following amendment to the bill:

**Floor Amendment No. 5**

Amend **CSSB 451** (senate committee printing) in SECTION 1 of the bill, between added Sections 250.008(b) and (c), Local Government Code (page 1, between lines 52 and 53), by inserting the following subsection and relettering subsequent subsections and references to those subsections accordingly:

(c) This section does not apply to a municipality that:

(1) borders the Gulf of Mexico;

(2) has adopted an ordinance regulating short-term rentals on or before September 1, 2017; and

(3) adopts a resolution demonstrating that tourism is a substantial component of the economy of the municipality.

The amendment to **CSSB 451** was read.

Senator Watson offered the following amendment to Floor Amendment No. 5:

**Floor Amendment No. 6**

Amend Floor Amendment No. 5 by Taylor of Galveston to **CSSB 451** (senate committee report) on page 1, by striking line 7 and lines 10 and 11, and relettering subsequent subsections and references to those subsections accordingly.

The amendment to Floor Amendment No. 5 to **CSSB 451** was read and failed of adoption by the following vote: Yeas 8, Nays 23.

Yeas: Garcia, Menéndez, Miles, Rodríguez, Seliger, Uresti, Watson, Zaffirini.

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

Question recurring on the adoption of Floor Amendment No. 5 to **CSSB 451**, the amendment failed of adoption by the following vote: Yeas 13, Nays 18.

Yeas: Campbell, Creighton, Estes, Garcia, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Perry, Rodríguez, Taylor of Galveston, Uresti.

Nays: Bettencourt, Birdwell, Buckingham, Burton, Hall, Hancock, Huffines, Hughes, Miles, Nelson, Nichols, Schwertner, Seliger, Taylor of Collin, Watson, West, Whitmire, Zaffirini.

Senator Menéndez offered the following amendment to the bill:

**Floor Amendment No. 7**

Amend **CSSB 451** (senate committee printing) in SECTION 1 of the bill, between added Sections 250.008(b) and (c), Local Government Code (page 1, between lines 52 and 53), by inserting the following subsection and relettering subsequent subsections and references to those subsections accordingly:

(c) This section does not apply to a municipality that:

(1) has a population of more than one million and less than two million and that has received more than one designation by the United Nations Educational, Scientific and Cultural Organization (UNESCO);

(2) has adopted an ordinance regulating short-term rentals on or before September 1, 2017; and

(3) adopts a resolution demonstrating that tourism is a substantial component of the economy of the municipality.

The amendment to **CSSB 451** was read and failed of adoption by the following vote: Yeas 7, Nays 24.

Yeas: Garcia, Lucio, Menéndez, Miles, Rodríguez, Uresti, Watson.

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

**CSSB 451** as amended was passed to engrossment by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Estes, Hall, Hancock, Hinojosa, Huffines, Hughes, Lucio, Miles, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, West, Whitmire.

Nays: Creighton, Garcia, Huffman, Kolkhorst, Menéndez, Rodríguez, Uresti, Watson, Zaffirini.

### COMMITTEE SUBSTITUTE SENATE BILL 451 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 **CSSB 451** be placed on its third reading and final passage.

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

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

Nays: Huffman, Menéndez, Rodríguez, Watson, Zaffirini.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Estes, Hall, Hancock, Hinojosa, Huffines, Hughes, Lucio, Miles, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Collin, West, Whitmire.

Nays: Creighton, Garcia, Huffman, Kolkhorst, Menéndez, Rodríguez, Taylor of Galveston, Uresti, Watson, Zaffirini.

**REMARKS ORDERED PRINTED**

On motion of Senator Nichols and by unanimous consent, the remarks by Senators Hancock and Nichols regarding Floor Amendment No. 4 to **CSSB 451** were ordered reduced to writing and printed in the *Senate Journal* as follows:

**President:** Members, there is an amendment by Senator Nichols. The Secretary will read the amendment.

**Secretary of the Senate:** Amendment No. 4 by Nichols, amend CSSB 451 in Section 1 of the bill.

**President:** Senator Nichols.

**Senator Nichols:** I thank you, Mr. President. Members, this amendment clarifies that cities are prohibited from outlawing short-term rentals on private property, which is property owned by an individual or other private interest and not property owned by the city or government.

**President:** Senator Hancock.

**Senator Hancock:** This is acceptable to the author.

**President:** Any objections? Hearing none, the amendment is adopted.

**Senator Nichols:** Thank you.

**VOTES RECONSIDERED ON  
COMMITTEE SUBSTITUTE SENATE BILL 979**

On motion of Senator Schwertner and by unanimous consent, the vote by which **CSSB 979** was passed to engrossment was reconsidered:

**CSSB 979**, Relating to the disposition of real property intended for high-speed rail projects.

Question: Shall **CSSB 979** be passed to engrossment?

On motion of Senator Schwertner and by unanimous consent, the vote by which Floor Amendment No. 1 was adopted was reconsidered.

Question: Shall Floor Amendment No. 1 to **CSSB 979** be adopted?

Senator Taylor of Collin offered the following amendment to Floor Amendment No. 1:

**Floor Amendment No. 2**

Amend Floor Amendment No. 1 to **CSSB 979** as follows:

(1) In added Section 112.063, Transportation Code (page 1), strike lines 11-15, and substitute the following:

(c) Except as provided by Subsection (d), a person from whom real property is acquired by a private entity as described by Subsection (b), and the person's heirs, successors, and assigns, are entitled to notice and opportunity to repurchase the property before all other purchasers for the price paid to the owner by the entity at the time the entity acquired the property if:

(2) On page 2, between lines 11 and 12, insert the following:

(f) Notice and repurchase as required by Subsection (c) shall follow the timelines and processes for notice and repurchase in Chapter 21 of the Property Code.

The amendment to Floor Amendment No. 1 to **CSSB 979** 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.

Question recurring on the adoption of Floor Amendment No. 1 to **CSSB 979**, the amendment as amended was adopted by a viva voce vote.

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

**CSSB 979** as again amended was again passed to engrossment by the following vote: Yeas 29, Nays 2.

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

Nays: Estes, Huffines.

#### **COMMITTEE SUBSTITUTE SENATE BILL 979 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 **CSSB 979** be placed on its third reading and final passage.

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

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

Nays: Estes, Huffines.

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

#### **SENATE BILL 1 WITH HOUSE AMENDMENTS**

Senator Nelson called **SB 1** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

#### **Amendment**

(The text of the House Committee Substitute for Senate Bill 1, General Appropriations Bill, can be found on the Legislative Budget Board's website.)

#### **Floor Amendment No. 2**

Amend **CSSB 1** as follows:

(1) On page III-59, delete Rider 5 in the bill pattern for The University of Texas System Administration and insert the following rider:

5. Stroke Clinical Research. Out of the funds appropriated above to The University of Texas System in Strategy C.1.2, Stroke Clinical Research, \$4,500,000 in general revenue over the biennium at The University of Texas System is for the administration of the statewide stroke clinical research network, Stroke System of Care Coordination (Lone Star Stroke).

(2) On page III-71, delete Rider 5 in the bill pattern for The University of Texas at Austin and insert the following rider:

5. Readiness Project. Out of funds appropriated above to Strategy C.1.1, Readiness, \$3,000,000 shall be used to establish a statewide program to create and deploy modular courses to improve college readiness, reduce the need for developmental education, and improve student success, to be developed by a consortium of universities from multiple university systems and community college organized by The University of Texas at Austin. The courses would incorporate college readiness assignments based on the state college and career readiness standards that have been developed and field tested by faculty and instructional support staff from Texas A&M University, The University of Texas at Austin, public junior colleges, and public school districts. The courses should use diagnostic assessments and advanced technology to determine students' specific needs, include open-source instructional materials, include professional development institutes and online resources for instructors, and incorporate the best available research about how students learn complex material. The courses may be designed so that they can be deployed as dual credit courses. Any unexpended balances remaining as of August 31, 2018 are hereby appropriated for the fiscal year beginning September 1, 2018.

(3) On page VI-47, in the bill pattern for the Texas Railroad Commission strike the word "Appropriation" in the title of Riders 9 and 13.

(4) On page IX-84, in Section 17.13 Appropriations for Selected State Agencies and Programs, under Trusteed Programs within the Office of the Governor, and for the Governor's University Research Initiative strike "\$15,200,000" and insert "\$15,000,000."

(5) On page IX-84, in Section 17.14 Appropriations for Selected State Agencies and Programs, under Trusteed Programs within the Office of the Governor, for Disaster Grants strike "\$15,000,000" and insert "\$15,200,000."

### **Floor Amendment No. 3**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, in the appropriations to the Office of the Attorney General (page I-3), reduce the appropriations for Strategy A.1.1, Legal Services, by \$10,750,000 in the fiscal year ending August 31, 2018, and by \$10,750,000 in the fiscal year ending August 31, 2019.

(2) In Article II of the bill, following the appropriations to the Department of Family and Protective Services (page II-3), insert the following appropriately numbered rider:

\_\_\_\_. Additional Funding for Improvements to Foster Care Services. In addition to other amounts appropriated to the Department of Family and Protective Services, the amount of \$10,750,000 is appropriated from general revenue to the

agency for the fiscal year ending August 31, 2018, and \$10,750,000 is appropriated from general revenue to the agency for the fiscal year ending August 31, 2019, to provide for costs associated with improvements to foster care services provided by the Department of Family and Protective Services.

(3) Adjust totals and methods of financing accordingly.

#### **Floor Amendment No. 7**

Amend **CSSB 1** as follows:

Amend the Office of the Attorney General Bill Pattern within Article I by adding the following appropriately numbered rider and re-number subsequent riders.

\_\_\_\_. Full-Time Equivalent Positions Intern Exemption. The number of Full-Time Equivalent (FTE) positions held by undergraduate, law school, graduate students, or post-graduate fellowship recipients in temporary positions (up to twelve months) shall be exempt from Article IX, Sec.6.10. Limitation on State Employment Levels. This provision will not change the cap on the Number of FTE for the Office of the Attorney General (OAG) listed elsewhere in this Act. OAG shall provide to the Legislative Budget Board, the governor, the Comptroller of Public Accounts, and the State Auditor's Office a report of the number of FTEs associated with the Intern Program each fiscal year of the biennium.

#### **Floor Amendment No. 8**

Amend **CSSB 1** (house committee printing) in Article I of the bill by adding the following appropriately numbered rider after the appropriations to the Comptroller of Public Accounts:

\_\_\_\_. Prohibition on Use of Appropriated Money for School Choice Programs. Money appropriated to the Comptroller of Public Accounts by this Act may not be used to pay for or support a school voucher, education savings account, or tax credit scholarship program or a similar program through which a child may use state money for nonpublic education.

#### **Floor Amendment No. 9**

Amend Amendment No. 8 by Herrero by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 17, Article IX (page IX-77):

\_\_\_\_. Prohibition on Use of Appropriated Money for School Choice Programs. Money appropriated by this Act may not be used to pay for or support a school voucher, education savings account, or tax credit scholarship program or a similar program through which a child may use state money for nonpublic primary or secondary education.

#### **Floor Amendment No. 11**

Amend **CSSB 1** (house committee report) in Article I of the bill, following the appropriations to the Comptroller of Public Accounts (page I-17), by adding the following appropriately numbered rider:



\_\_\_\_\_. Report on Fiscal Impact of Pending Suits Against the State. (a) The Comptroller of Public Accounts shall collaborate with the Legislative Budget Board to produce a report on the range of potential fiscal impacts to the state that could result from a judgment entered against the state in any suit against the state, a state agency, or a state official that is pending at the time of the report's publication.

(b) Not later than December 1, 2018, the comptroller shall deliver the report produced under Subsection (a) to the governor, lieutenant governor, speaker of the house of representatives, House Appropriations Committee, and Senate Finance Committee.

### **Floor Amendment No. 12**

Amend Amendment No. 11 by Howard to **CSSB 1** (page 16 of the prefiled amendment packet) as follows:

(1) On page 1, line 6 of the amendment, strike "The Comptroller of Public Accounts" and substitute "Using funds appropriated to the Comptroller of Public Accounts under Strategy A.3.1, Taxpayer Information, the comptroller".

(2) On page 1, line 11, between "publication" and the period, insert "or any other pending suit that the comptroller determines may have a substantial impact to the fiscal health of the state".

### **Floor Amendment No. 22**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, in the appropriations to the Trusteed Programs Within the Office of the Governor, Method of Financing listing for General Revenue Fund - Dedicated, for Texas Enterprise Fund Account No. 5107 (page I-49), strike ", estimated".

(2) In Article I of the bill, in the appropriations to the Trusteed Programs Within the Office of the Governor, reduce the appropriations for Strategy C.1.4, Texas Enterprise Fund (page I-51), by \$22,503,252 for the state fiscal biennium ending August 31, 2019.

(3) In Article II of the bill, immediately following the appropriations to the Department of Family and Protective Services (page II-3), add the following appropriately numbered rider:

\_\_\_\_\_. Additional Appropriation. In addition to the other amounts appropriated to the Department of Family and Protective Services under this Act, the amount of \$22,503,252 is appropriated out of the general revenue fund to the Department of Family and Protective Services for the state fiscal biennium ending August 31, 2019. Of the additional money appropriated to the department by this rider, half of the amount appropriated shall be used for Strategy B.1.1, CPS Direct Delivery Staff (page II-1), and half of the amount appropriated shall be used for Strategy D.1.1, APS Direct Delivery Staff (page II-2).

(4) Adjust totals, methods of financing, and other provisions of the bill accordingly.

### **Floor Amendment No. 23**

Amend Amendment No. 22 by Muñoz to **CSSB 1** by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee report) as follows:

(1) In Article I of the bill, in the appropriations to the Trusteed Programs Within the Office of the Governor, Method of Financing listing for General Revenue Fund - Dedicated, for Texas Enterprise Fund Account No. 5107 (page I-49), strike ", estimated".

(2) In Article I of the bill, in the appropriations to the Trusteed Programs Within the Office of the Governor, strike Strategy C.1.4, Texas Enterprise Fund (page I-51), and the appropriations made for that strategy for each year of the state fiscal biennium ending August 31, 2019.

(3) In Article II of the bill, following the appropriations to the Department of Family and Protective Services (page II-3), add the following appropriately numbered rider:

\_\_\_\_. Additional Appropriation. In addition to the other amounts appropriated to the Department of Family and Protective Services under this Act, the amount of \$21,500,000 is appropriated out of the general revenue fund to the Department of Family and Protective Services for the state fiscal biennium ending August 31, 2019. Of the additional money appropriated to the department by this rider, half of the amount appropriated shall be used for Strategy B.1.1, CPS Direct Delivery Staff (page II-1), and half of the amount appropriated shall be used for Strategy D.1.1, APS Direct Delivery Staff (page II-2).

(4) In Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-35), add the following appropriately numbered rider:

\_\_\_\_. Additional Funds for Reimbursement Rates for Medicaid Acute Care Therapy Services. In addition to other amounts appropriated to the Health and Human Services Commission by this Act, the amount of \$21,500,000 is appropriated out of the general revenue fund to the commission for the state fiscal biennium ending August 31, 2019, for the purpose of reversing the reductions made to reimbursement rates for Medicaid acute care therapy services during the 2016-17 biennium. The commission is directed to allocate the restorations in reimbursement rates among provider types and procedure codes in the manner specified by Rider 212.

(5) Adjust totals, methods of financing, and other provisions of the bill accordingly.

### **Floor Amendment No. 29**

Amend **CSSB 1** (House committee printing) as follows:

(1) In Article I of the bill, in the appropriations to the Trusteed Programs within the Office of the Governor (page I-50), strike Strategy C.1.3, Film and Music Marketing, and reduce the amount of general revenue funds appropriated in each fiscal year of the state fiscal biennium to the Office of the Governor accordingly.

(2) Throughout Article I, strike each reference to Strategy C.1.3, Film and Music Marketing.

### **Floor Amendment No. 30**

Amend Amendment No. 29 by Shaheen (page 61, prefiled amendment packet, no. 850965) by adding the following item:

(3) In addition to other amounts appropriated by this Act to the Health and Human Services Commission for that agency's bill pattern appropriations for Strategy D.1.1, Women's Health Program, there is appropriated from the general revenue fund to that agency for the purposes of the Healthy Texas Women for outreach and marketing for the state fiscal biennium ending August 31, 2019, an amount equal to the general revenue appropriation reductions made by items (1) and (2).

**Floor Amendment No. 32**

Amend **CSSB 1** (house committee report) as follows:

(1) In Article I of the bill, in the appropriations to the Trusteed Programs within the Office of the Governor (page I-50), reduce the general revenue appropriations for Strategy C.1.2, Tourism, by the amount of \$250,000 for the state fiscal year ending August 31, 2018, and by the amount of \$250,000 for the state fiscal year ending August 31, 2019.

(2) In Article II of the bill, in the appropriations to the Department of State Health Services (page II-16), increase the general revenue appropriations for Strategy A.2.3, Infectious Disease Prevention, Epidemiology and Surveillance, by the amount of \$250,000 for the state fiscal year ending August 31, 2018, and by the amount of \$250,000 for the state fiscal year ending August 31, 2019.

(3) Add the following appropriately numbered rider to Article II of the bill, following the appropriations to the Department of State Health Services:

\_\_\_\_. Zika Virus Preparedness and Prevention. Out of funds appropriated above in Strategy A.2.3, Infectious Disease Prevention, Epidemiology and Surveillance, the Department of State Health Services shall allocate a minimum of \$250,000 each fiscal year to fund Zika virus preparedness and prevention in the Texas-Mexico border region.

(4) Adjust article totals and methods of financing accordingly.

**Floor Amendment No. 35**

Amend **CSSB 1** (house committee report), in Article I of the bill, following the appropriations to the Trusteed Programs Within the Office of the Governor, by amending Rider 6, Reporting Requirements: Criminal Justice Division (pages I-52 and I-53), by striking the last sentence of the second paragraph and substituting the following:

Not later than December 15 of each year, the CJD shall submit to the Legislative Budget Board and the State Auditor's Office:

(1) a report detailing its findings regarding compliance by grantees;  
(2) the allocation methodology or formula used to allocate funds to grantees; and

(3) an impact analysis and explanation of any changes from the previous year's allocation methodology or formula.

**Floor Amendment No. 37**

Amend **CSSB 1** as follows:

(1) On page I-59 of the Trusteed Programs Within the Office of the Governor bill pattern, reduce Strategy B.1.3, Homeland Security, by \$997,463 in general revenue for fiscal year 2018 and by \$1,997,463 in general revenue for fiscal year 2019.

(2) On page II-33 of the Health and Human Services Commission bill pattern, increase Strategy F.3.3, Additional Advocacy Programs, by \$1,497,463 in general revenue for each fiscal year of the 2018-19 biennium.

(3) On page II-101 of the Health and Human Services Commission bill pattern, add the following rider:

"XX. Assistance Program for Domestic Victims of Trafficking. Included in amounts appropriated above in Strategy F.3.3, Additional Advocacy Programs, is \$1,497,463 in general revenue for each fiscal year of the 2018-19 biennium to establish a grant program designed to assist domestic victims of trafficking in accessing necessary services. The program shall be established pursuant to Government Code, Chapter 531, Subchapter J-1."

#### **Floor Amendment No. 41**

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Department of Family and Protective Services (page II-3), by adding the following appropriately numbered rider:

\_\_\_\_\_. Study on Provision of Services to Victims of Sex Trafficking in Foster Care. (a) It is the intent of the legislature that the Department of Family and Protective Services, out of funds appropriated above, collaborate with the Legislative Budget Board to conduct a study to:

(1) develop department standards for the placement capacity needed to provide services to children who are victims of sex trafficking; and

(2) make recommendations as to the placement capacity and number of licensed facilities required statewide to provide services to children who are victims of sex trafficking.

(b) Not later than April 1, 2018, the Department of Family and Protective Services shall report the findings and recommendations of the study conducted under Subsection (a) of this section to the executive commissioner of the Health and Human Services Commission.

#### **Floor Amendment No. 54**

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Department of Family and Protective Services (page II-7), in Rider 7 (Other Reporting Requirements) by adding Subsection e to the rider to read as follows:

e. Litigation Involving Child Welfare Services Providers. The Department of Family and Protective Services shall notify the Legislative Budget Board and the governor in a timely manner about any pending litigation against the department or against any entity providing child welfare services under contract with the department, and the subject matter of the litigation.

#### **Floor Amendment No. 63**

Amend **CSSB 1** (house committee report) in Article II of the bill, following the appropriations to the Department of State Health Services, in Rider 2, Capital Budget (page II-19), in Subsection c.(1), Vital Records Project (TxEver), as follows:

(1) For the state fiscal year ending August 31, 2018, strike "\$2,500,000" and substitute "\$2,600,000".

(2) Adjust totals and methods of financing accordingly.

#### **Floor Amendment No. 64**

Amend Amendment No. 63 by Hinojosa to **CSSB 1** (page 120, prefiled amendments packet) by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee report) as follows:

(1) In Article II of the bill, following the appropriations to the Department of State Health Services, in Rider 2, Capital Budget (page II-19), in Subsection c.(1), Vital Records Project (TxEver), strike "\$2,500,000" and substitute "\$2,600,000" for the state fiscal year ending August 31, 2018.

(2) In Article II of the bill, following the appropriations to the Department of State Health Services (page II-17), add the following appropriately numbered rider:

\_\_\_\_. Accuracy of Death Certificate of Pregnant Person or Person Recently Pregnant. It is the intent of the legislature that, out of funds appropriated above and designated for the Vital Records Project (TxEver) in Rider 2, Capital Budget (page II-19), in Subsection c.(1), the Department of State Health Services use \$100,000 for the purpose of developing and implementing an electronic process for determining in real time whether a person was pregnant at the time of death or was pregnant at any time in the year preceding the person's death to ensure the accuracy of that person's death certificate.

(3) In Article II of the bill, following the appropriations to the Department of State Health Services, in Rider 23, Unexpended Balances: Credit Card and Electronic Services Related Fees (page II-26):

(A) in the first sentence, strike "\$3,997,718" and substitute "\$4,097,718"; and

(B) in Subsection a., strike "\$2,500,000" and substitute "\$2,600,000".

(4) Adjust totals and methods of financing accordingly.

#### **Floor Amendment No. 65**

Amend **CSSB 1** (house committee report) in Article II of the bill following the appropriations to the Department of State Health Services by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_. Report on Compounding Outsourcing Facilities. (a) The Department of State Health Services, using funds appropriated by this Act, shall review the department's rules, regulations, and licensing procedures for compounding outsourcing facilities registered under Section 503B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section 353b).

(b) The department shall examine how to:

(1) achieve better alignment between state and federal regulations;

(2) achieve better compliance with the Drug Quality and Security Act (Pub.

L. No. 113-54, Section 102(a)); and

(3) minimize regulatory overlap.

(c) The department shall report findings and recommendations regarding rules, regulations, and licensing procedures for compounding outsourcing facilities to the legislature not later than January 1, 2019.

**Floor Amendment No. 72**

Amend **CSSB 1** (house committee report), following the Article II bill pattern appropriations to the Health and Human Services Commission (page II-35), by adding the following appropriately numbered rider:

\_\_\_\_. Unallocated Funding Under the Delivery System Reform Incentive Payments (DSRIP) Program. The Health and Human Services Commission shall allow money appropriated to the commission above in Strategy D.2.1, Community Mental Health Services for Adults, Strategy D.2.2, Community Mental Health Services for Children, that is allocated to local authorities that have transitioned to a new behavioral health services model from the former NorthSTAR Behavioral Health Services Model, including the North Texas Behavioral Health Authority and the local mental health authority serving Collin County, to be used by those local authorities for the purpose of meeting federal requirements to obtain additional unallocated federal funds through the Delivery System Reform Incentive Payment (DSRIP) program under Section 1115 of the federal Social Security Act (42 U.S.C. Section 1315), to be used to provide behavioral health services in Collin, Dallas, Ellis, Hunt, Kaufman, Navarro, and Rockwall Counties.

**Floor Amendment No. 73**

Amend Amendment No. 72 by Giddings as follows:

On line 14, add "and other local intergovernmental transfer funds" after "county"; and

On line 14, add "other intergovernmental transfer providers" after "authorities".

**Floor Amendment No. 75**

Amend **CSSB 1** (house committee report) as follows:

(1) In Article II of the bill, in the appropriations to the Health and Human Services Commission, increase the appropriations from the general revenue fund to the Health and Human Services Commission for Strategy D.1.2, Alternatives to Abortion (page II-32), by the amount of \$8,350,000 for the state fiscal year ending August 31, 2018, and by the amount of \$8,350,000 for the state fiscal year ending August 31, 2019.

(2) In Article IV of the bill, in the appropriations to the Judiciary Section, Comptroller's Department (page IV-33), strike Strategy D.1.10, Fraud Investigations, and the appropriations made for that strategy for each year of the state fiscal biennium beginning September 1, 2017.

(3) In Article VI of the bill, reduce the appropriations from the general revenue fund to the Parks and Wildlife Department for Strategy B.2.1, Local Park Grants (page VI-32), by \$4,000,000 for the fiscal year ending August 31, 2018, and by \$4,000,000 for the fiscal year ending August 31, 2019.

(4) In Article VI of the bill, reduce the appropriations from the general revenue fund to the Department of Agriculture for Strategy B.1.1, Plant Health and Seed Quality (page VI-2), by \$350,000 for the fiscal year ending August 31, 2018, and by \$350,000 for the fiscal year ending August 31, 2019.

(5) In Article IV of the bill, reduce the appropriations from for Strategy B.1.1, Basic Civil Legal Services (page IV-1), by \$1,582,876 for the fiscal year ending August 31, 2018, and by \$1,582,876 for the fiscal year ending August 31, 2019.

(5) Adjust totals and methods of financing accordingly.

#### **Floor Amendment No. 76**

Amend Amendment No. 75 by Schofield to **CSSB 1** (page 129 of the prefiled amendments packet) as follows:

(1) On page 1, line 7, strike "\$8,350,000" and substitute "\$10,000,000".

(2) On page 1, line 9, strike "\$8,350,000" and substitute "\$10,000,000".

(3) On page 1, strike lines 10-29 and substitute the following:

(2) In Article VI of the bill (page VI-14), in the appropriations to the Commission on Environmental Quality, reduce the general revenue-dedicated appropriations to the commission for Strategy A.1.1, Air Quality Assessment and Planning, by the amount of \$10,000,000 for the state fiscal year ending August 31, 2018, and by \$10,000,000 for the state fiscal year ending August 31, 2019.

(3) Adjust totals and methods of financing accordingly.

#### **Floor Amendment No. 78**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider following the appropriations to the Health and Human Services Commission (page II-35):

\_\_\_\_. Study on Abuse in and Violations by Nursing Homes. Out of funds appropriated above, the Health and Human Services Commission shall conduct a study in conjunction with the Legislative Budget Board on abuse occurring in and violations of any law by nursing homes licensed by this state and receiving funds from the commission. Not later than April 1, 2018, the commission shall prepare and submit a written report to the executive commissioner of the commission on the results of the study and recommendations on policies for prevention of repeat violators and other appropriate recommendations based on the study.

#### **Floor Amendment No. 79**

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-35), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_. Study Relating to Enhanced Criminal Background Check Standards for Certain Health and Human Services Commission Contractors. It is the intent of the legislature that, out of general revenue funds appropriated above, the Health and Human Services Commission conduct a study in cooperation with the Legislative Budget Board on the feasibility of developing enhanced criminal background check standards for individuals who provide services to or otherwise work with children and the elderly as an employee of an entity that contracts with the commission or otherwise in connection with an entity's contract with the commission. Not later than

April 1, 2018, the commission shall submit a report on the commission's findings under the study together with the recommendations to the Executive Commissioner of the Health and Human Services Commission.

### **Floor Amendment No. 81**

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-35), by adding the following appropriately numbered rider:

\_\_\_\_. Cost Savings in Prescription Drug Benefit Administration in Medicaid, CHIP and Other Health-Related Services. It is the intent of the legislature that, out of funds appropriated above in Strategy A.1.6, Medicaid Prescription Drugs, the Health and Human Services Commission study potential cost savings in the administration of prescription drug benefits and, as appropriate and to the extent permitted by law, act to achieve those cost savings.

### **Floor Amendment No. 82**

Amend Amendment No. 81 by Raymond to **CSSB 1** (page 149, prefiled amendment packet) as follows:

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-35), by adding the following appropriately numbered rider:

\_\_\_\_. Cost Savings in Prescription Drug Benefit Administration in Medicaid, CHIP and Other Health-Related Services. It is the intent of the legislature that, out of funds appropriated above in Strategy ~~A.1.6, Medicaid Prescription Drugs,~~ L.1.1, HHS System Supports, the Health and Human Services Commission study potential cost savings in the administration of prescription drug benefits and, ~~as appropriate and to the extent permitted by law~~ pursuant to Government Code Sec. 533.0025 (b) and (d), act to achieve those targeted cost savings of \$150,000,000 per year. In studying potential cost savings, the Health and Human Services Commission may consider savings achieved from, but not limited to: a single statewide claims processor model to deliver prescription drug benefits in the Medicaid, CHIP, Women's Health, Children with Special Health Care Needs Services and Kidney Health Care programs; reduction of the Affordable Care Act Health Insurance Providers Fee, guaranteed risk margin, and administrative services fees from decreasing capitation related to pharmacy benefits; and transitioning to a prescription pricing methodology based on National Average Drug Acquisition Cost with a professional dispensing fee commensurate with the most recent study commissioned by the Health and Human Services Commission.

### **Floor Amendment No. 91**

Amend **CSSB 1** (house committee printing) in Article II of the bill by striking the first sentence of Rider 49 following the appropriation to the Health and Human Services Commission (Healthy Community Collaboratives, page II-55) and substituting the following:

Out of general revenue appropriated above, the Health and Human Services Commission (HHSC) shall allocate an amount not to exceed \$25,000,000 in general revenue over the biennium in Strategy D.2.3, Community Mental Health Crisis Svcs,



to fund Healthy Community Collaboratives. Out of the \$25,000,000 in general revenue allocated to fund Healthy Community Collaboratives above, \$10,000,000 may be allocated to fund Healthy Community Collaboratives in rural areas.

### **Floor Amendment No. 92**

Amend **CSSB 1** (committee report version) on page II-57 of the Health and Human Services Commission bill pattern by adding the following appropriately numbered rider:

\_\_\_\_. Managed Care Organization Services for Individuals with Serious Mental Illness. Out of funds appropriated above in Goal A, Medicaid Client Services, the Health and Human Services Commission shall improve efforts to better serve individuals with serious mental illness, as defined by Section 1355.001, Texas Insurance Code. Per the express authority granted in Government Code, Chapter 533.0025(b), the Commission shall develop performance metrics to better hold managed care companies accountable for care of enrollees with serious mental illness and, if cost effective, may develop and procure a separate managed care program for an alternative model of managed care in at least one service area of the state to serve individuals with serious mental illness in the STAR and STAR + PLUS Medicaid managed care programs. Performance metrics shall include those pursuant to Government Code, Chapter 536.003, as well as industry standard performance measures for integrated care, jail and emergency department diversion, post-release linkage to care, homelessness reduction, supportive housing, and medication adherence. The Commission's efforts should demonstrate improved outcomes, integration of care and enhanced cost control against an established baseline measurement for the target population of individuals with serious mental illness. The Commission shall submit a report to the Legislative Budget Board and governor no later than November 1, 2018, detailing the Commission's performance metrics relating to providing services to individuals with serious mental illness as described above.

### **Floor Amendment No. 93**

Amend Amendment No. 92 by Moody to **CSSB 1** (page 165, prefiled amendment packet) as follows:

(1) In the rider added by the amendment, between "Managed Care Organization Services for Individuals with Serious Mental Illness." and "Out of funds", insert "(a)".

(2) Immediately following the rider added by the amendment, insert the following:

(b) Before the Health and Human Services Commission may spend any funds appropriated to the commission for Goal A, Medicaid Client Services, to develop performance metrics or develop and procure a separate managed care program as specified by Subsection (a) of this rider, the Legislative Budget Board must approve the expenditure. A request for approval made by the commission under this rider is considered approved unless the Legislative Budget Board issues written disapproval not later than the 30th business day after the date the Legislative Budget Board staff concludes its review of the request and forwards the request to the chair of the House Appropriations Committee, the chair of the Senate Committee on Finance, the speaker

of the house of representatives, and the lieutenant governor. A request for additional information made by the Legislative Budget Board tolls the counting of the 30-day period specified by this subsection.

#### **Floor Amendment No. 94**

Amend **CSSB 1** (house committee report), in Article II of the bill, following the appropriations to the Health and Human Services Commission, in Rider 62, Prohibition on Abortions: Healthy Texas Women Program and Family Planning Program, in Subsection a (page II-58), by inserting "marketing," between "including" and "overhead".

#### **Floor Amendment No. 95**

Amend **CSSB 1** (house committee report) in Article II of the bill, following the appropriations to the Health and Human Services Commission, in Rider 60, Women's Health Programs: Savings and Performance Reporting (page II-58), immediately following Subsection f, by inserting the following:

g. The service utilization by procedure code. The bi-annual report submitted as required above must satisfy federal reporting requirements that mandate the most specific, accurate, and complete coding and reporting for the highest level of specificity.

#### **Floor Amendment No. 96**

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations made to the Health and Human Services Commission, in Rider 72 (page II-60) as follows:

(1) Immediately after the first sentence of the rider, insert the following:

If the Health and Human Services Commission (HHSC) confirms that an unexpended balance of \$19,755,178 in IDEA Part C funds from the state fiscal year ending August 31, 2017 exists, it will work with the legislature to ensure the funds are properly appropriated.

(2) In the second sentence of the rider, strike "The Health and Human Services Commission's (HHSC)" and substitute "HHSC's".

#### **Floor Amendment No. 97**

Amend **CSSB 1** as follows:

On page II-64, under HHSC Rider 88, Funding for Child Advocacy Center Programs and Court Appointed Special Advocate Programs, add the following language to the end of 88 c.:

"Any unexpended balances in Strategy F.3.2, Child Advocacy Programs, from fiscal year 2018 are appropriated for the same purpose in fiscal year 2019."

So that 88 c. reads:

c. Notwithstanding Article IX, Section 14.01, Appropriations Transfers, Rider 134, Transfers: Authority and Limitations, and Article II Special Provisions Section 6 of this Act, the Health and Human Services Commission (HHSC) may not transfer amounts appropriated in Strategy F.3.2, Child Advocacy Programs, to any

other strategy nor use those appropriations for any other purpose. Any unexpended balances in Strategy F.3.2, Child Advocacy Programs, from fiscal year 2018 are appropriated for the same purpose in fiscal year 2019.

#### **Floor Amendment No. 103**

Amend **CSSB 1** (house committee printing) in Article II of the bill by amending Rider 186, Federal Flexibility (page II-96), to the appropriations to the Health and Human Services Commission by adding the following sentence to the end of the rider: "A request for or other pursuit of federal flexibility under this rider may not eliminate the requirement in effect on January 1, 2017, to provide all medically necessary services to eligible children."

#### **Floor Amendment No. 104**

Amend **CSSB 1** Article II (house committee printing) as follows:

The Health and Human Services Commission shall identify programmatic and administrative areas where it can maximize current investments in technology and automation, and other assets, in a concerted effort to identify and increase operational efficiencies, generate cost savings and cost avoidance, and create opportunities to share services within the health and human services system.

#### **Floor Amendment No. 105**

Amend Amendment No. 104 on page 182 by Elkins by inserting the following language after "health and human services system":

Electronic Visit Verification Administrative Simplification. The Health and Human Services Commission (HHSC) shall, not later than December 31, 2017, identify specific strategies to streamline the administrative requirements imposed on health care providers that are required to use Electronic Visit Verification (EVV). As part of their review, the Commission is required to review minimum state and federal statutory requirements relating to EVV, state program and policy requirements that require health care providers to make unnecessary visits or incur unnecessary costs, and differences in compliance requirements between fee for service and managed care.

HHSC shall submit a report on strategies identified and an implementation plan and schedule to eliminate or simplify EVV administrative requirements to the Legislative Budget Board and the Office of the Governor by March 31, 2018.

#### **Floor Amendment No. 106**

Amend Amendment No. 104 by Elkins to **CSSB 1** (house committee printing) by adding the following at the end of the amendment:

The Health and Human Services Commission shall prepare a report that details operational efficiencies and cost savings achieved by the commission and evidence of any improvements in collection and maintenance of current and accurate contact information for individuals receiving health and human services benefits. Not later than December 1, 2017, the commission shall submit the report to the governor, lieutenant governor, speaker of the house of representatives, and the chair of each legislative committee with jurisdiction over health and human services issues.

**Floor Amendment No. 109**

Amend **CSSB 1** (house committee report) in Article II of the bill, following the appropriations to the Department of Family and Protective Services, after the first sentence in Subsection c in Rider 31, Texas Home Visiting Program and Nurse Family Partnership Program (page II-15), by adding the following:

Support costs for these programs may not exceed 20 percent of the total amounts described in sections (a) and (b).

**Floor Amendment No. 110**

Amend Amendment No. 65 by Miller to **CSSB 1** (page 121, prefiled amendments packet) by inserting the following immediately after page 1, line 20:

(d) If the study contemplates the ability of an outsourcing facility to dispense directly to a patient, the report under Subsection (c) of this provision shall include proposed recommended outsourcing facility licensing requirements that comply with rules adopted by the Texas State Board of Pharmacy.

**Floor Amendment No. 116**

Amend **CSSB 1** (house committee printing) in Article II, following the appropriations to the Health and Human Services Commission (page II-35), by adding the following appropriately numbered rider:

\_\_\_\_. Enhanced Eligibility Screening Tools. It is the intent of the legislature that, using funds appropriated above, the Health and Human Services Commission:

(1) cross match, on a quarterly basis beginning September 1, 2017, statistically significant samples of recipient enrollment records from the medical assistance, financial assistance, supplemental nutrition assistance, and children's health insurance programs against death records, employment and wage records, records of lottery winnings, residency checks, child support enforcement records, out-of-state electronic benefits transactions, the enrollment status of persons in other state-administered public assistance programs, and any other data the commission considers appropriate in order to strengthen program integrity, reduce fraud, waste, and abuse, and achieve cost savings in the programs;

(2) not later than September 1, 2018, prepare and submit a written report to the governor, lieutenant governor, speaker of the house of representatives, and any legislative committees with jurisdiction over the commission containing the findings from the cross matches conducted under Subdivision (1) of this rider, including findings of incidents of fraud, waste, or abuse in the programs listed in that subdivision; and

(3) based on the findings from the samples of cross matches, conduct a cross match of all recipient enrollment records for the programs listed in Subdivision (1) of this rider not later than December 1, 2018.

**Floor Amendment No. 117**

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-35), as follows:

(1) On page II-95 of the Health and Human Services Commission bill pattern, strike Rider 184.

(2) On page II-96 of the Health and Human Services Commission bill pattern, strike Rider 186 and substitute the following text:

Federal Flexibility. Included in amounts appropriated above in Goal A, Medicaid Client Services, is a reduction of \$1,000,000,000 in general revenue funds and \$1,368,000,000 in federal funds for the 2018-19 biennium. The Health and Human Services Commission (HHSC) shall pursue flexibility from the federal government to reduce the cost of providing Medicaid services to achieve the assumed level of savings without changing eligibility levels; reducing benefits; adjusting amount, scope, or duration of services; or otherwise negatively impacting access to care. Prior to making any changes, HHSC shall consider stakeholder input, including complying with any statutory requirements related to rulemaking and public hearings. HHSC shall determine the cost savings, as well as any impact to populations served, associated with any flexibility achieved and notify the Legislative Budget Board of any changes implemented in the Medicaid or Children's Health Insurance Programs.

#### **Floor Amendment No. 126**

Amend **CSSB 1** (house committee printing) in Article III of the bill following the appropriations to the Texas Education Agency, in Rider 8, Textbooks and Instructional Materials (page III-7) as follows:

(1) Change the title of the rider from "Textbooks and Instructional Materials" to "Instructional Materials and Technology".

(2) Following the first two paragraphs in the rider insert the following two paragraphs:

It is the intent of the legislature that for any state fiscal biennium, the State Board of Education issue proclamations for instructional materials in which the total projected cost of instructional materials under the proclamations does not exceed 75 percent of the total instructional materials allotment under Section 31.0211, Education Code, for that biennium.

It is the intent of the legislature that the State Board of Education consider the cost of all instructional materials and technology requirements when determining the disbursement of money to the available school fund and the amount of that disbursement that will be used, in accordance with Section 43.001(d), Education Code, to fund the instructional materials allotment under Section 31.0211, Education Code.

#### **Floor Amendment No. 127**

Amend **CSSB 1** as follows:

On page XI-8, under "Article III - Higher Education" add the following new item:

Support for Military and Veterans Exemptions. Additional general revenue funding for Reimbursements for Hazelwood Exemption Program: \$20,000,000

**Floor Amendment No. 129**

Amend **CSSB 1** (house committee printing) in Article III of the bill, following the appropriations to the Texas Education Agency (page III-15), in Rider 41 (Educator Quality and Leadership), in item 3 of the second paragraph of the rider, by striking "\$6,000,000 for the 2018-18 biennium" and substituting "\$8,697,824 for the 2018-19 biennium".

**Floor Amendment No. 147**

Amend **CSSB 1** (house committee report) in Article III of the bill, following the appropriations to Public Community/Junior Colleges, by adding an appropriately numbered rider to read as follows:

\_\_\_\_. Texas Innovative Adult Career Education Grant Program. For all funds appropriated in Strategy E.2.2, Texas Innovative Adult Career Education Grant, any unexpended balances on hand at the end of fiscal year 2018 are hereby appropriated for the same purposes in fiscal year 2019.

**Floor Amendment No. 148**

Amend **CSSB 1** (house committee report), in Article III of the bill, by adding the following appropriately numbered rider following the appropriations to the Texas A&M AgriLife Extension Service:

\_\_\_\_. Appropriation Restriction on Feral Hog Abatement Using Toxic Substances. Notwithstanding any other provision of this Act, none of the funds appropriated to the Texas A&M AgriLife Extension Service in this Act may be used for the development, implementation, approval, or promotion of any program or action that involves the use of warfarin on feral hogs.

**Floor Amendment No. 149**

Amend Amendment No. 148 by Alvarado to **CSSB 1** (page 241, lines 8 through 10, prefiled amendment packet), by striking "development, implementation, approval, or promotion of any program or action that involves the use" and substituting "implementation".

**Floor Amendment No. 153**

Amend **CSSB 1** (house committee printing) in Article III of the bill, following the appropriations to public institutions of higher education, by striking Rider 55, Diversity of Student Body at National Research Universities (page III-259), and substituting the following appropriately numbered rider:

\_\_\_\_. Prohibition on Discrimination on Basis of Race at National Research Universities. It is the intent of the legislature that, in expending funds appropriated by this Act, The University of Texas at Austin and Texas A&M University comply with the prohibition against discrimination on the basis of race as provided by the Fourteenth Amendment to the United States Constitution and Section 3a, Article I, Texas Constitution, in determining admissions and in adopting any institutional policy.

**Floor Amendment No. 154**

Amend Amendment No. 153 by Leach to **CSSB 1** (page 226, prefiled amendments packet) by striking page 1, lines 6 through 14, and substituting the following:

\_\_\_\_. Diversity of Student Body and Compliance With Constitution at National Research Universities. It is the intent of the legislature that, in expending funds appropriated by this Act, The University of Texas at Austin and Texas A&M University shall make a good faith effort to improve the racial diversity of the university's student body and shall, in determining admissions and in adopting any institutional policy, comply with the United States Constitution and Texas Constitution.

**Floor Amendment No. 157**

Amend **CSSB 1** (house committee printing) in Article V, following the appropriations to the Texas Alcoholic Beverage Commission (page V-2), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_. Limit on Travel and Activities. (a) The Texas Alcoholic Beverage Commission may not spend money appropriated to the agency by this Act for use during the state fiscal biennium ending August 31, 2019:

(1) for travel outside the state, other than for bona fide and documented law enforcement or investigative activities; or

(2) to attend or participate in an event, training, conference, class, or similar activity outside the state.

(b) The Texas Alcoholic Beverage Commission and employees of the commission may not accept payments from or spending authority on behalf of any trade, professional, or industry organization for any purpose or in any form, including a travel subsidy, payment of travel or other expenses for conference presenters, prepaid meals, or lodging.

**Floor Amendment No. 158**

Amend **CSSB 1** (house committee report) on page V-15 of the bill pattern for the Texas Department of Criminal Justice by amending the following rider:

39. Continuity of Care. (a) Out of the funds appropriated above in Strategy B.1.1, Special Needs Programs and Services, the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) shall coordinate with the Texas Department of State Health Services, county and municipal jails, and community centers as defined in the Texas Health and Safety Code §534.001 on establishing methods for the continuity of care and pre- and post-release activities of defendants who are returned to the county of conviction after the defendant's competency has been restored. ~~TCOOMMI shall coordinate in the same manner it performs continuity of care activities for offenders with special needs.~~

(b) As part of the Continuity of Care Plan and in an amount not to exceed \$500,000 each fiscal year, HHSC shall provide a 90-day post-release supply of medication to defendants who, after having been committed to a state mental health facility for restoration of competency under Chapter 46B, Code of Criminal

Procedure, are being returned to the committing court for trial. The 90-day supply of medication shall be the same as prescribed in the Continuity of Care Plan prepared by the state mental health facility. Out of funds appropriated above in Strategy B.1.1., Special Needs Programs and Services, TCOOMMI shall enter into a memorandum of understanding with HHSC for the purpose of reimbursing HHSC in an amount not to exceed \$500,000 each fiscal year for providing the medication for defendants. TCOOMMI shall report amounts reimbursed to HHSC to appropriate legislative oversight committees by October 1 of each fiscal year.

### **Floor Amendment No. 162**

Amend **CSSB 1** as follows:

(1) On page V-38, of the bill pattern for the Military Department, decrease funding from the general revenue fund from Strategy C.1.1, Youth Education Programs by \$1,422,400 in fiscal year 2018 and \$1,422,400 in fiscal year 2019, and increase funding from Interagency Contracts-Transfer from Foundation School Fund No. 193 by \$1,556,000 in fiscal year 2018 and \$1,556,000 in fiscal year 2019.

(2) On page V-22, amend the following rider:

22. ChalleNGe Youth Education Program. Included in the funds appropriated above in Strategy C.1.1, Youth Education Programs, are funds appropriated from the Foundation School Fund No. 193 for each fiscal year of the biennium. The Commissioner of Education shall allocate \$1,906,000 in each fiscal year of the biennium from the Foundation School Program to the Military Department for the ChalleNGe Youth Education Program, based on an estimated per student allocation of \$4,765, the minimum Basic Allotment identified in the Texas Education Code, Section 42.101(a). ~~In the event the available amount from the Foundation School Fund No. 193 is greater than \$350,000 in either fiscal year, general revenue funds equal to the difference between the Foundation School Funds No. 193 and \$350,000 shall lapse to the unobligated portion of the general revenue fund.~~

### **Floor Amendment No. 163**

Amend Amendment No. 162 by Huberty to **CSSB 1** (page 268, prefiled amendment packet), in item 2, by striking "on page V-22, amend the following rider:" and substitute "on page V-42, amend the following rider:".

### **Floor Amendment No. 167**

Amend **CSSB 1** (house committee printing) in Article V of the bill following the appropriations to the Department of Public Safety (page V-45) by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_. Investigation and Report on Sexual Assault at Postsecondary Educational Institutions. Using funds appropriated above for Strategy A.3.1, Special Investigations (page V-44), the Department of Public Safety shall investigate the response by public and private institutions of higher education to reports of sexual assault committed against students enrolled at those institutions and shall, not later than December 1, 2018, submit to the legislature a report on the department's findings. The investigation



must include a review of policies adopted by public and private institutions of higher education that have the effect of deterring students from reporting those incidents or of hindering investigations of those reports.

**Floor Amendment No. 168**

Amend Amendment No. 167 by Neave to **CSSB 1** (page 272, prefiled amendments packet) by striking page 1, lines 5 through 16, and substituting the following:

\_\_\_\_\_. Collection of Information and Report on Sexual Assault at Postsecondary Educational Institutions. Using funds appropriated above for Strategy A.3.1, Special Investigations (page V-44), the Department of Public Safety shall collect information regarding the response by public institutions of higher education, and private institutions of higher education that receive tuition equalization grants, to reports of sexual assault committed against students enrolled at those institutions and shall, not later than December 1, 2018, submit to the legislature and the Texas Higher Education Coordinating Board a report on the department's findings. Based on the department's report, the coordinating board shall review the policies adopted by those institutions that have the effect of deterring students from reporting those incidents or of hindering investigations of those reports.

**Floor Amendment No. 170**

Amend **CSSB 1** (house committee report) in Article V of the bill, following the appropriations to the Department of Public Safety, by striking paragraph a. of Rider 8, Seized Assets Report (page V-48), and substituting the following:

a. Regarding receipts: the court in which the case was adjudicated, whether the person whose property was seized was represented by counsel, whether the property was forfeited as a result of a default judgment, the nature of the assets, the value of the assets, and the specific, intended use of the assets and, if a criminal charge was brought in connection with the seizure of the property, the specific offense charged and the disposition of that charge; and

**Floor Amendment No. 173**

Amend **CSSB 1** as follows:

(1) On page V-54 of the Department of Public Safety's bill pattern in **CSSB 1**, add the following new rider:

52. Return of Helicopter. It is the intent of the legislature that funds appropriated to the Department of Public Safety shall be used for the purpose of returning the helicopter with the tail number identifier N405TX, sent to the border region for use as an airborne asset in Operation Secure Texas, to its original base in Gregg County as soon as practicable, provided the Department of Public Safety determines that the return of the helicopter would not impair the conduct of border security activities associated with Operation Secure Texas. The Department of Public Safety may take into account any increase in federal border security activities in making this determination.

**Floor Amendment No. 174**

Amend Amendment No. 173 by Dean to **CSSB 1** (page 280, prefiled amendment packet) in added Rider 52 by inserting "or a helicopter of equal or greater helicopter class," between "N405TX," and "sent".

**Floor Amendment No. 182**

Amend **CSSB 1** as follows:

(1) On page VI-10 of the bill pattern for the Department of Agriculture, amend Rider 27 as follows:

Appropriation Restriction on Feral Hog Abatement Using Toxic Substances. None of the funds appropriated to the Department of Agriculture in this Act may be used for the ~~development, implementation, approval, or promotion of any program or action that involves the use of warfarin on feral hogs.~~

**Floor Amendment No. 183**

Amend **CSSB 1** (house committee printing) in Article III of the bill, following the appropriations to the Higher Education Coordinating Board, in Rider No. 36, Developmental Education (pages III-52 through III-53), between "core-requisite models," and "and modular offerings", by inserting "emporium models,".

**Floor Amendment No. 186**

Amend **CSSB 1** (house committee printing) as follows:

(1) Reduce the Article VI appropriations from the Texas Emissions Reduction Plan (TERP) Account No. 5071 to the Commission on Environmental Quality for Strategy A.1.1, Air Quality Assessment and Planning (page VI-14), by the amount of \$10 million for each year of the state fiscal biennium ending August 31, 2019.

(2) In Article VI of the bill, following the appropriations to the Commission on Environmental Quality, in Rider 20 (Texas Emissions Reduction Plan (TERP): Grants and Administration) (page VI-21), reduce the total amount allocated by that rider by the amount of \$10 million for each year of the state fiscal biennium ending August 31, 2019, and proportionately reduce the amounts allocated to each program listed in that rider in the amount necessary to equal the reduction in the total allocation provided by this subdivision.

(3) Add the following appropriately numbered rider following the Article III appropriations to public junior and community colleges (page III-204):

\_\_\_\_. Additional Student Success Funding. In addition to other amounts appropriated above to each public junior or community college listed in this article for the strategies relating to student success (page III-198 through page III-203), the amount of \$10 million for each year of the state fiscal biennium ending August 31, 2019, is appropriated from the general revenue fund to those colleges for purposes of those strategies, to be distributed among the colleges in the manner prescribed for the allocation of student success funding by Rider 18 following the appropriations to public junior and community colleges (page III-206).

(4) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 187**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider following the Article V appropriations to the Department of Criminal Justice:

\_\_\_\_. Prohibition on Use of Appropriations for Certain Surgeries. The Texas Department of Criminal Justice may not use funds appropriated by this Act to provide to an inmate any surgery related to sex reassignment or gender identity transitioning.

**Floor Amendment No. 188**

Amend Amendment No. 187 by Cain to **CSSB 1** (page 283, prefiled amendments packet) by striking page 1, lines 4 through 7, and substituting the following:

\_\_\_\_. Prohibition on Use of Appropriations for Elective Surgeries. The Texas Department of Criminal Justice may not use funds appropriated by this Act to provide to an inmate any elective surgery.

**Floor Amendment No. 197**

Amend **CSSB 1** (house committee printing) in Part 6, Article IX (page IX-27), by adding the following appropriately numbered section and renumbering subsequent sections accordingly:

Sec. 6. \_\_\_\_\_. Appropriations to Certain Entities Prohibited. Notwithstanding any other provision of this Act, no money appropriated by this Act may be provided to an institution, department, or agency of this state, including an institution of higher education, or a political subdivision of this state that, through a contract, grant, or otherwise, provides money to a person, corporation, trust, or organization that pays for or provides abortion services.

**Floor Amendment No. 198**

Amend Amendment No. 197 by Springer to **CSSB 1** (page 370, prefiled amendment packet) by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee printing) in Part 6, Article IX (page IX-27), by adding the following appropriately numbered section and renumbering subsequent sections accordingly:

Sec. 6. \_\_\_\_\_. Limitation on Abortion Funding. To the extent allowed by federal and state law, money appropriated by this Act may not be distributed to any individual or entity that:

(1) performs an abortion procedure that is not reimbursable under the state's Medicaid program;

(2) is commonly owned, managed, or controlled by an entity that performs an abortion procedure that is not reimbursable under the state's Medicaid program; or

(3) is a franchise or affiliate of an entity that performs an abortion procedure that is not reimbursable under the state's Medicaid program.

**Floor Amendment No. 199**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill (page I-\_\_\_\_), under Article I add the following appropriately numbered rider after the appropriations to the Texas Facilities Commission:

\_\_\_\_. Proceeds from the Sale of Surplus Property, Equipment, Commodities, or Salvage. Notwithstanding provisions in Chapter 2175, Government Code, all unappropriated revenue generated on or after September 1, 2017 by the Texas Facilities Commission from the sale of surplus property, equipment, commodities, or salvage (including recycled products) above amounts identified in the Biennial Revenue Estimate (estimated \$0) is appropriated to Strategy B.2.1, Facilities Operation, for facilities operations and maintenance.

Any unexpended balances as of August 31, 2018, out of appropriations made herein are appropriated to the Facilities Commission for operations and maintenance for the fiscal year beginning September 1, 2018.

Article IX Sec. 8.03 or similar provisions of this Act still apply.

(2) Increase the Article I Subtotal and the Grand Total, All Articles, accordingly; and

(3) Renumber the following pages accordingly.

#### **Floor Amendment No. 200**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill (page I-\_\_\_\_), under Article I add the following appropriately numbered rider after the appropriations to the Texas Facilities Commission:

\_\_\_\_. Commercial Use of State-Owned Parking Lots and Garages. Notwithstanding provisions in Subchapter E, Chapter 2165, Government Code, all revenue generated on or after September 1, 2017 by the Texas Facilities Commission from the commercial use of state-owned parking lots and garages above amounts identified in the Biennial Revenue Estimate (estimated \$0) is appropriated to Strategy B.2.1, Facilities Operation, for facilities operations and maintenance.

Any unexpended balances as of August 31, 2018, out of appropriations made herein are appropriated to the Facilities Commission for operations and maintenance for the fiscal year beginning September 1, 2018.

(2) Increase the Article I Subtotal and the Grand Total, All Articles, accordingly; and

(3) Renumber the following pages accordingly.

#### **Floor Amendment No. 201**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, in the appropriations to the Trusteed Programs Within the Office of the Governor, Method of Financing listing for General Revenue Fund - Dedicated, for Texas Enterprise Fund Account No. 5107 (page I-49), strike ", estimated".

(2) Reduce the Article I appropriations to the Trusteed Programs Within the Office of the Governor for Strategy C.1.4, Texas Enterprise Fund (page I-51), by \$3,000,000 for the state fiscal biennium ending August 31, 2019.

(3) Add the following appropriately numbered rider following the Article I bill pattern appropriations to Trusteed Programs Within the Office of the Governor (page I-55):

\_\_\_\_\_. Contingency for **HB 4195** or **SB 1410**. If **HB 4195** or **SB 1410** or other similar legislation of the 85th Legislature, Regular Session, 2017, relating to establishing a pilot program to assist small businesses in obtaining capital becomes law, the additional amount of \$3,000,000 is appropriated from the general revenue fund to the Trusteed Programs Within the Office of the Governor for Strategy C.1.1., Economic Development, for the state fiscal year ending August 31, 2018, to provide funding for the purpose of creating a pilot program to assist small businesses in obtaining capital, and any unexpended balance of that amount remaining as of August 31, 2018, is appropriated for the same purpose for the state fiscal year ending August 31, 2019. If **HB 4195** or **SB 1410** or other similar legislation of the 85th Legislature, Regular Session, 2017, relating to establishing a pilot program to assist small businesses in obtaining capital does not become law, in addition to other amounts appropriated to the Trusteed Programs Within the Office of the Governor for Strategy C.1.4, Texas Enterprise Fund (page I-51), there is appropriated to those programs for that strategy out of the Texas Enterprise Fund Account No. 5107 the amount of \$3,000,000 for the state fiscal biennium beginning September 1, 2017.

(4) Adjust totals, methods of financing, and other provisions of the bill accordingly.

#### **Floor Amendment No. 202**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article I of the bill, in the appropriations to the Trusteed Programs Within the Office of the Governor, Method of Financing listing for General Revenue Fund - Dedicated, for Texas Enterprise Fund Account No. 5107 (page I-49), strike ", estimated".

(2) Reduce the Article I appropriations to the Trusteed Programs Within the Office of the Governor for Strategy C.1.4, Texas Enterprise Fund (page I-51), by \$2,500,000 for the state fiscal biennium ending August 31, 2019.

(3) Add the following appropriately numbered rider following the Article III appropriations to The University of Texas Health Science Center at San Antonio (page III-174):

\_\_\_\_\_. Contingency for **HB 2571**. If **HB 2571** or similar legislation of the 85th Legislature, Regular Session, 2017, creating a trauma-affected veterans clinical care and research center at The University of Texas Health Science Center at San Antonio becomes law, the amount of \$2,500,000 is appropriated out of the general revenue fund to The University of Texas Health Science Center at San Antonio for the state fiscal biennium beginning September 1, 2017, to implement the provisions of the legislation. If **HB 2571** or similar legislation of the 85th Legislature, Regular Session, 2017, creating a trauma-affected veterans clinical care and research center at The University of Texas Health Science Center at San Antonio does not become law, in addition to other amounts appropriated to the Trusteed Programs Within the Office of the Governor in Article I, for Strategy C.1.4, Texas Enterprise Fund (page I-51), there

is appropriated to those programs for that strategy out of the Texas Enterprise Fund Account No. 5107 the amount of \$2,500,000 for the state fiscal biennium beginning September 1, 2017.

(4) Adjust totals, methods of financing, and other provisions of the bill accordingly.

### **Floor Amendment No. 203**

Amend the Gutierrez Amendment No. 202 by striking the entire amendment and substituting the following:

Amend **CSSB 1** (house committee printing), as follows:

1) On page III-157 of The University of Texas Health Science Center at San Antonio bill pattern, add the following appropriately numbered provision:

\_\_\_\_. Trauma-affected Veterans Clinical Care and Research Center. It is the intent of the legislature that out of the funds appropriated above, The University of Texas Health Science Center at San Antonio, to the extent possible, provide support, in conjunction with anticipated donations for the same purpose, for a trauma-affected veterans clinical care and research center to be located at The University of Texas Health Science Center at San Antonio.

### **Floor Amendment No. 204**

Amend **CSSB 1** (house committee report) as follows:

(1) In the appropriations to the Trusteed Programs Within the Office of the Governor, reduce the amount appropriated from the general revenue fund for Strategy B.1.1, Criminal Justice (page I-50), by the amount of \$5,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$5,000,000 for the state fiscal year ending August 31, 2019.

(2) In the appropriations to the Health and Human Services Commission, increase the amount appropriated from the general revenue fund for Strategy D.2.3, Community Mental Health Crisis Services (page II-32), by the amount of \$5,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$5,000,000 for the state fiscal year ending August 31, 2019.

(3) Add the following appropriately numbered rider following the bill pattern appropriations to the Health and Human Services Commission (page II-35):

\_\_\_\_. Mental Health Jail Diversion and Crisis Stabilization Unit Pilot Program; Bexar County. Out of the funds appropriated above for Strategy D.2.3, Community Mental Health Crisis Services, the Health and Human Services Commission shall allocate \$5,000,000 for the state fiscal year ending August 31, 2018, and \$5,000,000 for the state fiscal year ending August 31, 2019, to support a mental health jail diversion and crisis stabilization unit pilot program in Bexar County.

### **Floor Amendment No. 205**

Amend **CSSB 1** (house committee report) in Article I of the bill, following the appropriations to the Preservation Board (page I-75), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_. Completion of the LaBelle Exhibit. In addition to amounts appropriated above in Strategy A.2.2, Manage State History Museum, any unexpended and unobligated balances remaining as of August 31, 2017, (estimated to be \$0) in general

revenue are appropriated for the state fiscal biennium beginning September 1, 2017, to the Preservation Board for completion of the LaBelle Exhibit in the Texas State History Museum.

### **Floor Amendment No. 206**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article II of the bill, following the appropriations to the Department of Family and Protective Services (page II-3), add the following appropriately numbered rider:

\_\_\_\_\_. Additional Funds for Development of Placement Capacity Management System. (a) In addition to other amounts appropriated to the Department of Family and Protective Services, the amount of \$5,700,000 is appropriated from the Economic Stabilization Fund to the department for the fiscal year ending August 31, 2018, and \$5,700,000 is appropriated from the Economic Stabilization Fund to the department for the fiscal year ending August 31, 2019, for the purpose of creating an electronic portal system that:

- (1) provides real-time tracking of foster care placement provider capacity;
- (2) allows for automatic data sharing with placement providers; and
- (3) serves as a case management system for placement staff.

(b) Notwithstanding Rider 2, Capital Budget, funds appropriated by this rider may be expended on associated capital budget items.

(2) In Article IX of the bill, in Sec. 17.13, Appropriations for Selected State Agencies and Programs, in the Economic Stabilization Fund appropriations to the Department of Information Resources for Statewide Information Technology and Cyber Security Initiatives (page IX-84), strike "\$50,000,000" and substitute "\$38,600,000".

(3) Adjust totals and methods of financing appropriately.

### **Floor Amendment No. 207**

Amend Amendment No. 206 to **CSSB 1** (house committee printing) by Wu (page 102, prefiled amendment packet) as follows:

- (1) On page 1, line 8, strike "\$5,700,000" and substitute "\$2,850,000".
- (2) On page 1, line 10, strike "\$5,700,000" and substitute "\$2,850,000".
- (3) On page 1, line 27, strike "\$38,600,000" and substitute "\$44,300,000".

### **Floor Amendment No. 208**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article II of the bill, immediately following the appropriations to the Department of Family and Protective Services (page II-3), add the following appropriately numbered rider:

\_\_\_\_\_. Contingency on **HB 7**. Contingent on the enactment and becoming law of **HB 7** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the child protective services suits by the Department of Family and Protective Services, the Department of Family and Protective Services is appropriated the amount of \$1 for the state fiscal year ending August 31, 2018, and the amount of \$1 for the state fiscal year ending August 31, 2019, to implement the changes in law made by **HB 7** or similar legislation.

(2) In Article II of the bill, immediately following the appropriations to the Health and Human Services Commission (page II-35), add the following appropriately numbered rider:

\_\_\_\_\_. Contingency on **HB 7**. Contingent on the enactment and becoming law of **HB 7** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the child protective services suits by the Department of Family and Protective Services, in Article II of the bill, in the appropriations to the Health and Human Services Commission, reduce the amount appropriated from the general revenue fund for L.2.1 Strategy: Central Program Support (page II-34), by the amount of \$1 for the state fiscal year ending August 31, 2018, and by the amount of \$1 for the state fiscal year ending August 31, 2019.

(3) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 209**

Amend **CSSB 1** (house committee printing), in Article II of the bill, immediately following the appropriations to the Department of Family and Protective Services (page II-3), by adding the following appropriately numbered rider:

\_\_\_\_\_. Contingent Appropriation: **HB 7**. Contingent on **HB 7** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the child protective services suits by the Department of Family and Protective Services, being enacted and becoming law, out of funds appropriated to the Department of Family and Protective Services by this Act, the department shall use \$1,113,377 during the fiscal year ending August 31, 2018, and \$886,034 during the fiscal year ending August 31, 2019, to implement the provisions of that legislation.

### **Floor Amendment No. 210**

Amend **CSSB 1** (house committee report) as follows:

(1) In Article II of the bill, increase the "Number of Full-Time-Equivalents (FTE)" in the Department of State Health Services bill pattern (page II-16) by 2 full-time-equivalent employees in the state fiscal year beginning September 1, 2017, and in the state fiscal year beginning September 1, 2018.

(2) In Article II of the bill, add the following appropriately numbered rider immediately following the appropriations to the Department of State Health Services (page II-17):

\_\_\_\_\_. Contingency Rider: **HB 3966**, Maternal Mortality and Morbidity Task Force. Contingent on the passage and becoming law of **HB 3966** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the duties and continuation of the Maternal Mortality and Morbidity Task Force, the Department of State Health Services shall use for that program from Strategy B.1.1, Women & Children's Health Services (page II-16), \$209,510 for the state fiscal year beginning September 1, 2017, and \$227,238 for the state fiscal year beginning September 1, 2018. The Department of State Health Services may also use any federal funds granted to the Maternal Mortality and Morbidity Task Force.



**Floor Amendment No. 211**

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Department of State Health Services (page II-17), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_. End Stage Renal Disease Prevention Program. Out of funds appropriated above in Strategy A.3.1, Chronic Disease Prevention, the Department of State Health Services shall allocate \$250,000 each fiscal year of the state fiscal biennium ending August 31, 2019, to improve the health outcomes and reduce the economic burdens of end stage renal disease using the end stage renal disease prevention model, the National Kidney Foundation's Love Your Kidneys. The department shall work in collaboration with the Texas Renal Coalition and other statewide partnerships to:

- a. educate the medical community and at-risk patients on the importance of early diagnosis and treatment of chronic kidney disease;
- b. prevent premature death from cardiovascular disease and other comorbid conditions; and
- c. delay progression to kidney failure necessitating expensive renal replacement therapy by dialysis or transplantation.

**Floor Amendment No. 212**

Amend Amendment No. 211 by Guillen to **CSSB 1** (house committee printing) on page 1, line 17 of the amendment, after "disease", by inserting ", as well as the importance of early dialysis modality education, including home dialysis options".

**Floor Amendment No. 213**

Amend **CSSB 1** (house committee printing), in Article II of the bill, following the appropriations for community mental health services for adults, by adding the following appropriately numbered contingent rider (page II-32):

\_\_\_\_. Contingent Rider: Development and Administration of a Psychiatric Bed Registry. Contingent on **HB 2402**, or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the development and administration of a psychiatric bed registry becoming law, out of amounts appropriated above for Strategy D.2.1, Community Mental Health Svcs-Adults, the amount of \$930,000 in general revenue is allocated for the purpose of developing and administering a psychiatric bed registry as provided by that legislation during the state fiscal biennium beginning September 1, 2017.

**Floor Amendment No. 214**

Amend **CSSB 1** (house committee printing) in Article II of the bill (page II-32), following the appropriations for community mental health services for adults, by adding the following appropriately numbered rider:

\_\_\_\_. Contingent Rider: Development and Administration of a Psychiatric Bed Registry. Contingent on passage and becoming law of **HB 2402**, or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the development and administration of a psychiatric bed registry:

(1) In the Article V appropriations to the Department of Public Safety (page V-43) from the general revenue fund method of financing for the state fiscal year ending on August 31, 2018, strike "\$542,361,156" and substitute "\$541,431,156."

(2) In the Article V appropriations to the Department of Public Safety (page V-43) in the amount allocated by the Object-of-Expense Informational Listing for Other Operating Expense for the state fiscal year beginning on September 1, 2017, as described in the Object-of-Expense Informational Listing (page V-45), strike "\$108,906,164" and substitute "\$107,976,164."

(3) Reduce the Article V appropriations to the Department of Public Safety from the general revenue fund proportionately across all strategies by a total of \$930,000.

(4) In addition to other amounts appropriated for the state fiscal biennium, the amount of \$930,000 is appropriated from the general revenue fund to the Health and Human Services Commission for Strategy D.2.1., Community Mental Health Svcs-Adults (Article II, page II-32), for the state fiscal biennium beginning on September 1, 2017, for the purpose of implementing that legislation.

### **Floor Amendment No. 215**

Amend **CSSB 1** (house committee printing) in Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-35), by adding the following appropriately numbered rider:

\_\_\_\_. Postpartum Depression Strategic Plan. It is the intent of the legislature that, out of funds appropriated to the Health and Human Services Commission above, the Executive Commissioner of Health and Human Services shall develop a five-year strategic plan to improve access to postpartum depression screening, referral, treatment, and support services. The strategic plan must provide strategies to:

(1) increase awareness among state-administered program providers who may serve women who are at risk of or are experiencing postpartum depression about the prevalence and effects of postpartum depression on outcomes for women and children;

(2) establish a referral network of mental health providers and support services addressing postpartum depression;

(3) increase women's access to formal and informal peer support services;

(4) raise public awareness of postpartum depression; and

(5) leverage sources of funding to support existing community-based postpartum depression screening, referral, treatment, and support services.

### **Floor Amendment No. 216**

Amend **CSSB 1** (house committee report) as follows:

(1) In Article II of the bill, in the appropriations to the Health and Human Services Commission (page II-32), increase the appropriations from the general revenue fund to the Health and Human Services Commission for Strategy D.1.1, Women's Health Program, by the amount of \$5,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$5,000,000 for the state fiscal year ending August 31, 2019.

(2) In Article II of the bill, following the appropriations to the Health and Human Services Commission, add the following appropriately numbered rider and renumber subsequent riders accordingly:

\_\_\_\_\_. Healthy Texas Women Program Outreach and Marketing. Out of funds appropriated above in Strategy D.1.1, Women's Health Program, the Health and Human Services Commission shall allocate a minimum of \$5,000,000 each fiscal year to fund outreach and marketing for the Healthy Texas Women Program.

(3) In Article VII of the bill, in the appropriations to the Texas Lottery Commission (page VII-8), reduce the appropriations from non-dedicated general revenue to the Texas Lottery Commission for Strategy A.1.3, Marketing and Promotion, by the amount of \$5,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$5,000,000 for the state fiscal year ending August 31, 2019.

(4) Adjust article totals and methods of financing accordingly.

#### **Floor Amendment No. 217**

Amend **CSSB 1** (house committee report) as follows:

(1) In Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-101), add the following appropriately numbered rider:

\_\_\_\_\_. Contingency Rider: Required Testing for Lead Contamination in Public School Drinking Water. Contingent on the enactment and becoming law of **HB 2395**, or similar legislation of the 85th Legislature, Regular Session, 2017, relating to testing for lead contamination in public school drinking water:

(a) In addition to other amounts appropriated above, the amount of \$250,000 is appropriated out of the Economic Stabilization Fund to the Health and Human Services Commission for each fiscal year of the 2018-19 state fiscal biennium for the purpose of implementing a program of required testing for lead contamination in public school drinking water.

(b) In Article IX of the bill, in Section 17.13 of that article, reduce the amount appropriated from the Economic Stabilization Fund to the Department of Public Safety for Border Security (page IX-86), by \$250,000 for each fiscal year of the 2018-19 state fiscal biennium.

(2) Adjust totals and methods of financing accordingly.

#### **Floor Amendment No. 218**

Amend Amendment No. 217 by Collier (page 183 in the prefiled amendments packet) as follows:

(1) On page 1, line 3, strike "Health and Human Services Commission (page II-101)" and substitute "Department of State Health Services (page II-29)".

(2) On page 1, line 13, strike "Health and Human Services Commission" and substitute "Department of State Health Services".

#### **Floor Amendment No. 219**

Amend **CSSB 1** (house committee printing) as follows:

(1) Add the following appropriately numbered rider under the Article II appropriations to the Health and Human Services Commission:

\_\_\_\_\_. Funds for Family Drug Courts. In addition to the other amounts appropriated by this Act to the Health and Human Services Commission, the amount of \$500,000 is appropriated out of the general revenue fund to the Health and Human

Services Commission for the state fiscal biennium beginning September 1, 2017, for the purpose of assisting counties in establishing a family drug court for the prevention of, intervention in, or treatment of substance abuse by guardians of children 18 years of age or younger who are at risk of entering or are in the child protection system.

(2) Reduce the Article V appropriations to the Department of Criminal Justice for Strategy C.1.12, Contract Prisons/Private St Jails (page V-6), by the amount of \$250,000 for the state fiscal year ending August 31, 2018, and by the amount of \$250,000 for the state fiscal year ending August 31, 2019.

(3) Adjust total and methods of financing accordingly.

### **Floor Amendment No. 220**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article II of the bill, after the items of appropriation for the Health and Human Services Commission, insert the following appropriately numbered rider:

\_\_\_\_. Medicaid Eligibility Limits: Permissible Reductions. (a) The Health and Human Services Commission shall restrict new enrollment in Medicaid programs if funding appropriated by the legislature is not projected to adequately maintain existing services at existing rates for the 2018/19 biennium. Upon a determination by the Commission that such action is necessary, the Commission shall revise the qualifying income or asset eligibility limits downward for certain populations covered under the medical assistance program. An action under this provision shall not affect the eligibility, enrollment, or coverage of persons already enrolled at the time the action is taken; but the action shall prospectively restrict new enrollment under the revised thresholds.

(b) The terms of this provision are limited to those populations and services over which the state has discretion, and which are not subject to federal limitation on downward eligibility revisions.

### **Floor Amendment No. 221**

Amend **CSSB 1** as follows:

(1) On page III-2, of the bill pattern for the Texas Education Agency, decrease funding from the instructional materials fund from Strategy B.2.1, Technology and Instructional Materials by \$2,000,000 in fiscal year 2018.

(2) On page III-7, amend the following rider:

8. Textbooks and Instructional Materials. Except as explicitly allowed elsewhere in this Act, any amount expended pursuant to Texas Education Code, §31.021, including expenditures for instructional materials administration, shall be paid out of the state instructional materials fund appropriated for that purpose. A transfer of funds from the available school fund to the state instructional materials fund is authorized in an amount which, together with other revenues of the state instructional materials fund, is sufficient to finance the sum-certain appropriation from the state instructional materials fund for each fiscal year. Penalties assessed by the State Board of Education shall be deposited to the credit of the state instructional materials fund.

In accordance with Texas Education Code §31.0211 and §31.0214, the commissioner shall allocate the funds available in the state instructional materials fund to school districts and charter schools for each student enrolled in the district or

charter school on a date during the preceding year specified by the commissioner and shall adjust the instructional materials allotment of school districts and charter schools experiencing high enrollment growth according to rules adopted by the commissioner.

From funds appropriated from the state instructional materials fund, the commissioner may set aside an amount not to exceed \$2,500,000 for the 2018-19 biennium for the continued support and delivery of online college readiness materials in English language arts and reading, mathematics, science, and social studies.

From funds appropriated above in Strategy B.2.1, Technology/Instructional Materials, ~~\$1,093,176,025~~ \$1,091,176,025 from the state instructional materials fund is allocated in the 2018-19 biennium for textbooks and instructional materials.

From funds appropriated above in A.2.3, Students with Disabilities, an amount not to exceed \$13,500,000 in federal funds in the 2018-19 biennium is allocated for the purchase of Braille, large-type, and related materials for students with special needs.

The commissioner shall provide juvenile justice alternative education programs with instructional materials necessary to support classroom instruction in those programs. The cost of the instructional materials shall be funded with state instructional materials funds appropriated to the agency for the 2018-19 biennium.

Revenue from fees collected under the authority of Texas Education Code §31.0221 pertaining to the midcycle review and adoption of textbooks are hereby appropriated to the Texas Education Agency for the purpose of administering the midcycle review and adoption process.

The Texas Education Agency is hereby appropriated any balances held in the state instructional materials fund on August 31, 2017 for use in fiscal year 2018 for the same purposes.

Any unexpended balances as of August 31, 2018 are hereby appropriated for fiscal year 2019 for the same purposes.

(3) On page III-23, add the following rider:

\_\_\_\_\_ Contingency for **HB 2730**. Contingent on enactment of **HB 2730**, or similar legislation relating to the authority of the Commissioner of Education to create career and technical credentials and certificates that may be earned through a career and technology education program and to a study to identify unmet needs in career and technology education programs, by the Eighty-Fifth Legislature, Regular Session, in addition to funds appropriated above, \$1,000,000 in each fiscal year of the 2018-19 biennium, is appropriated out of the general revenue fund in Strategy B.3.2, Agency Operations.

### **Floor Amendment No. 222**

Amend Amendment No. 221 to **CSSB 1** as follows:

~~(1) On page III-2, of the bill pattern for the Texas Education Agency, decrease funding from the instructional materials fund from Strategy B.2.1, Technology and Instructional Materials by \$2,000,000 in fiscal year 2018.~~

(1) On page VII-31 of the bill pattern for the Texas Workforce Commission decrease funding from the Workforce Development Goal Strategy A.3.1 SKILLS DEVELOPMENT by \$2,000,000 in fiscal year 2018.

(2) On page III-2 of the bill pattern for the Texas Education Agency, increase funding for Strategy B.3.2.: AGENCY OPERATIONS by \$1,000,000 in fiscal year 2018 and \$1,000,000 in fiscal year 2019.

(2) On page III-7, amend the following rider

~~8. Textbooks and Instructional Materials. Except as explicitly allowed elsewhere in this Act, any amount expended pursuant to Texas Education Code, §31.021, including expenditures for instructional materials administration, shall be paid out of the state instructional materials fund appropriated for that purpose. A transfer of funds from the available school fund to the state instructional materials fund is authorized in an amount which, together with other revenues of the state instructional materials fund, is sufficient to finance the sum certain appropriation from the state instructional materials fund for each fiscal year. Penalties assessed by the State Board of Education shall be deposited to the credit of the state instructional materials fund.~~

~~In accordance with Texas Education Code §31.0211 and §31.0214, the commissioner shall allocate the funds available in the state instructional materials fund to school districts and charter schools for each student enrolled in the district or charter school on a date during the preceding year specified by the commissioner and shall adjust the instructional materials allotment of school districts and charter schools experiencing high enrollment growth according to rules adopted by the commissioner.~~

~~From funds appropriated from the state instructional materials fund, the commissioner may set aside an amount not to exceed \$2,500,000 for the 2018-19 biennium for the continued support and delivery of online college readiness materials in English language arts and reading, mathematics, science, and social studies.~~

~~From funds appropriated above in Strategy B.2.1, Technology/Instructional Materials, \$1,093,176,025 \$1,091,176,025 from the state instructional materials fund is allocated in the 2018-19 biennium for textbooks and instructional materials.~~

~~From funds appropriated above in A.2.3, Students with Disabilities, an amount not to exceed \$13,500,000 in federal funds in the 2018-19 biennium is allocated for the purchase of Braille, large type, and related materials for students with special needs.~~

~~The commissioner shall provide juvenile justice alternative education programs with instructional materials necessary to support classroom instruction in those programs. The cost of the instructional materials shall be funded with state instructional materials funds appropriated to the agency for the 2018-19 biennium.~~

~~Revenue from fees collected under the authority of Texas Education Code §31.0221 pertaining to the midcycle review and adoption of textbooks are hereby appropriated to the Texas Education Agency for the purpose of administering the midcycle review and adoption process.~~

~~The Texas Education Agency is hereby appropriated any balances held in the state instructional materials fund on August 31, 2017 for use in fiscal year 2018 for the same purposes.~~

~~Any unexpended balances as of August 31, 2018 are hereby appropriated for fiscal year 2019 for the same purposes.~~

(3) On page III-23, add the following rider:

\_\_\_\_\_. Contingency for **HB 2730**. Contingent on enactment of **HB 2730**, or similar legislation relating to the authority of the Commissioner of Education to create career and technical credentials and certificates that may be earned through a career and technology education program and to a study to identify unmet needs in career and technology education programs, by the Eighty-Fifth Legislature, Regular Session, in addition to funds appropriated above, \$1,000,000 in each fiscal year of the 2018-19 biennium, is appropriated out of the general revenue fund from Strategy B.3.2, Agency Operations to implement this legislation.

#### **Floor Amendment No. 223**

Amend **CSSB 1** (house committee printing) in Article III of the bill, following the appropriations to the Texas Education Agency (page III-9), in Rider 12 (Student Testing Program), in the fourth paragraph of the rider, by adding "As part of the administration of assessment instruments under Texas Education Code, Chapter 39, Subchapter B the Texas Education Agency shall require each independent school district to report to the agency a description of the district's total expenses related to administering those assessment instruments."

#### **Floor Amendment No. 224**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to the Teacher Retirement System budget pattern on page III-34.

\_\_\_\_\_. Teacher Retirement System Health Benefits Plan Study. From funds appropriated above, the Teacher Retirement System is directed to conduct a study on the cost effectiveness of implementing a group plan exchange for non-Medicare eligible retirees and a Health Reimbursement Account plan for non-Medicare eligible retirees and Medicare eligible retirees. TRS can contract with entities as necessary with experience and expertise in providing this analysis through a competitively bid process. TRS shall report their findings to the Legislative Budget Board by March 1, 2018.

#### **Floor Amendment No. 225**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider in Article III of the bill following the appropriations to the University of North Texas Health Science Center at Fort Worth (page III-189):

\_\_\_\_\_. Contingency for **HB 1913**. Contingent on the passage of **HB 1913** or similar legislation by the 85th Legislature authorizing the University of North Texas Health Science Center at Fort Worth to offer a Doctor of Medicine (M.D.) degree, none of the funds appropriated within the bill pattern for the University of North Texas Health Science Center at Fort Worth may be expended on costs associated with a Doctor of Medicine (M.D.) degree program.

#### **Floor Amendment No. 226**

Amend **CSSB 1** (house committee report) in Article III, following the appropriations to the Texas A&M Transportation Institute (page III-230), by adding the following appropriately numbered rider:

\_\_\_\_\_. Vehicle Fleet Management Study. It is the intent of the 85th Legislature that the Texas A&M Transportation Institute conduct a study on vehicle fleet management. The Texas A&M Transportation Institute may use for that study any money appropriated to the institute by this Act that is available for that purpose.

#### **Floor Amendment No. 227**

Amend **CSSB 1** (house committee report) as follows:

(1) In the appropriations to the Juvenile Justice Department, reduce the amount appropriated from the general revenue fund for Strategy A.1.8, Regional Diversion Alternatives (page V-25), by the amount of \$4,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$4,000,000 for the state fiscal year ending August 31, 2019.

(2) In the appropriations to the Juvenile Justice Department, increase the amount appropriated from the general revenue fund for Strategy A.1.3, Community Programs (page V-25), by the amount of \$4,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$4,000,000 for the state fiscal year ending August 31, 2019.

#### **Floor Amendment No. 228**

Amend **CSSB 1** (house committee printing) in Article V of the bill, following the appropriations to the Juvenile Justice Department (page V-26), by adding the following appropriately numbered rider:

\_\_\_\_\_. Harris County Leadership Academy. Out of funds appropriated above in Strategy A.1.4, Pre and Post Adjudication Facilities, \$1,000,000 in general revenue funds in each fiscal year is allocated to be expended only for the Harris County Leadership Academy.

#### **Floor Amendment No. 229**

Amend **CSSB 1** on page V-35 following the bill pattern of the Juvenile Justice Department, add the following rider:

34. Contingency for **HB 1204**. Contingent upon enactment of **HB 1204**, or similar legislation relating to an alternative to adjudication for certain individuals younger than 12 years of age by the Eighty-Fifth Legislature, Regular Session, out of the funds appropriated above to TJJD and consistent with statute, \$70,923 in fiscal year 2018 and \$588,813 in fiscal year 2019 in general revenue funds shall be transferred from Strategy A.1.2, Basic Probation Supervision to Strategy A.1.3, Community Programs.

#### **Floor Amendment No. 230**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article V of the bill, in the appropriations to the Department of Criminal Justice (page V-5), reduce the amount appropriated from the general revenue fund for Strategy A.1.2, Diversion Programs, by the amount of \$2,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$2,000,000 for the state fiscal year ending August 31, 2019.



(2) In Article V of the bill, in the appropriations to the Juvenile Justice Department (page V-25), increase the amount appropriated from the general revenue fund for Strategy A.1.2, Basic Probation Supervision, by the amount of \$2,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$2,000,000 for the state fiscal year ending August 31, 2019.

(3) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 231**

Amend Amendment No. 230 by Wu to **CSSB 1** (page 255 of the prefiled amendments packet) by striking Item (1) of the amendment, reducing appropriations from the general revenue fund to the Department of Criminal Justice for Strategy A.1.2, Diversion Programs, and substituting the following appropriately numbered item:

( ) In Article I of the bill, in the appropriations to Trusteed Programs Within the Office of the Governor (page I-50), reduce the amount appropriated from the general revenue fund for Strategy B.1.1, Criminal Justice, by the amount of \$2,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$2,000,000 for the state fiscal year ending August 31, 2019.

### **Floor Amendment No. 232**

Amend **CSSB 1** (house committee printing) in Article V of the bill, following the appropriations to the Department of Public Safety, by adding the following appropriately numbered rider:

\_\_\_\_. Traffic Stop Data Report. The Department of Public Safety, using funds appropriated by this Act, shall revise the department's annual traffic stop data report required under Article 2.134, Code of Criminal Procedure, to include information relating to the use of force occurring during a motor vehicle stop, categorized according to the race or ethnicity of the affected person. The department shall present the data in the report according to commonly accepted academic standards.

### **Floor Amendment No. 233**

Amend **CSSB 1** (house committee printing) as follows:

(1) Add the following appropriately numbered rider under the Article V appropriations to the Department of Public Safety:

\_\_\_\_. Contingent Appropriation: Call Center Staffing. Contingent on the enactment of House Bill 4040 or similar legislation of the 85th Legislature relating to a pilot program to establish a statewide call center to provide assistance to victims of sexual assault:

(A) in addition to other amounts appropriated by this Act to the Department of Public Safety, the amount of \$600,000 is appropriated out of the Economic Stabilization Fund to the Department of Public Safety for the state fiscal biennium beginning September 1, 2017, for the purpose of paying costs associated with staffing the statewide call center; and

(B) the "Number of Full Time Equivalents" (FTEs) in the Department of Public Safety bill pattern is increased by 6.0 FTEs in each year of the state fiscal biennium beginning September 1, 2017.

(2) In Article IX of the bill:

(A) in Section 17.13 of that article, in the appropriations to the Department of Public Safety, reduce the amount appropriated from the Economic Stabilization Fund for Border Security (page IX-86) by \$600,000 for the state fiscal biennium beginning September 1, 2017; and

(B) in Section 17.07 of that article, in the informational list of amounts appropriated for border security to the Department of Public Safety (page IX-79), reduce the amount attributed to Baseline Border Security by \$600,000.

(3) Adjust totals, methods of financing, and Full Time Equivalents (FTEs) accordingly.

### **Floor Amendment No. 234**

**CSSB 1** is amended as follows:

1. On page VI-10 of the Department of Agriculture bill pattern in **CSSB 1**, add Subsection (d) to Rider 25, Appropriations Limited to Revenue Collections: Cost Recovery Programs:

d. The following actions are contingent on enactment of **HB 572**, or similar legislation relating to the establishment of the pesticide disposal fund and a pesticide waste and pesticide container collection program to be administered by the Department of Agriculture, by the Eighty-Fifth Legislature, Regular Session, 2017:

i. Subsection (a)(5) of this rider has no effect, and is replaced by the following: Strategy B.2.1, Regulated Pesticide Use: Direct costs for the Agricultural Pesticide Regulation (Agriculture Code, Ch. 76), Organic Certification (Agriculture Code, Ch.18), and Prescribed Burn (Natural Resources Code, Ch. 153) cost recovery programs are estimated to be \$4,511,101 in fiscal year 2018 and \$4,510,394 in fiscal year 2019 and "other direct and indirect costs" are estimated to be \$1,098,255 for fiscal year 2018 and \$1,124,591 for fiscal year 2019 (Revenue Object Codes: 3400, 3404, 3410, and 3414). In addition, amounts from the pesticide disposal fund for the disposal of pesticides total \$400,000 in fiscal year 2018 and \$400,000 in fiscal year 2019.

ii. The informational purposes text in the second paragraph of Section (a) of this rider has no effect, and is replaced by the following: For informational purposes, total amounts identified for strategies in this subsection from fee generated general revenue total \$19,387,816 in fiscal year 2018 and \$19,677,172 in fiscal year 2019 for direct costs and indirect administration and \$5,998,335 in fiscal year 2018 and \$6,154,618 in fiscal year 2019 for "other direct and indirect costs". In addition, amounts from the pesticide disposal fund total \$400,000 in fiscal year 2018 and \$400,000 in fiscal year 2019.

iii. Amounts appropriated above in Strategy B.2.1, Regulated Pesticide Use, out of the general revenue fund are reduced by \$400,000 each fiscal year and amounts out of the pesticide disposal fund are increased by \$400,000 each fiscal year contingent on the transfer required in **HB 572**, or similar legislation. The Department of Agriculture may temporarily utilize additional general revenue funds in an amount not to exceed \$400,000 each fiscal year from projected revenues from fees collected under Section 76.044, Agriculture Code for the required transfer to the pesticide disposal fund at the beginning of each fiscal year. These funds shall be utilized only for the purpose of temporary cash flow needs. The transfer and reimbursement of funds shall be made under procedures established by the

Comptroller of Public Accounts to ensure all borrowed funds are reimbursed to the Treasury on or before August 31st each fiscal year. Appropriations from the pesticide disposal fund shall be used to implement the provisions of the enacted legislation relating to the disposal of pesticides.

iv. The text in the third paragraph of Section (a) has no effect and is replaced with the following: These appropriations are contingent upon the Department of Agriculture (TDA) assessing fees sufficient to generate revenue to cover the general revenue and pesticide disposal fund appropriations for each strategy as well as the related "other direct and indirect costs". In the event that actual and/or projected revenue collections in strategies above are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to the affected strategy to be within the amount of revenue expected to be available.

### **Floor Amendment No. 235**

Amend **CSSB 1** (house committee printing) in Article VI of the bill, following the appropriations to the Commission on Environmental Quality, by adding the following appropriately numbered rider:

\_\_\_\_. Contingency Rider: New Technology Implementation Grants for Advanced Supercritical CO2 Power Generation Technology Projects. (a) Contingent on the enactment of legislation by the 85th Legislature, Regular Session, 2017, that removes the limit on the amount of money appropriated to the Texas Commission on Environmental Quality to be used for the programs under Section 386.051(b), Health and Safety Code, that may be allocated for the new technology implementation grant program under Chapter 391, Health and Safety Code, in addition to other amounts appropriated by this Act there is appropriated from the general revenue fund to the commission for Strategy A.1.1, Air Quality Assessment and Planning, the amount of \$5,200,000 for the fiscal year ending August 31, 2018, and the amount of \$5,200,000 for the fiscal year ending August 31, 2019, for the purpose of providing funding for new technology implementation grants for projects that focus on advanced supercritical CO2 power generation technology.

(b) In Article V of the bill, in the appropriations to the Department of Public Safety (page V-44), proportionately reduce the amount of money appropriated to the department out of the general revenue fund for each strategy in Goal F, Driver License Services and Driver Safety, by a total amount of \$5,200,000 for the fiscal year ending August 31, 2018, and by a total amount of \$5,200,000 for the fiscal year ending August 31, 2019.

(c) In Article V of the bill, following the appropriations to the Department of Public Safety, in Rider No. 38, Driver License Improvement Plan Reporting, amend Subsection (a) of the rider (page V-52) by striking "\$66,491,914 in fiscal year 2018 and \$66,491,914 in fiscal year 2019" and substituting "\$61,291,914 in fiscal year 2018 and \$61,291,914 in fiscal year 2019".

### **Floor Amendment No. 236**

Amend **CSSB 1** as follows:

In proposed rider on Oil and Gas Emissions Study, add the following to the Texas Commission on Environmental Quality bill pattern on page VI-16:

ANALYSIS OF INSPECTION AND MAINTENANCE REQUIREMENTS FOR OIL AND GAS FACILITIES. From the funds appropriated above, the Texas Commission on Environmental Quality is directed to conduct a study, to be concluded not later than January 1, 2018. The commission shall issue and make available for public comment a preliminary report relating to air and gas facilities that are regulated through permit-by-rules or standard permits. The report must examine present rules and requirements related to inspection and maintenance programs for the detection and repair of leaks, the use of venting and flaring, emissions of volatile organic compounds from storage tanks, emissions of nitrogen oxides from compressor engines, maintenance requirements for compressor stations, and emissions from and maintenance of pneumatic devices and controllers between a wellhead and a natural gas processing plant. The report shall also address issues raised concerning the rules or requirements described in the present rules and requirements; and suggest options for improving safety, preventing air emissions from oil and gas equipment, including methane and other useful products, and reducing emissions from facilities. In suggesting options for improvement, the commission may consider both regulatory and incentive approaches, including the use of Texas Emissions Reduction Plan funds and approaches taken in other leading oil and gas producing states that would lead to improvements in air quality and public health. The commission may hold meetings to consider public comment. After considering public comment, if any, but not later than June 1, 2018, the commission shall post on its Internet website the final report.

**Floor Amendment No. 237**

Amend **CSSB 1** (house committee printing) in Article VI of the bill, following the appropriations made to the Parks and Wildlife Department (page VI-33), by adding the following appropriately numbered rider:

\_\_\_\_. Transfer of Appropriations Contingent on **SB 1270** or Similar Legislation. Contingent on **SB 1270** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the allocation and use of certain border security funding to secure Gulf of Mexico ports becoming law, and notwithstanding any limitation on the transfer or use of appropriated money provided by this Act, each year of the state fiscal biennium beginning September 1, 2017, the Department of Public Safety shall transfer to the Parks and Wildlife Department an amount of money equal to 10 percent of the total amount of appropriations made to the Department of Public Safety for that year for border security purposes, including the appropriations identified in the informational listing provided by Section 17.07, Article IX of this Act (page IX-78). The Parks and Wildlife Department may use money transferred to the department in accordance with this section during the state fiscal biennium beginning September 1, 2017, only to administer and provide grants under the Gulf of Mexico port security grant program established by **SB 1270** or the similar legislation.

**Floor Amendment No. 238**

Amend **CSSB 1** (house committee printing) in Article III of the bill, following the appropriations to the Texas Education Agency, by adding the following appropriately numbered rider to read as follows:

\_\_\_\_. Report on the Efficiency and Effectiveness of Electronic Instructional Materials. (a) Out of funds appropriated above, the commissioner of education shall study and report on the efficiency and effectiveness of electronic instructional materials. The study must:

(1) consider the impact of demographics, geography, home internet access, and campus technical capabilities on the effectiveness and value of electronic instructional materials;

(2) determine which electronic instructional materials align better with different scenarios common to Texas school districts; and

(3) examine:

(A) licensing, including the timing of purchase, charging for unused accounts, bundling, and availability of login access during the term of a state contract for electronic instructional materials;

(B) improving quality control reports, including a more detailed analysis of when, where, and for how much time students and teachers access various electronic instructional materials; and

(C) current terms of use offered by publishing entities and whether the terms require that a refund or credit be established if a license is not used.

(b) In conducting the study, the commissioner of education shall consult with representatives from:

(1) the State Board of Education;

(2) school technology personnel;

(3) a large publishing firm;

(4) a publishing firm operating less than five years;

(5) school instructional materials coordinators; and

(6) school curriculum departments.

(c) The report prepared by the commissioner of education must provide metric and qualitative indicators of the educational value of electronic instructional materials that assist policymakers and school districts in having the tools and training to distinguish between vendors and the effectiveness of products.

(d) The commissioner of education shall submit the report required by this section not later than October 1, 2018, and post the report on the Texas Education Agency's internet website. The commissioner shall send notice of the posting electronically and provide the final report to the governor, the lieutenant governor, the speaker of the house of representatives, the Legislative Budget Board, and the presiding officer of each standing committee of the legislature with jurisdiction over public education.

### **Floor Amendment No. 239**

**CSSB 1** is amended as follows:

On page VI-58, following the bill pattern of the Water Development Board add the following rider:

\_\_\_\_. Regional Conservation and Reclamation District. Contingent upon the enactment of the **HB 2851** or similar legislation, general revenue appropriations above in each fiscal year in Goal A, Water Resources Planning, Goal B, Water Project Financing, and Goal C, Non-Self Supporting G.O. Debt Service, and any unobligated and unexpended balances from appropriations from the general revenue fund in the

strategies in those goals may used by the Water Development Board to provide grant funding to the Onion Creek Watershed Hays and Travis Counties Flood Control District No. 1 for necessary operations. The aggregate amount of funding to be provided for this purpose from all strategies shall not exceed \$5,000,000 in the 2018-19 biennium. These funds may only be expended when matched by equal amounts from the City of Austin, Travis County, or Hays County.

**Floor Amendment No. 240**

Amend **CSSB 1** by adding the following to Article III:

Enhancing College Opportunity for Working Adults. Out of funds appropriated above, the Texas Higher Education Coordinating Board, in consultation with the Texas Workforce Commission, shall report to the governor and legislature no later than December 1, 2018 on the efficacy and proposed standards warranting approval for the use of a State Board of Education-approved high school equivalency (HSE) exam to measure college readiness and provide a path for more working adults to earn a postsecondary credential pursuant to Texas 60x30.

**Floor Amendment No. 241**

Amend Amendment No. 240 by Lozano to **CSSB 1** (page 237, prefiled amendment packet), by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee printing), in Article III of the bill, by adding the following appropriately numbered rider following the appropriations to the Higher Education Coordinating Board:

\_\_\_ . Enhanced College Opportunity for Working Adults. Out of funds appropriated above, the Higher Education Coordinating Board shall examine the feasibility of establishing college readiness standards for State Board of Education-approved high school equivalency exams for working adults to demonstrate college readiness in their pursuit of a postsecondary credential in this state. The Higher Education Coordinating Board shall report its findings to the governor and the legislature not later than December 1, 2018.

**Floor Amendment No. 242**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article II of the bill, immediately following the appropriations to the Department of Family and Protective Services (page II-3), add the following appropriately numbered rider:

\_\_\_ . Contingency on **HB 39**. Contingent on the enactment and becoming law of **HB 39** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the child protective services functions of the Department of Family and Protective Services, the Department of Family and Protective Services is appropriated the amount of \$1 for the state fiscal year ending August 31, 2018, and the amount of \$1 for the state fiscal year ending August 31, 2019, to implement the changes in law made by **HB 39** or similar legislation.

(2) In Article II of the bill, immediately following the appropriations to the Health and Human Services Commission (page II-35), add the following appropriately numbered rider:

\_\_\_\_. Contingency on **HB 39**. Contingent on the enactment and becoming law of **HB 39** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the child protective services functions of the Department of Family and Protective Services, in Article II of the bill, in the appropriations to the Health and Human Services Commission, reduce the amount appropriated from the general revenue fund for L.2.1 Strategy: Central Program Support (page II-34), by the amount of \$1 for the state fiscal year ending August 31, 2018, and by the amount of \$1 for the state fiscal year ending August 31, 2019.

(3) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 243**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article III of the bill, after the items of appropriation for the Texas Education Agency, amend Rider 5 as follows:

Transportation Cost Allotment. Pursuant to §42.155 of the Texas Education Code, the appropriation for funding regular transportation programs for the 2017-18 and 2018-19 school years shall be calculated on the following basis:

Linear Density Grouping		Allocation Per Mile of Approved Route	
2.40 and above		<del>\$1.43</del>	<u>1.63</u>
1.65 to	2.40	<del>1.25</del>	<u>1.45</u>
1.15 to	1.65	<del>1.11</del>	<u>1.31</u>
.90 to	1.15	<del>.97</del>	<u>1.17</u>
.65 to	.90	<del>.88</del>	<u>1.08</u>
.40 to	.65	<del>.79</del>	<u>.99</u>
up to	.40	<del>.68</del>	<u>.88</u>

Pursuant to §42.155 of the Texas Education Code, the maximum mileage rate for special education transportation shall be \$~~[1.08]~~ 1.28 per mile. Private transportation rates shall be \$~~[0.25]~~ 0.45 per mile or a maximum of \$816 per pupil for both special education and isolated areas as defined in Subsections 42.155(g) and 42.155(e).

(2) Adjust methods of finance and total sums accordingly.

**Floor Amendment No. 244**

Amend **CSSB 1** (House committee printing), in Article II of the bill, immediately following the appropriations to the Department of Family and Protective Services (page II-3), by adding the following appropriately numbered rider:

\_\_\_\_. Contingent Appropriation: **HB 39**. Contingent on **HB 39** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the child protective services functions of the Department of Family and Protective Services, being enacted and becoming law, out of funds appropriated to the Department of Family and Protective Services by this Act, the department shall use \$12,258,808 during the fiscal year ending August 31, 2018, and \$10,047,645 during the fiscal year ending August 31, 2019, to implement the provisions of that legislation.

**Floor Amendment No. 245**

Amend **CSSB 1** as follows:

(1) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Clean Air Account No. 0151, increase Clean Air Account No. 0151 appropriations to Strategy A.1.1, Air Quality Assessment and Planning, by \$160,052 in fiscal year 2018 and by \$160,052 in fiscal year 2019 for agency operational needs.

(2) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Clean Air Account No. 0151, increase Clean Air Account No. 0151 appropriations to Strategy A.2.1, Air Quality Permitting, by \$27,899 in fiscal year 2018 and by \$27,899 in fiscal year 2019 for agency operational needs.

(3) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Clean Air Account No. 0151, increase Clean Air Account No. 0151 appropriations to Strategy C.1.1, Field Inspections and Complaints Response, by \$62,053 in fiscal year 2018 and by \$62,053 in fiscal year 2019 for agency operational needs.

(4) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Clean Air Account No. 0151, increase Clean Air Account No. 0151 appropriations to Strategy F.1.1, Central Administration, by \$94,449 in fiscal year 2018 and by \$108,949 in fiscal year 2019 for agency operational needs.

(5) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Clean Air Account No. 0151, increase Clean Air Account No. 0151 appropriations to Strategy F.1.2, Information Resources, by \$104,808 in fiscal year 2018 and by \$86,684 in fiscal year 2019 for agency operational needs.

(6) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Water Resource Management Account No. 0153, increase Water Resource Management Account No. 0153 appropriations to Strategy A.1.2, Water Assessment and Planning, by \$23,564 in fiscal year 2018 and by \$23,564 in fiscal year 2019 for agency operational needs.

(7) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Water Resource Management Account No. 0153, increase Water Resource Management Account No. 0153 appropriations to Strategy A.2.2, Water Resource Permitting, by \$28,165 in fiscal year 2018 and by \$28,291 in fiscal year 2019 for agency operational needs.

(8) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Water Resource Management Account No. 0153, increase Water Resource Management Account No. 0153 appropriations to Strategy B.1.1, Safe Drinking Water, by \$23,564 in fiscal year 2018 and by \$23,564 in fiscal year 2019 for agency operational needs.



(9) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Water Resource Management Account No. 0153, increase Water Resource Management Account No. 0153 appropriations to Strategy C.1.1, Field Inspections and Complaints, by \$62,053 in fiscal year 2018 and by \$62,053 in fiscal year 2019 for agency operational needs.

(10) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Water Resource Management Account No. 0153, increase Water Resource Management Account No. 0153 appropriations to Strategy F.1.1, Central Administration, by \$160,859 in fiscal year 2018 and by \$146,358 in fiscal year 2019 for agency operational needs.

(11) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Water Resource Management Account No. 0153, increase Water Resource Management Account No. 0153 appropriations to Strategy F.1.2, Information Resources, by \$104,808 in fiscal year 2018 and by \$86,684 in fiscal year 2019 for agency operational needs.

(12) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Waste Management Account No. 0549, increase Waste Management Account No. 0549 appropriations to Strategy A.1.3, Waste Assessment and Planning, by \$24,217 in fiscal year 2018 and by \$24,217 in fiscal year 2019 for agency operational needs.

(13) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Waste Management Account No. 0549, increase Waste Management Account No. 0549 appropriations to Strategy C.1.1, Field Inspections and Complaints, by \$62,053 in fiscal year 2018 and by \$62,053 in fiscal year 2019 for agency operational needs.

(14) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Waste Management Account No. 0549, increase Waste Management Account No. 0549 appropriations to Strategy F.1.1, Central Administration, by \$142,444 in fiscal year 2018 and by \$156,943 in fiscal year 2019 for agency operational needs.

(15) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Waste Management Account No. 0549, increase Waste Management Account No. 0549 appropriations to Strategy F.1.2, Information Resources, by \$104,809 in fiscal year 2018 and by \$86,683 in fiscal year 2019 for agency operational needs.

(16) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Hazardous and Solid Waste Remediation Fee Account No. 0550, increase Hazardous and Solid Waste Remediation Fee Account No. 0550 appropriations to Strategy C.1.1, Field Inspections and Complaints, by \$38,000 in fiscal year 2018 and by \$38,000 in fiscal year 2019 for agency operational needs.

(17) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Hazardous and Solid Waste Remediation Fee Account No. 0550, increase Hazardous and Solid Waste

Remediation Fee Account No. 0550 appropriations to Strategy D.1.2, Hazardous Materials Cleanup, by \$24,217 in fiscal year 2018 and by \$24,217 in fiscal year 2019 for agency operational needs.

(18) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Hazardous and Solid Waste Remediation Fee Account No. 0550, increase Hazardous and Solid Waste Remediation Fee Account No. 0550 appropriations to Strategy F.1.1, Central Administration, by \$75,399 in fiscal year 2018 and by \$60,899 in fiscal year 2019 for agency operational needs.

(19) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Petroleum Storage Tank Remediation Account No. 0655, increase Petroleum Storage Tank Remediation Account No. 0655 appropriations to Strategy C.1.1, Field Inspections and Complaints, by \$24,053 in fiscal year 2018 and by \$24,053 in fiscal year 2019 for agency operational needs.

(20) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Petroleum Storage Tank Remediation Account No. 0655, increase Petroleum Storage Tank Remediation Account No. 0655 appropriations to Strategy F.1.1, Central Administration, by \$48,331 in fiscal year 2018 and by \$48,331 in fiscal year 2019 for agency operational needs.

(21) On page VI-13 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Petroleum Storage Tank Remediation Account No. 0655, increase Petroleum Storage Tank Remediation Account No. 0655 appropriations to Strategy F.1.2, Information Resources, by \$43,750 in fiscal year 2018 and by \$43,750 in fiscal year 2019 for agency operational needs.

(22) On page VI-14 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Operating Permit Fees Account No. 5094, increase Operating Permit Fees Account No. 5094 appropriations to Strategy A.1.1, Air Quality Assessment and Planning, by \$132,050 in fiscal year 2018 and by \$132,050 in fiscal year 2019 for agency operational needs.

(23) On page VI-14 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Operating Permit Fees Account No. 5094, increase Operating Permit Fees Account No. 5094 appropriations to Strategy C.1.1, Field Inspections and Complaints, by \$62,053 in fiscal year 2018 and by \$62,053 in fiscal year 2019 for agency operational needs.

(24) On page VI-14 of the bill pattern for the Commission on Environmental Quality, contingent on the availability of funding in Operating Permit Fees Account No. 5094, increase Operating Permit Fees Account No. 5094 appropriations to Strategy F.1.2, Information Resources, by \$53,538 in fiscal year 2018 and by \$35,412 in fiscal year 2019 for agency operational needs.

(25) Adjust the article totals and methods of financing accordingly.

### **Floor Amendment No. 246**

Amend Amendment No. 245 by Pickett (page 320 of the prefiled amendments packet) by striking the text of the amendment and substituting the following:

Amend **CSSB 1** (house committee report) as follows:

(1) Under the Article XI appropriations to the Commission on Environmental Quality (page XI-12), add the following appropriately numbered riders:

\_\_\_\_. Agency Operational Needs: Air Quality Assessment and Planning. To the extent money is available in the Clean Air Account No. 151 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy A.1.1, Air Quality Assessment and Planning, an amount not to exceed \$160,052 is appropriated out of the Clean Air Account No. 151 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$160,052 is appropriated out of the Clean Air Account No. 151 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Air Quality Assessment and Planning. To the extent money is available in the Operating Permit Fees Account No. 5094 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy A.1.1, Air Quality Assessment and Planning, an amount not to exceed \$132,050 is appropriated out of the Operating Permit Fees Account No. 5094 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$132,050 is appropriated out of the Operating Permit Fees Account No. 5094 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Water Assessment and Planning. To the extent money is available in the Water Resource Management Account No. 153 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy A.1.2, Water Assessment and Planning, an amount not to exceed \$23,564 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$23,564 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Waste Assessment and Planning. To the extent money is available in the Waste Management Account No. 549 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy A.1.3, Waste Assessment and Planning, an amount not to exceed \$24,217 is appropriated out of the Waste Management Account No. 549 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$24,217 is appropriated out of the Waste Management Account No. 549 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Air Quality Permitting. To the extent money is available in the Clean Air Account No. 151 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy A.2.1, Air Quality Permitting, an amount not to exceed \$27,899 is appropriated out of the Clean Air Account No. 151 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$27,899 is appropriated out of the Clean Air Account No. 151 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Water Resource Permitting. To the extent money is available in the Water Resource Management Account No. 153 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy A.2.2, Water Resource Permitting, an amount not to exceed \$28,165 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$28,291 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Safe Drinking Water. To the extent money is available in the Water Resource Management Account No. 153 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy B.1.1, Safe Drinking Water, an amount not to exceed \$23,564 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$23,564 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Field Inspections and Complaints. To the extent money is available in the Clean Air Account No. 151 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy C.1.1, Field Inspections & Complaints, an amount not to exceed \$62,053 is appropriated out of the Clean Air Account No. 151 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$62,053 is appropriated out of the Clean Air Account No. 151 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Field Inspections and Complaints. To the extent money is available in the Water Resource Management Account No. 153 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy C.1.1, Field Inspections & Complaints, an amount not to exceed \$62,053 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$62,053 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Field Inspections and Complaints. To the extent money is available in the Waste Management Account No. 549 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy C.1.1, Field Inspections & Complaints, an amount not to exceed \$62,053 is appropriated out of the Waste Management Account No. 549 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$62,053 is appropriated out of the Waste Management Account No. 549 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Field Inspections and Complaints. To the extent money is available in the Hazardous and Solid Waste Remediation Fee Account No. 550 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the

purposes of Article VI, Strategy C.1.1, Field Inspections & Complaints, an amount not to exceed \$38,000 is appropriated out of the Hazardous and Solid Waste Remediation Fee Account No. 550 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$38,000 is appropriated out of the Hazardous and Solid Waste Remediation Fee Account No. 550 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Field Inspections and Complaints. To the extent money is available in the Petroleum Storage Tank Remediation Account No. 655 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy C.1.1, Field Inspections & Complaints, an amount not to exceed \$24,053 is appropriated out of the Petroleum Storage Tank Remediation Account No. 655 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$24,053 is appropriated out of the Petroleum Storage Tank Remediation Account No. 655 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Field Inspections and Complaints. To the extent money is available in the Operating Permit Fees Account No. 5094 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy C.1.1, Field Inspections & Complaints, an amount not to exceed \$62,053 is appropriated out of the Operating Permit Fees Account No. 5094 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$62,053 is appropriated out of the Operating Permit Fees Account No. 5094 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Central Administration. To the extent money is available in the Clean Air Account No. 151 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy F.1.1, Central Administration, an amount not to exceed \$94,449 is appropriated out of the Clean Air Account No. 151 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$108,949 is appropriated out of the Clean Air Account No. 151 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Central Administration. To the extent money is available in the Water Resource Management Account No. 153 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy F.1.1, Central Administration, an amount not to exceed \$160,859 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$146,358 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Central Administration. To the extent money is available in the Waste Management Account No. 549 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy F.1.1, Central Administration, an amount not to exceed \$142,444 is appropriated out of the Waste

Management Account No. 549 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$156,943 is appropriated out of the Waste Management Account No. 549 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Central Administration. To the extent money is available in the Hazardous and Solid Waste Remediation Fee Account No. 550 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy F.1.1, Central Administration, an amount not to exceed \$75,399 is appropriated out of the Hazardous and Solid Waste Remediation Fee Account No. 550 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$60,899 is appropriated out of the Hazardous and Solid Waste Remediation Fee Account No. 550 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Central Administration. To the extent money is available in the Petroleum Storage Tank Remediation Account No. 655 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy F.1.1, Central Administration, an amount not to exceed \$48,331 is appropriated out of the Petroleum Storage Tank Remediation Account No. 655 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$48,331 is appropriated out of the Petroleum Storage Tank Remediation Account No. 655 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Information Resources. To the extent money is available in the Clean Air Account No. 151 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy F.1.2, Information Resources, an amount not to exceed \$104,808 is appropriated out of the Clean Air Account No. 151 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$86,684 is appropriated out of the Clean Air Account No. 151 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Information Resources. To the extent money is available in the Water Resource Management Account No. 153 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy F.1.2, Information Resources, an amount not to exceed \$104,808 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$86,684 is appropriated out of the Water Resource Management Account No. 153 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Information Resources. To the extent money is available in the Waste Management Account No. 549 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy F.1.2, Information Resources, an amount not to exceed \$104,809 is appropriated out of the Waste Management Account No. 549 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$86,683 is appropriated out of the Waste Management Account No. 549 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Information Resources. To the extent money is available in the Petroleum Storage Tank Remediation Account No. 655 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy F.1.2, Information Resources, an amount not to exceed \$43,750 is appropriated out of the Petroleum Storage Tank Remediation Account No. 655 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$43,750 is appropriated out of the Petroleum Storage Tank Remediation Account No. 655 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Information Resources. To the extent money is available in the Operating Permit Fees Account No. 5094 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy F.1.2, Information Resources, an amount not to exceed \$53,538 is appropriated out of the Operating Permit Fees Account No. 5094 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$35,412 is appropriated out of the Operating Permit Fees Account No. 5094 for the state fiscal year ending August 31, 2019.

\_\_\_\_. Agency Operational Needs: Hazardous Materials Cleanup. To the extent money is available in the Hazardous and Solid Waste Remediation Fee Account No. 550 in the general revenue fund, in addition to other amounts appropriated by this Act to the Commission on Environmental Quality for the purposes of Article VI, Strategy D.1.2, Hazardous Materials Cleanup, an amount not to exceed \$24,217 is appropriated out of the Hazardous and Solid Waste Remediation Fee Account No. 550 for the state fiscal year ending August 31, 2018, and an amount not to exceed \$24,217 is appropriated out of the Hazardous and Solid Waste Remediation Fee Account No. 550 for the state fiscal year ending August 31, 2019.

(2) Adjust the Article VI subtotal (page XI-12) under Article XI and the Article XI grand total (page XI-14) accordingly.

#### **Floor Amendment No. 247**

Amend **CSSB 1** (house committee report), in the appropriations to the Texas Lottery Commission (page VII-8), by reducing the general revenue appropriations for Strategy A.1.3, Marketing and Promotion, by the amount of \$6,425,621 for the state fiscal year ending August 31, 2018, and by the amount of \$6,451,935 for the state fiscal year ending August 31, 2019.

#### **Floor Amendment No. 248**

Amend **CSSB 1** (house committee printing) as follows:

(1) Reduce the Article VII appropriations from the general revenue dedicated account number 5025, Lottery Account, to the Texas Lottery Commission for Strategy A.1.3, Marketing and Promotion (page VII-8), by the amount of \$3,212,811 for the state fiscal year ending August 31, 2018, and \$3,225,967 for the state fiscal year ending August 31, 2019.

(2) Reduce the Article VII appropriations from the general revenue dedicated account number 5025, Lottery Account, to the Texas Lottery Commission for Strategy A.1.8, Mass Media Advertising Contract(s) (page VII-8), by the amount of \$15,345,000 for each fiscal year of the state fiscal biennium ending August 31, 2019.

(3) Reduce the Article VII appropriations from the general revenue dedicated account number 5025, Lottery Account, to the Texas Lottery Commission for Strategy A.1.11, Retailer Bonus (page VII-8), by the amount of \$2,100,000 for each fiscal year of the state fiscal biennium ending August 31, 2019.

(4) Add the following appropriately numbered rider following the Article III appropriations to public community/junior colleges (page III-204):

\_\_\_\_. Additional Core Operations Funding. In addition to other amounts appropriated above to each public community or junior college listed in this article for the strategies relating to core operations (page III-198 through page III-203), the amount of \$20,657,811 for the state fiscal year ending August 31, 2018, and \$20,670,967 for the state fiscal year ending August 31, 2019, is appropriated from the general revenue fund to those colleges for purposes of those strategies, to be distributed among the colleges in equal amounts.

(5) Adjust totals and methods of financing accordingly.

#### **Floor Amendment No. 249**

Amend **CSSB 1** on page VII-10 by adding the following to Rider No. 6:

"If the legislature passes **HB 2578** or other legislation that eliminates the license fees paid by licensed authorized organizations under Occupations Code Chapter 2001 and retains a portion of the prize fees that would otherwise be allocated to counties and municipalities under that chapter, such that the loss of revenue from the elimination of those license fees is offset by the retained prize fees, the revenue from the retained prize fees shall be considered "other miscellaneous revenues" for purposes of this subsection."

#### **Floor Amendment No. 250**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article VII of the bill, in the appropriations for the Department of Motor Vehicles (page VII-12), reduce the appropriations for Strategy B.2.1, Automobile Theft Prevention, by the amount of \$25,000 for the state fiscal year ending August 31, 2018, and by the amount of \$25,000 for the state fiscal year ending August 31, 2019.

(2) In Article VII of the bill, in the appropriations for the Department of Housing and Community Affairs (page VII-2), increase the appropriations for Strategy D.1.1, Monitor Housing Requirements, by the amount of \$25,000 for the state fiscal year ending August 31, 2018, and by the amount of \$25,000 for the state fiscal year ending August 31, 2019, for the purpose of conducting inspections and otherwise enforcing the migrant labor housing program under Subchapter LL, Chapter 2306, Government Code.

(3) In Article VII of the bill, following the appropriations for the Department of Housing and Community Affairs (page VII-7), add the following appropriately numbered rider:

\_\_\_\_. Migrant Labor Housing Funding. In addition to the amounts appropriated above to the Department of Housing and Community Affairs in Strategy D.1.1, Monitor Housing Requirements, the Department of Housing and Community Affairs is appropriated any additional amounts that are collected as licensing and inspection fees through the migrant labor housing program under Subchapter LL, Chapter 2306, Government Code, and deposited to the credit of the general revenue fund (revenue



object code 3573) and that exceed \$25,000 for that state fiscal year ending August 31, 2018, and \$25,000 for the state fiscal year ending August 31, 2019. The funds shall be used for the licensing and inspection of migrant labor housing facilities under Subchapter LL, Chapter 2306, Government Code.

(4) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 251**

Amend **CSSB 1** (house committee report) as follows:

(1) In Article VII of the bill (page VII-15), in the appropriations to the Texas Department of Transportation, increase the appropriations for Strategy A.1.1, Plan/Design/Manage, by the amount of \$25,000,000 for each year of the state fiscal biennium ending August 31, 2019.

(2) In Article VII of the bill (page VII-21), following the appropriations to the Texas Department of Transportation, amend Rider 11(b), District Discretionary Funds, by inserting the following after the last sentence of the rider:

Out of the funds appropriated above in Goal A, Project Development and Delivery, the Department of Transportation shall allocate a minimum of \$25,000,000 to fund the improvements described by this subsection each fiscal year.

(3) In Article IX of the bill (page IX-86), in the appropriations to the Department of Public Safety, reduce the appropriations to the Department of Public Safety for border security by the amount of \$25,000,000 for each year of the state fiscal biennium ending August 31, 2019.

(4) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 252**

Amend **CSSB 1** as follows:

(1) On page VII-15 of the bill pattern for the Department of Transportation, in the Method of Financing under Other Funds decrease State Highway Fund No. 006 by \$39,091,496 in fiscal year 2018 and increase State Highway Fund No. 006 by \$39,091,496 in fiscal year 2019.

(2) On page VII-15 of the bill pattern for the Department of Transportation, increase the Number of Full-Time-Equivalents (FTE) by 627.0 in fiscal year 2018 and by 627.0 in fiscal year 2019.

(3) On page VII-15 of the bill pattern for the Department of Transportation, increase State Highway Fund No. 006 appropriations to Strategy A.1.1, Plan/Design/Manage, by \$37,848,932 in fiscal year 2018 and by \$37,848,932 in fiscal year 2019.

(4) On page VII-15 of the bill pattern for the Department of Transportation, decrease State Highway Fund No. 006 appropriations to Strategy A.1.4, Construction Contracts, by \$78,182,992 in fiscal year 2018.

(5) On page VII-16 of the bill pattern for the Department of Transportation, increase State Highway Fund No. 006 appropriations to Strategy E.1.1, Central Administration, by \$1,242,564 in fiscal year 2018 and by \$1,242,564 in fiscal year 2019.

(6) On page VII-30 after the bill pattern for the Department of Transportation, add the following appropriately numbered rider:

\_\_\_\_\_. Full-Time-Equivalents for Enhanced Staffing. Out of the "Number of Full-Time-Equivalents (FTE)" indicated above, the Department of Transportation shall allocate 627.0 FTEs in each fiscal year to enhance staffing for the following purposes:

- a. 220.0 FTEs in each fiscal year for construction engineering and inspection in Department of Transportation districts in rural areas of the state;
- b. 289.0 FTEs in each fiscal year for contract management, execution and oversight; project management; and portfolio management;
- c. 55.0 FTEs in each fiscal year for utility coordinators and technicians;
- d. 45.0 FTEs in each fiscal year for in the department's engineering divisions for environmental, design, and bridge work, and engineering procurement; and
- e. 18.0 FTEs in each fiscal year in the department's supporting divisions, including human resources, purchasing, and accounting.

#### **Floor Amendment No. 253**

Amend **CSSB 1** to insert the following appropriately numbered rider in the Article VI bill pattern of the Texas Department of Transportation:

\_\_\_\_\_. Limit to the use of Appropriated Funds. In Fiscal Years 2018 and 2019, the Department of Transportation may enter into agreements with local governments, convention and visitors bureaus, chambers of commerce, or other governmental or non-governmental entities for the purpose of purchasing supplies and materials to be used for aesthetic entrances to cities or census designated places along interstate or highway corridors and ornamental decorations along overpasses, however the Department of Transportation shall not expend appropriated funds to plan, design, or construct solely aesthetic entrances.

#### **Floor Amendment No. 254**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider in Article VII, following the appropriations to the Department of Transportation:

\_\_\_\_\_. Sale of Certain Property. The Department of Transportation may sell the department's property located at 623 North Cage Boulevard, in Pharr, Texas, and at 1001 North Nueces Street, in George West, Texas, to the municipality in which the property is located at a rate below the prevailing market rate.

#### **Floor Amendment No. 255**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider in Article VII after the appropriations to the Texas Department of Transportation:

\_\_\_\_\_. Contracts for Tolled Highways. The Texas Department of Transportation may not use any money appropriated by this Act for the planning or construction of a tolled highway for which a design or construction contract was not entered into before September 1, 2017.

#### **Floor Amendment No. 256**

Amend Amendment No. 255 by Leach to **CSSB 1** (page 341, prefiled amendment packet) on page 1, by striking line 9 and substituting the following:

2017, except that the department may use money appropriated by this Act from that fund for the planning or construction of a tolled highway if the tolled highway is located in a county with a population of more than 200,000 that is adjacent to a county with a population of more than 3.3 million and the tolled highway:

- (1) is an extension or enlargement of a tolled highway for which a design or construction contract was entered into before September 1, 2017; or
- (2) consists of one or more segments of the Grand Parkway.

**Floor Amendment No. 257**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider in Article VII after the appropriations to the Texas Department of Transportation:

\_\_\_\_. Use of State Highway Fund for Tolled Highways. The Texas Department of Transportation may not use any money appropriated by this Act from State Highway Fund No. 006 for the planning or construction of a tolled highway for which a design or construction contract was not entered into before September 1, 2017.

**Floor Amendment No. 258**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider in Article VII after the appropriations to the Department of Transportation:

\_\_\_\_. Repayment of Money Used for Tolled Highways by Toll Project Entities. None of the funds appropriated under this Act to the Department of Transportation may be used for a contribution by the department to a toll project or toll project entity, as those terms are defined by Section 372.001, Transportation Code, unless the department requires repayment of the contribution by the entity.

**Floor Amendment No. 259**

Amend Amendment No. 258 to **CSSB 1** by Pickett (page 342 of the prefiled amendment packet) by striking lines 8 through 10 and substituting the following: terms are defined by Section 372.001, Transportation Code, unless:

- (1) the funds are held in a subaccount created under Section 228.012, Transportation Code; or
  - (2) the department requires repayment of the contribution by the entity on terms:
    - (A) agreed to after negotiation between the department and the entity;
- and
- (B) approved by the Texas Transportation Commission.

**Floor Amendment No. 260**

Amend Amendment No. 258 by Pickett to **CSSB 1** (page 342 of the prefiled amendment packet) by inserting the following at the end of the amendment:

Notwithstanding the foregoing, with respect to a project in a county with a population of 3.3 million or more, including an interchange, detention facility, frontage road or other project which may be done in connection with a toll and nontoll highway project, the department shall not require the repayment of funds appropriated

to the department under this Act if the policy board of the applicable metropolitan planning organization has made the determination to allocate such funds to the project as a grant rather than a loan.

### **Floor Amendment No. 261**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider in Article VII after the appropriations to the Texas Department of Transportation:

\_\_\_\_. Use of Texas Mobility Fund for Tolloed Highways. The Texas Department of Transportation may not use any money appropriated by this Act from the Texas mobility fund for the planning or construction of a tolloed highway for which a design or construction contract was not entered into before September 1, 2017.

### **Floor Amendment No. 262**

Amend **CSSB 1** (house committee report) in Article VII of the bill, following the appropriations to the Department of Transportation (page VII-14), by adding the following appropriately numbered rider:

\_\_\_\_. NETEX Rail Line Rehabilitation. Out of general revenue appropriated above in Strategy D.1.3, Rail Construction, the Department of Transportation shall use \$1,000,000 for the state fiscal year ending August 31, 2018, and \$1,000,000 for the state fiscal year ending August 31, 2019, for rehabilitation of the Northeast Texas Rural Rail Transportation District (NETEX) freight rail line from Greenville to Mount Pleasant.

### **Floor Amendment No. 263**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider to Article VII of the bill, following the appropriations to the Department of Transportation:

\_\_\_\_. Engineering Contract Reporting. If this Act provides additional FTEs for contract management, execution, and oversight, the Department of Transportation quarterly for each fiscal year of the state fiscal biennium ending August 31, 2019, shall issue a public report that includes the following information for engineering contracts entered into by the department:

- a. the percentage and value of contracts that are specific deliverable contracts compared to indefinite deliverable contracts;
- b. the percentage and value of specific deliverable contracts that comply with a goal of 120 calendar days from the initial date of advertising to the date of a notice to proceed;
- c. the percentage and value of indefinite deliverable contracts that comply with a goal of 120 calendar days from the initial date of advertising to the date of a notice to proceed under an initial work authorization;
- d. the percentage and value of indefinite deliverable contracts without work authorizations issued after 180 calendar days from the initial date of advertising; and
- e. the percentage and value of indefinite deliverable contracts that are at least 75 percent expended within 18 months of the initial date of advertising.

**Floor Amendment No. 264**

Amend **CSSB 1** (house committee report) as follows:

(1) In Article VII of the bill, following the appropriations to the Texas Department of Transportation, add the following appropriately numbered rider:

\_\_\_\_. Additional Funds for Transportation Infrastructure Fund. In addition to the other amounts appropriated to the Texas Department of Transportation, the amount of \$50,000,000 for each year of the state fiscal biennium ending August 31, 2019, is appropriated to the Texas Department of Transportation for the transportation infrastructure fund established under Subchapter C, Chapter 256, Transportation Code.

(2) In Article IX of the bill, on page IX-86, reduce the appropriation to the Department of Public Safety for border security by the amount of \$50,000,000 for each year of the state fiscal biennium ending August 31, 2019.

(3) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 265**

Amend **CSSB 1** as follows:

(1) On page VII-30 after the bill pattern for the Department of Transportation, add the following appropriately numbered rider:

\_\_\_\_. Report on Performance-based Process. The Department of Transportation shall provide to the speaker, the lieutenant governor, the members of the House Committee on Transportation, the members of the Senate Committee on Transportation, and the Legislative Budget Board:

a. not later than March 31, 2018, a report that includes:

(1) the statewide transportation system goals and the associated measures that will be used to evaluate progress towards those goals;

(2) the anticipated impact of the Unified Transportation Program on the statewide transportation system goals, as quantified by the required performance measures;

(3) the criteria used to allocate funding among the categories in the Unified Transportation Program; and

(4) the baseline data for the performance measurements used; and

b. not later than March 31, 2019, a report on the department's progress towards meeting transportation system goals compared to the baseline performance measure data.

**Floor Amendment No. 266**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Article VII of the bill, after the appropriations to the Texas Department of Transportation, and renumbering subsequent riders accordingly:

\_\_\_\_. Study of Economic Activity Resulting From Highway Projects. It is the intent of the legislature that the Texas Department of Transportation, using money appropriated by this Act:

(1) conduct during the state fiscal year beginning September 1, 2017, a study to demonstrate the increase in economic activity due to development of highway projects by:

(A) designating three not yet completed highway projects to be studied, two of which must regularly be heavily congested; and

(B) quantifying for each project the loss or gain for the area one mile from the centerline of the project, as compared to the year the project was opened to traffic, in:

- (i) sales tax revenue;
- (ii) appraised values of property for ad valorem tax purposes;
- (iii) business creation and retention; and
- (iv) hotel occupancy taxes;

(2) compile a report on the results of the study, including information as to whether increases in economic activity could be used to finance future projects, particularly as an alternative to imposing tolls; and

(3) not later than December 1, 2018, provide the report to the legislature.

### **Floor Amendment No. 267**

Amend **CSSB 1** (house committee report) in Article VII of the bill by adding the following appropriately numbered rider following the appropriations to the Texas Department of Transportation:

\_\_\_\_. Additional Funds for Construction Contracts. The Trusteed Programs within the Office of the Governor shall transfer to the State Highway Fund No. 006 the amount of \$10,000,000 out of the appropriations for the fiscal year ending August 31, 2018, to the Trusteed Programs within the Office of the Governor for Strategy C.1.4, Texas Enterprise Fund, and that amount is appropriated from State Highway Fund No. 006 for that fiscal year to the Department of Transportation to be used for construction contracts under Strategy A.1.4, Construction Contracts. Funds appropriated by this provision may be used only for construction contracts that are not related to tolled highways or restricted lanes, as defined by Section 224.151, Transportation Code.

### **Floor Amendment No. 268**

Amend **CSSB 1** (house committee report) as follows:

(1) In Article VII of the bill, following the appropriations to the Texas Workforce Commission (page VII-32), add the following appropriately numbered rider:

\_\_\_\_. Workforce Employment and Training Activities for Veterans. The amount of \$500,000 is appropriated from the Economic Stabilization Fund for each year of the state fiscal biennium ending August 31, 2019, for the purposes of Strategy A.1.4, Employment and Community Services. Out of amounts appropriated above in Strategy A.1.4, Employment and Community Services, the Texas Workforce Commission shall transfer \$500,000 for each year of the state fiscal biennium ending August 31, 2019, to the Texas Veterans Commission to continue funding employment programs for veterans.

(2) In Article IX of the bill (page IX-86), in the appropriations to the Department of Public Safety, reduce the appropriations from the Economic Stabilization Fund to the Department of Public Safety for Border Security by the amount of \$500,000 for each year of the state fiscal biennium ending August 31, 2019.

(3) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 269**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider following the Article VII appropriations to the Texas Workforce Commission (page VII-32):

\_\_. Use of Skills Development Funds for Certain Employers Outside Texas. It is the intent of the Legislature that money appropriated to the Texas Workforce Commission above for Strategy A.3.1, Skills Development (page VII-31), be used to provide workforce training and related support services to employers outside this state who commit to expanding in or relocating their operations to this state, with a focus on those employers who will provide complex or high-skilled employment opportunities in this state.

**Floor Amendment No. 270**

Amend Amendment No. 269 by Alvarado to **CSSB 1** (page 351, prefiled amendment packet) on line 7, between "(page VII-31)," and "be", by inserting "may".

**Floor Amendment No. 271**

Amend **CSSB 1** (house committee report) in Article VII of the bill as follows:

(1) Amend Rider 10 following the appropriations to the Texas Workforce Commission (page VII-36), in the first sentence, between "Texas Education Agency" and "and local school districts", by inserting ", public junior and community colleges,".

(2) Add the following appropriately numbered rider following the appropriations to the Texas Workforce Commission (page VII-32):

\_\_. Study on Child Care Programs for Public Junior and Community Colleges. Out of funds appropriated above for the Texas Workforce Commission, the Texas Workforce Commission in consultation with public junior and community colleges shall conduct a feasibility study on seeking federal funds and matching grant money for providing child care services at eligible public junior and community colleges. The study must include an estimate of the number of, and demographic information regarding, students and children who would utilize those services, facility and staffing requirements and costs related to implementing the services, and any other information the commission considers necessary to determine the feasibility and effectiveness of seeking those funds for that purpose. The commission shall submit a report on the results of the study to the Governor, the Legislative Budget Board, and the standing legislative committees with primary jurisdiction over workforce development not later than November 1, 2018.

**Floor Amendment No. 272**

Amend **CSSB 1** (house committee printing) in Article VII of the bill, following the appropriations to the Texas Workforce Commission, by adding the following appropriately numbered rider:

\_\_. Transfer of Certain Appropriations to Texas Education Agency. Out of amounts appropriated above to the Texas Workforce Commission in Strategy A.3.1, Skills Development, the commission shall transfer to the Texas Education Agency

\$500,000 for the state fiscal year ending August 31, 2018, and \$500,000 for the state fiscal year ending August 31, 2019, to support programs that enable public high school students to earn certifications.

### **Floor Amendment No. 273**

**CSSB 1** is amended as follows:

On page XI-13 of the Article VIII listing for the Texas Department of Insurance, add the following contingency rider:

\_\_\_\_. Contingency for **HB 3226**. a) Contingent on enactment of **HB 3226**, or similar legislation relating to the creation of the Temporary Texas Health Insurance Risk Pool, by the Eighty-Fifth Legislature, Regular Session, the Texas Department of Insurance (TDI) is appropriated in Strategy G.1.1, Health Insurance Pool Contingency, \$841,602 in fiscal year 2018 and \$933,351 in fiscal year 2019 from general revenue-dedicated TDI Operating Fund 36 and \$12,000,000 in fiscal year 2018 and \$28,312,122 in fiscal year 2019 from Premium Stabilization Fund 329 to implement the provisions of the legislation. In addition, the "Number of Full-Time-Equivalents (FTE)" positions for TDI is increased by 10.5 FTEs in fiscal year 2018 and 12.0 FTEs in fiscal year 2019.

b) None of the funds appropriated in Subsection (a) for Strategy G.1.1, Health Insurance Pool Contingency, may be expended unless the Commissioner of Insurance determines that action by the federal government necessitates the creation of the Temporary Texas Health Insurance Risk Pool and the Commissioner of Insurance notifies the governor and the Legislative Budget Board within ten days of such determination.

c) Any unexpended and unobligated balances of appropriations in Subsection (a) for the fiscal year ending August 31, 2018, are appropriated to the agency for the same purposes for the fiscal year beginning September 1, 2018.

### **Floor Amendment No. 274**

Amend **CSSB 1** (house committee printing) as follows:

(1) Reduce the Article VIII appropriations to the Department of Insurance, for Strategy D.1.2, Dispute Resolution (page VIII-17), by \$2,500,000 for the state fiscal year ending August 31, 2018, and by \$2,500,000 for the state fiscal year ending August 31, 2019.

(2) Increase the Article III appropriations from Texas Education Agency for Strategy A.2.2, Achievement of Students at Risk (page III-2), by \$2,500,000 for the state fiscal year ending August 31, 2018, and by \$2,500,000 for the state fiscal year ending August 31, 2019.

(3) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 275**

Amend **CSSB 1** (house committee printing) under the Article VIII appropriations to the Department of Insurance by adding the following appropriately numbered provision:

\_\_\_\_. Activity Report. Out of the amounts appropriated above, the Department of Insurance shall conduct an annual report providing the total number of domestic, foreign or alien companies or legal entities engaged in the business of personal



automobile insurance or residential property insurance in this state. The report shall include the total number of policies written and the aggregate value of the total policies per domestic, foreign or alien companies or legal entities.

The commissioner shall adopt the necessary forms to obtain the information required to complete the report. The department shall post the report on the department's Internet website by December 31, 2018.

#### **Floor Amendment No. 276**

Amend **CSSB 1** (house committee printing) under the Article VIII appropriations to the Department of Insurance by adding the following appropriately numbered provision:

\_\_\_\_. Report Alien Ownership. Out of the amounts appropriated above, the Department of Insurance shall conduct an annual report listing each insurance company, reciprocal or interinsurance exchange, mutual insurance company, capital stock company, county mutual insurance company, Lloyd's plan, or other legal entity engaged in the business of personal automobile insurance or residential property insurance in this state that has a major shareholder who is an entity:

A. that is directly or indirectly the beneficial owner of more than 10 percent of any class of an equity security; and,

B. organized under the laws of another country or that has its principal place of business in another country.

The report shall list the entity by the insurance company, reciprocal or interinsurance exchange, mutual insurance company, capital stock company, county mutual insurance company, Lloyd's plan, or other legal entity associated with each entity identified.

The commissioner shall adopt the necessary forms to obtain the information required to complete the report. The department shall post the report on the department's Internet website by December 31, 2018.

#### **Floor Amendment No. 277**

Amend **CSSB 1** (house committee report), in Article VIII of the bill (page VIII-31), in the appropriations to the Texas Medical Board, by reducing the appropriations from the general revenue fund to the Texas Medical Board by the amount of \$2,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$2,000,000 for the state fiscal year ending August 31, 2019, and proportionally reducing each strategy by a corresponding amount.

#### **Floor Amendment No. 278**

Amend Amendment No. 277 by Zedler to **CSSB 1** (page 361, prefiled amendment packet), as follows:

(1) Strike line 1 of the amendment and substitute:

Amend **CSSB 1** (house committee report) as follows:

(1) In Article

(2) Following the period on line 7 of the amendment, add:

(2) In Article V following the bill pattern appropriations to the Military Department, add the following appropriately numbered rider:

( ) State Training Supplements. In addition to other amounts appropriated by this article, there is appropriated to the Military Department out of the general revenue fund the amount of \$4,000,000 for the fiscal biennium ending August 31, 2019, for the purposes of Strategy A.1.2, State Training Missions.

**Floor Amendment No. 279**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered section to Part 3, Article IX, of the bill:

Sec. 3. \_\_\_\_. Equal Pay. In paying salaries out of funds appropriated by this Act for the state fiscal biennium ending August 31, 2019, each state agency must ensure that employees who have the same experience and who are performing the same work receive equal pay for the work, regardless of the sex of the employee.

**Floor Amendment No. 280**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 5 of Article IX of the bill:

Sec. 5. \_\_. Prohibition on State Travel to California. (a) Except as provided by Subsection (b) of this section, the funds appropriated by this Act to a state agency for the payment of transportation, meals, lodging, or incidental expenses may not be expended for state-funded or state-sponsored travel to California while California Government Code, Sec. 11139.8, or a similar discriminatory law, is in effect.

(b) Subsection (a) of this section does not apply to travel that is required for:

- (1) enforcement of this state's law;
- (2) litigation;
- (3) compliance with a contractual obligation incurred before September 1, 2017; or
- (4) compliance with a federal government request to appear before a committee.

**Floor Amendment No. 281**

Amend Floor Amendment No. 280 by Burrows to **CSSB 1** (page 364, prefiled amendment packet) as follows:

(1) On page 1, line 4, strike "California" and substitute "a State, Municipality, or Other Jurisdiction with Certain Discriminatory Laws".

(2) On page 1, lines 8 through 10, strike "California while California Government Code, Sec. 11139.8, or a similar discriminatory law, is in effect" and substitute "another state, municipality, or other jurisdiction if that state, municipality, or other jurisdiction enacts a discriminatory law that prohibits government-funded travel to Texas for any reason".

**Floor Amendment No. 282**

Amend **CSSB 1** (house committee printing) in Part 6, Article IX (page IX-27), by adding the following appropriately numbered section:

Sec. 6. \_\_. Use of Appropriations for Certain State Contracts Prohibited. Notwithstanding any other provision of this Act, an institution, department, or agency of this state that receives an appropriation under this Act may not use that money to enter into a contract for goods or services with a vendor who is related, or who

employs a person who is related, within the third degree by consanguinity or the second degree by affinity, as determined under Chapter 573, Government Code, to an employee of that institution, department, or agency who has decision-making authority in any matter related to the contract.

#### **Floor Amendment No. 283**

Amend Amendment No. 282 by Ortega to **CSSB 1** (page 365, prefiled amendment packet), as follows:

Amend **CSSB 1** (house committee printing) in Part 6, Article IX (page IX-27), by adding the following appropriately numbered section:

Sec. 6.\_\_\_\_. Use of Appropriations for Certain State Contracts Prohibited. Notwithstanding any other provision of this Act, an institution, department, or agency of this state that receives an appropriation under this Act may not use that money to enter into a contract for goods or services with a vendor if the vendor, a board member or executive officer of the vendor, or an employee or a subcontractor of the vendor who is involved in the contract bidding process or who will perform any work on the contract is related to an employee of the institution, department, or agency who has decision-making authority in any matter related to the contract, unless the vendor and employee have completed and filed all disclosure related documents as required by law.

#### **Floor Amendment No. 284**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider in Article IX of the bill, in Part 6, General Limitations on Expenditures (page IX-27):

Sec. 6.\_\_\_\_. Prohibition on Spending Related to Human Embryos. Notwithstanding another provision of this Act, money appropriated by this Act may not be used to support research which involves the destruction of a human embryo.

#### **Floor Amendment No. 285**

Amend Amendment No. 284 by Cain to **CSSB 1** (page 366, prefiled amendments packet), in the last sentence of the amendment, by striking "support research which" and substituting "pay the direct or indirect costs, including overhead, rent, phones, or utilities, of research that".

#### **Floor Amendment No. 286**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 6 of Article IX:

6.\_\_. Limitation on Expenditures: Prohibition on Use of Money for Lobbyists. A state agency or political subdivision of this state to which funds are appropriated under this Act may not expend any money appropriated by this Act to compensate a person required to register as a lobbyist under Chapter 305, Government Code, other than as a full-time employee of the agency or political subdivision, for representing the agency or political subdivision regarding a matter before the legislature relating to taxation, revenue, or spending.

**Floor Amendment No. 287**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider in Article IX of the bill, in Part 6, General Limitations on Expenditures (page IX-27):

Sec. 6. \_\_\_\_. Prohibition on Spending Related to Human Fetal Tissue. Notwithstanding another provision of this Act, money appropriated by this Act may not be used to:

- (1) buy any aborted human fetal tissue for research purposes; or
- (2) conduct research on any aborted human fetal tissue.

**Floor Amendment No. 288**

Amend Amendment No. 287 by Cain to **CSSB 1** (page 368, prefiled amendments packet) by striking lines 7-10 and substituting the following:

- (1) purchase human fetal tissue obtained from an elective abortion; or
- (2) pay the direct or indirect costs, including overhead, rent, phones, or utilities, of research on any human fetal tissue obtained from an elective abortion.

**Floor Amendment No. 289**

Amend **CSSB 1** (house committee printing) in Part 6, Article IX, by adding the following appropriately numbered section and renumbering subsequent sections accordingly:

Sec. 6. \_\_\_\_. Border Wall Project at Big Bend Ranch State Park. Notwithstanding any other provision of this Act, no money appropriated by this Act may be used to construct, facilitate, or maintain a border wall in Big Bend Ranch State Park.

**Floor Amendment No. 290**

Amend **CSSB 1** (house committee printing) in Part 6, Article IX, by adding the following appropriately numbered section and renumbering subsequent sections accordingly:

Sec. 6. \_\_\_\_. Appropriations Used for Border Wall Prohibited. Notwithstanding any other provision of this Act, no money appropriated by this Act for border security may be expended to construct, maintain, or otherwise facilitate a border wall, fence, or other barrier between the United States and Mexico.

**Floor Amendment No. 291**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 6, Article IX (page IX-27):

Sec. 6. \_\_\_\_. Limitation on Expenditures for Border Security in Certain Areas.

(a) In this section:

(1) "Border security" means activities associated with deterring crimes and enforcing state laws:

(A) that relate to:

- (i) offenses listed in Section 772.0071, Government Code; or
- (ii) federal law enforcement operations; and

(B) for which this state receives federal grants intended to enhance law enforcement.

(2) "Qualifying county" means a county that is:

- (A) adjacent to or within 20 miles of an international border;
- (B) adjacent to a county located on an international border; or
- (C) adjacent to the Gulf Intracoastal Waterway, as defined by Section

51.002, Transportation Code.

(b) Notwithstanding any other provision of this Act, an institution, department, or agency of this state that receives an appropriation under this Act may not use that money for a purpose directly related to border security in a qualifying county unless the Legislative Budget Board certifies to the institution, department, or agency that the state has received a commitment from the federal government to reimburse the state for the expenditure.

#### **Floor Amendment No. 292**

Amend **CSSB 1** (house committee printing) in Part 6, Article IX, by adding the following appropriately numbered section and renumbering subsequent sections accordingly:

Sec. 6.\_\_. Spending at Property or Business Owned by Federal Official. Notwithstanding any other provision of this Act, no money appropriated by this Act may be spent on the purchase of goods or services at a property or from a business in which a federal official has an ownership interest.

#### **Floor Amendment No. 293**

Amend **CSSB 1** (house committee printing) in Article IX, Part 7, Section 7.11 (page IX-39), immediately after Subsection (c), by inserting the following:

(d) The report submitted under Subsection (c) shall be simultaneously submitted to the state auditor's office. The state auditor shall audit the report and prepare and submit a written report of the audit to the legislature not later than January 1, 2019. The state auditor may assess a fee on each affected state agency to recover any costs associated with the audit described by this subsection.

#### **Floor Amendment No. 294**

Amend **CSSB 1** (house committee printing) in Section 7.11, Article IX, of the bill (page IX-39), immediately following Subsection (c), by adding the following subsections:

(d) The report required under this section must include a comparison of the reported performance indicators for the previous five years.

(e) The Legislative Budget Board shall report on the cost-effectiveness of border security operations in this state to the legislature.

#### **Floor Amendment No. 295**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider to Article IX of the bill, in Part 10, Health-Related Provisions:

Sec. 10.\_\_. Limitation on Abortion Funding. (a) To the extent allowed by federal and state law, money appropriated by this Act may not be distributed to any individual or entity that:

(1) performs an abortion procedure that is not reimbursable under the state's Medicaid program;

(2) is commonly owned, managed, or controlled by an entity that performs an abortion procedure that is not reimbursable under the state's Medicaid program; or

(3) is a franchise or affiliate of an entity that performs an abortion procedure that is not reimbursable under the state's Medicaid program.

(b) A state agency may not severely limit or eliminate access to health care services in any region. Abortion is not considered a health care service for the purpose of this rider.

#### **Floor Amendment No. 296**

Amend Amendment No. 295 by Rinaldi to **CSSB 1** (page 379 of the prefiled amendments packet) as follows:

(1) On page 1, line 4, strike "(a)".

(2) On page 1, strike lines 15 through 17.

#### **Floor Amendment No. 297**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider to Article IX of the bill, in Part 10, Health-Related Provisions:

Sec. 10.\_\_\_\_. Limitation on Abortion Funding. (a) To the extent allowed by federal and state law, money appropriated by this Act may not be distributed to any individual or entity that:

(1) performs an abortion procedure that is not reimbursable under the state's Medicaid program;

(2) is commonly owned, managed, or controlled by an entity that performs an abortion procedure that is not reimbursable under the state's Medicaid program; or

(3) is a franchise or affiliate of an entity that performs an abortion procedure that is not reimbursable under the state's Medicaid program.

(b) A state agency may not severely limit or eliminate access to health care services in any region. Abortion is not considered a health care service for the purpose of this rider.

#### **Floor Amendment No. 298**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider in Article IX of the bill, in Part 10, Health-Related Provisions (page IX-51):

Sec. 10.\_\_\_\_. Limitation on Nonemergency Health Care Expenditures. (a) A state agency or an entity that contracts with a state agency, including an independent administrator, manager, third-party administrator, and managed care organization, may not use, either directly or as a reimbursement, any money appropriated by this Act for a nonemergency health care service, good, or product provided by a hospital or other health care facility unless the hospital or facility publishes the cost for the service, good, or product on a publicly accessible Internet website or provides notice of the cost through a toll-free telephone hotline.

(b) A hospital or other health care facility may not receive from a state agency or an entity that contracts with a state agency money appropriated by this Act unless the hospital or facility provides, before a patient's or purchaser's receipt of a nonemergency health care service, good, or product, notice to the patient or purchaser

that the cost of the service, good, or product is available on a publicly accessible Internet website or through a toll-free telephone hotline, and the patient or purchaser has an opportunity to obtain the cost information.

### **Floor Amendment No. 299**

Amend **CSSB 1** (house committee printing), in Part 11, Article IX of the bill, by adding the following appropriately numbered section and renumbering subsequent sections accordingly:

Sec. 11. \_\_\_. Energy Efficiency Savings for State Facilities. (a) In this section, "facility" means a facility with at least 100,000 gross square feet.

(b) It is the intent of the legislature that a state agency that is appropriated money by this Act with charge and control over a facility shall have a remote or on-site assessment of the facility performed by the Energy Systems Laboratory at Texas A&M Engineering Experiment Station or another qualified provider to determine whether implementation of continuous commissioning or existing building commissioning practices would result in estimated savings of at least 10 percent in utility costs for the facility. A state agency shall supply any documents necessary to perform the assessment. The state agency shall report to the Legislative Budget Board on the results of the assessment.

(c) If the results of an assessment performed under Subsection (b) of this section show estimated utility cost savings of at least 10 percent, the state agency shall have the Energy Systems Laboratory at Texas A&M Engineering Experiment Station or another qualified provider prepare a plan for implementation of continuous commissioning or existing building commissioning practices and monitoring of the implementation for the state agency.

(d) It is the intent of the legislature that, if funds appropriated by this Act are unavailable for this purpose, a state agency may enter into a contract for the implementation of continuous commissioning or existing building commissioning practices for a facility to be paid for from the estimated savings in utility costs resulting from the implementation of the practices.

### **Floor Amendment No. 300**

Amend **CSSB 1** (house committee report) in Part 12 of Article IX of the bill by adding the following appropriately numbered section:

\_\_\_\_. Motor Vehicle Fleet Management. Each state agency and institution of higher education receiving appropriated funds under this Act:

(1) shall evaluate the effectiveness and efficiency of vehicle fleet management, including vehicle acquisition methods and interagency agreements to operate vehicle fleet maintenance shops;

(2) shall establish and maintain a schedule for replacing motor vehicles; and

(3) subject to applicable law, including Sections 6.03, 14.01, and 14.03 of this article, may use any funds appropriated to the agency or institution under this Act to make payments related to the short-term or long-term leasing of the agency or institution's vehicle fleet.

**Floor Amendment No. 301**

Amend **CSSB 1** (house committee printing) in Article IX of the bill, in Part 13, Federal Funds (page IX-61), by adding the following appropriately numbered section to the bill:

Sec. 13. \_\_\_. Audit of Certain Funds Received under American Recovery and Reinvestment Act of 2009. (a) Out of money appropriated to the State Auditor's Office by this Act, the office shall conduct an audit of the management and expenditure of funds received by a state agency or a municipality under the federal American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) for the purpose of funding health or public safety programs or activities.

(b) The audit conducted under Subsection (a) must include an audit of funds designated for:

- (1) mitigating lead-based paint in the interest of public health; and
- (2) addressing health and safety concerns in public housing.

(c) The State Auditor's Office shall create a report of the audit conducted under Subsection (a), publish the report on the state auditor's Internet website, and distribute the report to the members of the legislature on or before December 1, 2018.

**Floor Amendment No. 302**

Amend Amendment No. 301 by Dukes to **CSSB 1** (page 386, prefiled amendment packet) as follows:

(1) On page 1, line 5, between "2009" and the period, insert "and Certain Other Federal Funds".

(2) On page 1, line 7, strike "shall conduct" and substitute the following: may consider, in developing the auditor's audit plan, conducting:

(1) an audit on the use of federal Temporary Assistance for Needy Families (TANF) block grant money appropriated to a health and human services agency or another state agency for any of the six state fiscal years beginning September 1, 2010; and

(2)

(3) On page 1, line 12, strike "The audit conducted under Subsection (a)" and substitute "An audit conducted under Subsection (a)(2)".

(4) On page 1, line 18, strike "report of the" and substitute "report of each".

**Floor Amendment No. 303**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 17, Article IX (page IX-77):

Sec. 17. \_\_\_. Contingency Rider: Trade Agricultural Inspection Grant Program. Contingent on the passage and becoming law of legislation of the 85th Legislature, Regular Session, 2017, continuing Section 12.050, Agriculture Code, in effect beyond August 31, 2017:

(1) reduce the Article VI appropriations to the Department of Agriculture for Strategy A.2.1, Rural Community and Economic Development, by the amount of \$350,000 for the state fiscal year ending August 31, 2018, and by the amount of \$350,000 for the state fiscal year ending August 31, 2019; and



(2) increase the Article VI appropriations from the general revenue fund to the Department of Agriculture for Strategy A.1.1, Trade & Economic Development, by the amount of \$350,000 for the state fiscal year ending August 31, 2018, and by the amount of \$350,000 for the state fiscal year ending August 31, 2019, for the purpose of awarding grants under Section 12.050, Agriculture Code.

#### **Floor Amendment No. 304**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider to Part 17, Article IX (page IX-77):

Sec. 17.\_\_\_\_. Contingency Rider: County Jail Ombudsman. Contingent on the passage and becoming law of **HB 2702**, or similar legislation of the 85th Regular Session, 2017, authorizing the Commission on Jail Standards to issue grants to hire additional Full-Time Employees for the purpose of ensuring the health or safety of inmates confined in county jails:

(1) in addition to other amounts appropriated by this Act to the Commission on Jail Standards, the amount of \$1 is appropriated from the Economic Stabilization Fund to the Commission on Jail Standards for the state fiscal year ending August 31, 2018, to provide funding for the hiring of additional Full-Time Employees by the commission for the purpose of ensuring the health or safety of inmates confined in county jails; and

(2) reduce the Article IX appropriation from the Economic Stabilization Fund to the Department of Public Safety for border security (page IX-86) by the amount of \$1 for the state fiscal biennium ending August 31, 2019.

#### **Floor Amendment No. 305**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 17, Article IX (page IX-77):

Sec. 17.\_\_\_\_. Contingent Appropriation: Fiscal Risk Management Commission. Contingent on the enactment and becoming law of **HB 138** or similar legislation of the 85th Legislature relating to the creation of the Fiscal Risk Management Commission:

(1) the amount of \$250,000 is appropriated from the general revenue fund to the Fiscal Risk Management Commission for the state fiscal biennium ending August 31, 2019, for the purpose of paying the costs associated with the establishment and initial operation of the commission; and

(2) the Article II appropriations from the general revenue fund to the Department of State Health Services for Strategy A.3.2, Reduce Use of Tobacco Products (page II-16), are reduced by the amount of \$250,000 for the state fiscal biennium ending August 31, 2019.

#### **Floor Amendment No. 306**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 17, Article IX (page IX-77):

Sec. 17.\_\_\_\_. Contingent Appropriation: Fiscal Risk Management Commission. Contingent on the enactment and becoming law of **HB 138** or similar legislation of the 85th Legislature relating to the creation of the Fiscal Risk Management Commission:

(1) the amount of \$250,000 is appropriated from the general revenue fund to the Fiscal Risk Management Commission for the state fiscal biennium ending August 31, 2019, for the purpose of paying the costs associated with the establishment and initial operation of the commission; and

(2) the Article VI appropriations from the general revenue fund to the Soil and Water Conservation Board for Strategy B.1.2, Pollution Abatement Plan (page VI-48), are reduced by the amount of \$250,000 for the state fiscal biennium ending August 31, 2019.

#### **Floor Amendment No. 307**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 17, Article IX (page IX-77):

Sec. 17. \_\_. State Agency Contracts for Small Businesses. Notwithstanding any other provision of this Act, an institution, department, or agency of this state that receives an appropriation under this Act for the purchase of goods or services may set aside a percentage of that money to purchase goods and services from small businesses.

#### **Floor Amendment No. 308**

Amend **CSSB 1** (house committee report) as follows:

(1) Add the following appropriately numbered rider to Part 17, Article IX of the bill (page IX-77):

Sec. 17. \_\_. Appropriations Contingent on **HB 122** or Similar Legislation. Contingent on **HB 122** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the age of criminal responsibility and to certain substantive and procedural matters related to that age becoming law:

(1) In the appropriations to the Department of Criminal Justice, reduce the amount appropriated from the general revenue fund for Strategy A.1.1, Basic Supervision (page V-5), by the amount of \$1,160,000 for the state fiscal year ending August 31, 2019.

(2) In the appropriations to the Department of Criminal Justice, reduce the amount appropriated from the general revenue fund for Strategy C.2.1, Texas Correctional Industries (page V-6), by the amount of \$9,000,000 for the state fiscal year ending August 31, 2019.

(3) In the appropriations to the Juvenile Justice Department, increase the amount appropriated from the general revenue fund for Strategy A.1.2, Basic Probation Supervision (page V-25), by the amount of \$122,000 for the state fiscal year ending August 31, 2019.

(4) In the appropriations to the Juvenile Justice Department, increase the amount appropriated from the general revenue fund for Strategy A.1.4, Pre and Post Adjudication Facilities (page V-25), by the amount of \$234,000 for the state fiscal year ending August 31, 2019.

(5) In the appropriations to the Juvenile Justice Department, increase the amount appropriated from the general revenue fund for Strategy B.1.10, Residential System Support (page V-25), by the amount of \$9,000,000 for the state fiscal year ending August 31, 2019.

(6) In the appropriations to the Juvenile Justice Department, increase the amount appropriated from the general revenue fund for Strategy C.1.1, Parole Direct Supervision (page V-25), by the amount of \$804,000 for the state fiscal year ending August 31, 2019.

(2) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 309**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 17, Article IX (page IX-77):

Sec. 17.\_\_\_\_. Contingent Appropriation: Fiscal Risk Management Commission. Contingent on the enactment and becoming law of **HB 138** or similar legislation of the 85th Legislature relating to the creation of the Fiscal Risk Management Commission:

(1) the amount of \$250,000 is appropriated from the general revenue fund to the Fiscal Risk Management Commission for the state fiscal biennium ending August 31, 2019, for the purpose of paying the costs associated with the establishment and initial operation of the commission; and

(2) the Article VI appropriations from the general revenue fund to the Texas Commission on Environmental Quality for Strategy A.1.1, Air Quality Assessment and Planning (page VI-14), are reduced by the amount of \$250,000 for the state fiscal biennium ending August 31, 2019.

### **Floor Amendment No. 310**

Amend **CSSB 1** (house committee printing) in Part 17 of Article IX of the bill (page IX-77) by adding the following appropriately numbered rider to read as follows:

Sec. 17.\_\_\_\_. Contingency for **SB 822**. Contingent on **SB 822** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the transfer of certain property from The University of Texas System to the Parks and Wildlife Department becoming law:

(1) the Article VI appropriation for each fiscal year of the biennium to the Parks and Wildlife Department for Strategy B.1.1, State Park Operations, is reduced by an amount of money equal to the lesser of:

(A) one-half of the fair market value of the real property transferred to the Parks and Wildlife Department under **SB 822**, Acts of the 85th Legislature, Regular Session, 2017, as determined by the comptroller, based on a written appraisal of the real property from a certified appraiser performed at the direction of the comptroller; or

(B) the total amount appropriated for Strategy B.1.1 in the fiscal year; and

(2) in addition to the Article III appropriations to The University of Texas at Austin for Strategy A.1.1, Operations Support, an amount of general revenue is appropriated to The University of Texas at Austin in each fiscal year of the biennium ending August 31, 2019, for Strategy A.1.1 equal to the appropriation reduction made in that fiscal year under Subdivision (1).

**Floor Amendment No. 311**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 17, Article IX (page IX-77):

Sec. 17.\_\_\_\_. Use of State Money for Certain Projects. Notwithstanding any other provision of this Act, an institution, department, or agency of this state that receives an appropriation under this Act for purposes of the financing, design, construction, maintenance, or operation of an infrastructure project may use that money to pay lease payments, service payments, user fees, or debt service related to a public-private partnership used for that infrastructure project.

**Floor Amendment No. 312**

Amend Amendment No. 311 by Martinez to **CSSB 1** (page 395, prefiled amendment packet) as follows:

(1) On page 1, strike lines 1-3 and substitute the following:

Amend **CSSB 1** (house committee printing) as follows:

(1) Add the following appropriately numbered rider to Part 17, Article IX (page IX-77):

(2) Add the following appropriately numbered items to the amendment:

( ) In Article IX of the bill, in Section 17.13 (page IX-84), in the appropriations to the Trusteed Programs within the Office of the Governor, reduce the amount of the appropriations to the Trusteed Programs within the Office of the Governor for Defense Economic Adjustment Assistant Grants by the amount of \$200,000 for the 2018-2019 state fiscal biennium.

( ) In Article I of the bill, amend Rider 9 following the appropriations to the Public Finance Authority (page I-47) by adding the following to the end of the rider:

In addition to other amounts appropriated by this Act, there is appropriated to the Public Finance Authority, for the purpose of establishing and maintaining a commercial paper program to facilitate the financing of loans awarded under Section 436.153, Government Code, the amount of \$200,000 for the 2018-2019 state fiscal biennium from the source of the appropriations made to the Trusteed Programs within the Office of the Governor for Defense Economic Adjustment Assistant Grants by Section 17.13, Article IX.

**Floor Amendment No. 313**

Amend **CSSB 1** (house committee report) by adding the following appropriately numbered rider to Part 17, Article IX (page IX-77):

Sec. 17.\_\_\_\_. Contingency Rider: County Jail Grants. Contingent on the passage and becoming law of **HB 2702**, or similar legislation of the 85th Regular Session, 2017, authorizing the Commission on Jail Standards to issue grants to counties for the purpose of improving the health or safety of inmates confined in county jails:

(1) in addition to other amounts appropriated by this Act to the Commission on Jail Standards, the amount of \$1,200,000 is appropriated from the economic stabilization fund to the Commission on Jail Standards for the state fiscal year ending August 31, 2018, to provide funding for the issuance of grants by the commission to counties for the purpose of improving the health or safety of inmates confined in county jails; and

(2) reduce the Article IX appropriation from the economic stabilization fund to the Department of Public Safety for border security (page IX-86) by the amount of \$1,200,000 for the state fiscal biennium ending August 31, 2019.

**Floor Amendment No. 314**

Amend **CSSB 1** (house committee report) as follows:

(1) In Part 17, Article IX of the bill, in Section 17.07, in the informational listing for Baseline Border Security for the Department of Public Safety (page IX-79), strike "\$294.4" and substitute "175.5".

(2) Reduce the Article IX appropriations from the economic stabilization fund to the Department of Public Safety for Border Security under Section 17.13, Part 17, Article IX (page IX-84), by the amount of \$118,900,000 for the state fiscal biennium ending August 31, 2019.

(3) In Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-35), add the following appropriately numbered rider:

\_\_\_\_. Additional Funds for Reimbursement Rates for Medicaid Acute Care Therapy Services. In addition to other funds appropriated by this Act, the amount of \$118,900,000 is appropriated out of the economic stabilization fund to the Health and Human Services Commission for the state fiscal biennium ending August 31, 2019, for the purpose of restoring approximately half of the reductions made to reimbursement rates for Medicaid acute care therapy services during the 2016-17 state fiscal biennium. The commission is directed to allocate the restorations in the manner provided by Rider 212 to the appropriations to the commission.

(4) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 315**

Amend **CSSB 1** (house committee report) as follows:

(1) In Part 17, Article IX, of the bill, in Section 17.07, in the informational listing for Baseline Border Security for the Department of Public Safety (page IX-79), strike "294.4" and substitute "292.4".

(2) Reduce the Article IX appropriations from the economic stabilization fund to the Department of Public Safety for Border Security under Section 17.13, Part 17, Article IX (page IX-84), by the amount of \$2,000,000 for the state fiscal biennium ending August 31, 2019.

(3) In Article II of the bill (page II-30), in the appropriations to the Health and Human Services Commission, increase the appropriations to the Health and Human Services Commission for Strategy G.2.2, Mental Health Community Hospitals, by the amount of \$2,000,000 from the economic stabilization fund for the state fiscal biennium ending August 31, 2019.

(4) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 316**

Amend **CSSB 1** (house committee printing) in Article IX of the bill as follows:

(1) In Section 17.07 of that article, in the informational list of amounts appropriated for border security to Trusteed Programs within the Office of the Governor (page IX-79), reduce the amount attributed to Transition to NIBRS Crime Reporting System by \$3.2 million.

(2) In Section 17.07 of that article, in the informational list of amounts appropriated for border security to the Department of Public Safety (page IX-79), increase the amount attributed to Baseline Border Security by \$3.2 million.

(3) In Section 17.13 of that article:

(A) in the appropriations to Trusteed Programs within the Office of the Governor, reduce the amount appropriated from the Economic Stabilization Fund for Border Security (page IX-84) by \$3.2 million for the 2018-2019 state fiscal biennium; and

(B) in the appropriations to the Department of Public Safety, increase the amount appropriated from the Economic Stabilization Fund for Border Security (page IX-86) by \$3.2 million for the 2018-2019 state fiscal biennium.

(4) Add the following section to Section 17.13 of that article (page IX-84):

6-b) Included in the amounts appropriated above to the Department of Public Safety for border security is \$3.2 million for the construction of a law enforcement operations center in or near the city of Penitas. The department may only use the money attributed to Baseline Border Security under Section 17.07 of this article to construct the center. Section 4 of this provision does not apply to this section.

(5) Adjust totals and methods of financing accordingly.

#### **Floor Amendment No. 317**

Amend **CSSB 1** (house committee printing) as follows:

(1) In the informational listing in Section 17.07, Part 17, Article IX, of the bill, that allocates border security appropriations for a 50 hour work week for all DPS law enforcement officers statewide for the Department of Public Safety (page IX-79), strike "145.6" and substitute "96.4".

(2) Reduce the Article IX appropriations from the Economic Stabilization Fund to the Department of Public Safety for Border Security under Section 17.13, Part 17, Article IX (page IX-84), by \$49,192,373 for the state fiscal biennium ending August 31, 2019.

(3) In Article II of the bill, following the appropriations to the Health and Human Services Commission (page II-35), add the following appropriately numbered rider:

\_\_\_\_. Community Care Waiver Slots. In addition to the amounts appropriated above to the Health and Human Services Commission, the amount of \$49,192,373 is appropriated from the Economic Stabilization Fund for Strategy A.3.1, Home and Community-based Services (page II-31), for the state fiscal biennium ending August 31, 2019, for the purpose of increasing community care waiver slots for Medicaid clients.

(4) Adjust totals and methods of financing accordingly.

#### **Floor Amendment No. 318**

Amend **CSSB 1**, Article IX of the bill to read as follows:

Reduce the appropriation of the Department of Public Safety, Driver's License Improvement Program, by \$19,171,475 and transfer that amount to the Texas Military Department's Deferred Maintenance.

**Floor Amendment No. 319**

Amend **CSSB 1**, Article IX of the bill to read as follows:

Reduce the appropriation of the Department of Public Safety, Driver's License Improvement Program, by \$19,171,475 and transfer that amount to the Texas Military Department's Deferred Maintenance.

**Floor Amendment No. 320**

Amend **CSSB 1** (house committee report) as follows:

(1) In Part 17, Article IX, of the bill, in Section 17.07, in the informational listing for Baseline Border Security for the Department of Public Safety (page IX-79), strike "294.4" and substitute "292.4".

(2) Reduce the Article IX appropriations from the economic stabilization fund to the Department of Public Safety for Border Security under Section 17.13, Part 17, Article IX (page IX-84), by the amount of \$2,000,000 for the state fiscal biennium ending August 31, 2019.

(3) In Article II of the bill (page II-30), in the appropriations to the Health and Human Services Commission, increase the appropriations to the Health and Human Services Commission for Strategy G.1.1, State Supported Living Centers, by the amount of \$2,000,000 from the economic stabilization fund for the state fiscal biennium ending August 31, 2019.

(4) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 321**

Amend **CSSB 1** (house committee report) as follows:

(1) In Part 17, Article IX, of the bill, in Section 17.07, in the informational listing for Baseline Border Security for the Department of Public Safety (page IX-79), strike "294.4" and substitute "292.4".

(2) Reduce the Article IX appropriations from the economic stabilization fund to the Department of Public Safety for Border Security under Section 17.13, Part 17, Article IX (page IX-84), by the amount of \$2,000,000 for the state fiscal biennium ending August 31, 2019.

(3) In Article II of the bill (page II-30), in the appropriations to the Health and Human Services Commission, increase the appropriations to the Health and Human Services Commission for Strategy G.2.1, Mental Health State Hospitals, by the amount of \$2,000,000 from the economic stabilization fund for the state fiscal biennium ending August 31, 2019.

(4) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 322**

Amend **CSSB 1** as follows:

(1) On page IX-84, reduce the appropriations for the Trusteed Programs within the Office of the Governor by \$12,900,000 in Economic Stabilization Fund in the 2018-19 biennium related to the National Incident Based Reporting System grants.

(2) On page IX-86, increase the appropriations for the Department of Public Safety by \$12,900,000 in Economic Stabilization Fund in the 2018-19 biennium related to the Operation Drawbridge Program.

(3) On page IX-88, add the following new subsection:

11. Operation Drawbridge. Included in the funds appropriated above to the Department of Public Safety in the "Border Security" section is \$12,900,000 in fiscal year 2018 out of the Economic Stabilization Fund to expand, operate and maintain the Operation Drawbridge program. The Department of Public Safety shall provide a report to the Legislative Budget Board on the uses of these funds by December 1 in each year of the biennium ending August 31, 2019.

#### **Floor Amendment No. 323**

Amend **CSSB 1** (house committee printing) by adding the following section to Section 17.13, Article IX (page IX-84):

6-a) Included in the amounts appropriated above from the Economic Stabilization Fund to the Department of Public Safety for border security is \$7 million for the construction of a Department of Public Safety Regional Center in San Antonio. The department may only use money identified for baseline border security under Section 17.07 of this article to construct the center. Section 4 of this provision does not apply to this section.

#### **Floor Amendment No. 324**

Amend **CSSB 1** (house committee printing) in Section 17.13, Article IX, of the bill, Miscellaneous Provisions (page IX-84), by adding the following appropriately numbered rider to the bill and renumbering subsequent riders accordingly:

\_\_\_. San Antonio State Hospital. Out of the funds appropriated to the Health and Human Services Commission for Forensic Bed Capacity at State Hospitals and Mental Health Community Hospitals, the commission shall allocate to the San Antonio State Hospital \$1 million in each fiscal year of the state fiscal biennium ending August 31, 2019.

#### **Floor Amendment No. 325**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered subdivision to Section 17.13, Article IX (page IX-84):

\_\_) Notwithstanding the amounts appropriated above to the Facilities Commission, Historical Commission, Department of State Health Services, Health and Human Services Commission, Department of Criminal Justice, Juvenile Justice Department, Department of Public Safety, Department of Agriculture, Parks and Wildlife Department, and Texas Workforce Commission, each appropriation in Subdivision 1) to those agencies from the economic stabilization fund for the purpose of deferred maintenance is reduced by 14.39 percent and there is appropriated to the Military Department, for the purpose of deferred maintenance for the state fiscal biennium ending August 31, 2019, an amount from the economic stabilization fund equal to the total amount of reductions made by this subsection.



**Floor Amendment No. 326**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article IX of the bill, in Section 1 of Section 17.13 (page IX-84), strike "Economic Stabilization Fund" and substitute "General Revenue Fund."

(2) In Article IX of the bill, in Section 7 of Section 17.13 (page IX-88), strike "Economic Stabilization Fund" and substitute "General Revenue Fund."

(3) In Article IX of the bill, strike Section 8 of Section 17.13 (page IX-88).

(4) Reduce the general revenue fund appropriations for the 2018-2019 state fiscal biennium by a total of \$2,508,062,998 for all articles of the bill. The comptroller shall proportionately reduce each item of general revenue fund appropriation in each article of the bill in the amount necessary to equal that reduction in appropriation.

(5) Adjust the subtotals, totals, and methods of financing accordingly.

**Floor Amendment No. 327**

Amend **CSSB 1** (house committee report) as follows:

(1) In Section 17.13, Article IX of the bill (page IX-84), strike the text for the Department of Information Resources and reduce the appropriation from the Economic Stabilization Fund to the department in the amount of \$50,000,000 for the state fiscal biennium beginning September 1, 2017.

(2) In Article IX of the bill, add the following appropriately numbered rider and renumber subsequent riders accordingly:

IX. \_\_\_\_ . Statewide Information Technology and Cybersecurity Initiatives. (a) Appropriations to state agencies made in other provisions of this Act are increased in the state fiscal biennium beginning September 1, 2017, by \$46,849,489 out of Economic Stabilization Funds, by \$2,050,000 out of State Highway Fund 006, and by \$400,000 out of the Texas Department of Motor Vehicle Fund for the purpose of implementing information technology and cybersecurity initiatives.

(b) In addition to appropriations made elsewhere in this Act, appropriations described by Subsection (a) of this section are allocated as provided below and appropriations for the "Number of Full-Time-Equivalents (FTE)" are increased for agencies listed below for the sole purpose of the implementation of the initiatives described by Subsection (a) of this section:

		<u>F Y</u> <u>2018-19</u>		<u>FY 18</u>	<u>FY 19</u>
	<u>ESF</u>	<u>Fund 006</u>	<u>DMV</u> <u>Fund</u>	<u>FTEs</u>	<u>FTEs</u>
<u>Article I</u>					
<u>Commission on State</u>					
<u>Emergency</u>					
<u>Communications</u>					
<u>Cybersecurity-Texas</u>					
Poison					
Control Network	\$391,378	\$0	\$0	0.0	0.0
Management	\$1,053,628	\$0	\$0	0.0	0.0
Information Systems					

Texas FacilitiesCommission

Information Security Officer	\$187,900	\$0	\$0	1.0	1.0
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Texas State Library and Archives Commission

Cybersecurity	\$1,621,714	\$0	\$0	0.0	0.0
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Department of Information Resources

Contingency For	\$10,650,000	\$0	\$0	0.0	0.0
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**CSHB 8**Article IIDepartment of State Health ServicesCybersecurity and Information

Resource Technologies	\$3,000,000	\$0	\$0	0.0	0.0
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Health and Human Services Commission

Cybersecurity Advancements	\$3,500,000	\$0	\$0	0.0	0.0
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Article IIITexas Education Agency

Cybersecurity Improvement	\$5,210,120	\$0	\$0	2.0	6.0
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Higher Education Coordinating BoardSecurity Upgrades Access

Management Services	\$215,000	\$0	\$0	0.0	0.0
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Cybersecurity Improvements	\$225,000	\$0	\$0	0.0	0.0
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Cybersecurity Hardware Servers	\$500,000	\$0	\$0	0.0	0.0
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Article VTexas Juvenile Justice Department

Infrastructure Refresh	\$6,821,007	\$0	\$0	0.0	0.0
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Cybersecurity Improvements	\$715,606	\$0	\$0	1.0	1.0
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Youth Case Management System	\$2,594,000	\$0	\$0	0.0	0.0
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Incident Reporting System	\$2,175,000	\$0	\$0	0.0	0.0
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Texas Department of Public Safety

Data Loss Prevention Intrusion Prevention System or	\$2,240,000	\$0	\$0	4.0	4.0
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Intrusion Detection System	\$2,200,000	\$0	\$0	1.0	1.0
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Security Vulnerability Management System	\$1,216,000	\$0	\$0	0.0	0.0
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Sexual Assault Kit and Tracking System -					
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Contingency for	\$1,465,761	\$0	\$0	0.0	0.0
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**HB 281**

Article VI

General Land Office

Data Loss Prevention	\$40,000	\$0	\$0	0.0	0.0
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Vulnerability Management	\$85,000	\$0	\$0	0.0	0.0
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Article VII

Department of Housing and Community Affairs

Cybersecurity Initiatives	\$335,000	\$0	\$0	0.0	0.0
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Department of Motor Vehicles

Manage Systems Security Provider	\$0	\$0	\$400,000	0.0	0.0
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Texas Department of Transportation

Cybersecurity Initiatives	\$0	\$2,050,000	\$0	0.0	0.0
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Article VIII

State Board of Dental Examiners

Information Technology	\$65,151	\$0	\$0	0.0	0.0
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State Board of Pharmacy

Acquisition of Information Technology	\$62,000	\$0	\$0	0.0	0.0
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Department of Insurance

Cybersecurity Initiatives	\$280,224	\$0	\$0	0.0	0.0
<u>Total</u>	<u>\$46,849,489</u>	<u>\$2,050,000</u>	<u>\$400,000</u>	<u>9.0</u>	<u>13.0</u>

(3) In Article III of the bill, following the appropriations to The University of Texas at Austin (page III-69), add the following appropriately numbered rider and renumber subsequent riders accordingly:

\_\_\_\_. UT Center for Identity. In addition to other amounts appropriated to The University of Texas at Austin under this Act, the amount of \$2,000,000 is appropriated out of the Economic Stabilization Fund to The University of Texas at Austin for the state fiscal biennium ending August 31, 2019, to the university's Center for Identity IDWise program to provide research-based tools, educational materials, workshops, and outreach to help members of the public protect their identities and combat identity theft, fraud, and abuse.

(4) Adjust totals, methods of financing, and other provisions of the bill accordingly.

### Floor Amendment No. 328

Amend Amendment No. 327 to **CSSB 1** by Capriglione (page 412, prefiled amendments packet) as follows:

(1) On page 1, line 14, strike "Funds" and substitute "Fund".

(2) In Item (2) of the amendment, add the following appropriately numbered subsection to the rider added by that item and renumber subsequent subsections of the rider accordingly:

( ) In addition to appropriations made elsewhere in this Act, in the appropriations described by Subsection (a) of this section, \$45,780 is allocated to the Texas Ethics Commission in the state fiscal biennium ending August 31, 2019, for the purpose of a capital budget project for the Form 1295 database.

### Floor Amendment No. 329

Amend Amendment No. 327 by Capriglione to **CSSB 1** by adding the following appropriately numbered items to the amendment:

( ) In Article II of the bill, following the appropriations to the Department of Family and Protective Services (page II-3), insert the following appropriately numbered rider:

\_\_\_\_. Additional Funds for Child Protective Services. Reduce the appropriations to the Department of Motor Vehicles (page VII-12), for Strategy A.1.1, Titles, Registrations, and Plates, and for Strategy B.1.1, Enforcement, by the total amount of general revenue and general revenue-dedicated funds appropriated for those strategies for each fiscal year of the biennium. In addition to other amounts appropriated to the Department of Family and Protective Services by this Act, there is appropriated to that agency out of the general revenue fund, for the purpose of child protective services for the state fiscal biennium ending on August 31, 2019, an amount equal to the total reductions made by this provision.

( ) Adjust totals and methods of financing accordingly.

### Floor Amendment No. 330

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article IX of the bill, in Section 17.13, Appropriations for Selected State Agencies and Programs, in the Economic Stabilization Fund appropriations to the Higher Education Coordinating Board for Texas Educational Opportunity Grant Program - Public Community Colleges (pages IX-85), strike "\$52,760,126" and substitute "\$184,660,441".

(2) In Article IX of the bill, in Section 17.13, Appropriations for Selected State Agencies and Programs, in the Economic Stabilization Fund appropriations to the Higher Education Coordinating Board for Texas Educational Opportunity Grant Program - Public State and Technical Colleges (page IX-85), strike "\$4,749,991" and substitute "\$16,624,968".

(3) In Article IX of the bill, in Section 17.13, Appropriations for Selected State Agencies and Programs, in the Economic Stabilization Fund appropriations to the Department of Public Safety for Border Security (pages IX-86), strike "\$578,785,177" and substitute "\$435,009,885".

(3) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 331**

Amend Amendment No. 330 by Walle to **CSSB 1** (page 415 of the prefiled amendment packet) as follows:

(1) In item (1), strike "\$184,660,441" and substitute "\$517,463,959".

(2) In item (2), strike "\$16,624,968" and substitute "\$35,900,513".

(3) In item (3), strike "435,009,885" and substitute "\$82,930,822".

### **Floor Amendment No. 332**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article IX of the bill, Section 17.13, Appropriations for Selected State Agencies and Programs, in the Economic Stabilization Fund appropriations to the Higher Education Coordinating Board for TEXAS Grants (page IX-85), strike "\$87,653,496" and substitute "\$163,000,000".

(2) In Article IX of the bill, in Section 17.13, Appropriations for Selected State Agencies and Programs, in the Economic Stabilization Fund appropriations to the Department of Public Safety for Border Security (page IX-86), strike "\$578,785,177" and substitute "\$503,438,673".

(3) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 333**

Amend Amendment No. 332 by Walle to **CSSB 1** (page 416 of the prefiled amendment packet) as follows:

(1) In item (1), strike "\$163,000,000" and substitute "\$124,904,329".

(2) In item (2), strike "\$503,438,673" and substitute "\$541,534,344".

### **Floor Amendment No. 334**

Amend **CSSB 1**, Article IX of the bill and appropriately number elsewhere in the bill to:

Reduce the appropriation of the Department of Public Safety, Border Security, by \$30 million and transfer that amount to the Texas Military Preparedness Commission for Defense Economic Assistance Adjustment Grants

**Floor Amendment No. 335**

Amend **CSSB 1**, Article IX of the bill to read as follows:

Reduce the appropriation of the Department of Public Safety, Border Security, by \$19,171,475 and transfer that amount to the Texas Military Department's Deferred Maintenance.

**Floor Amendment No. 336**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article IX of the bill, in Section 17.13:

(A) in the appropriations to the Department of Public Safety, reduce the amount appropriated from the economic stabilization fund for Border Security (page IX-86) by \$100,000,000 for the 2018-2019 biennium; and

(B) in the appropriations to the Teacher Retirement System, increase the amount appropriated from the economic stabilization fund for TRS-Care (page IX-85) by \$100,000,000 for the 2018-2019 biennium.

(2) In Article IX of the bill, in Section 17.07, in the informational list of amounts appropriated for border security to the Department of Public Safety (page IX-79), reduce the amount attributed to Baseline Border Security by \$100,000,000.

(3) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 337**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article IX of the bill, in Section 17.13:

(A) in the appropriations to the Department of Public Safety, reduce the amount appropriated from the economic stabilization fund for Border Security (page IX-86) by \$500,000,000 for the 2018-2019 biennium; and

(B) in the appropriations to the Teacher Retirement System, increase the amount appropriated from the economic stabilization fund for TRS-Care (page IX-85) by \$500,000,000 for the 2018-2019 biennium.

(2) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 338**

Amend **CSSB 1** as follows:

On page IX-86, amend Sec. 17.13. Appropriations for Selected State Agencies and Programs:

Animal Health Commission

Chronic Wasting Response and Mitigation	\$1,141,796	<del>6.0</del>	<del>6.0</del>
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**Floor Amendment No. 339**

Amend **CSSB 1** (house committee printing) as follows:

(1) Reduce the Article IX appropriations from the Economic Stabilization Fund to the Department of Public Safety for Border Security under Section 17.13, Part 17, Article IX (page IX-86), by the amount of \$60,000,000 for the state fiscal biennium ending August 31, 2019.

(2) In Article II of the bill (page II-30), in the appropriations to the Health and Human Services Commission, increase the appropriations from the Economic Stabilization Fund to the Health and Human Services Commission for Strategy D.2.4,

Substance Abuse Prevention, Intervention and Treatment, by the amount of \$30,000,000 for the state fiscal year ending August 31, 2018, and \$30,000,000 for the state fiscal year ending August 31, 2019.

(3) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 340**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article IX of the bill, in Section 17.13:

(A) in the appropriations to the Department of Public Safety, reduce the amount appropriated from the Economic Stabilization Fund for Border Security (page IX-86) by \$66,416,494 for the 2018-2019 biennium; and

(B) in the appropriations to the Trusteed Programs within the Office of the Governor, increase the amount appropriated from the Economic Stabilization Fund for Disaster Grants (page IX-84) by \$66,416,494 for the 2018-2019 biennium.

(2) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 341**

Amend **CSSB 1** as follows:

(1) On page IX-86, under the Department of Public Safety section, reduce the Economic Stabilization Funding for the "Border Security" item by \$72,800,000.

(2) On page IX-86, under the Texas Parks and Wildlife Department section, reduce the Economic Stabilization Funding for the "Border Security" item by \$2,902,496.

(3) On page I-50 of the Trusteed Programs Within the Office of the Governor, increase Strategy B.1.1, Criminal Justice by \$38.5 million in Economic Stabilization Fund in fiscal year 2018.

(4) On page IX-79, amend Section 17.07, "Border Security - Informational Listing", according to the following:

Sec. 17.07 Border Security - Informational Listing. Included elsewhere in this Act is \$653.1 million in border security funding for the 2018-19 biennium. The following is an informational list of the amounts appropriated elsewhere in this Act for border security to the Department of Public Safety, Trusteed Programs Within the Office of the Governor, the Parks and Wildlife Department, the Alcoholic Beverage Commission, the Department of Criminal Justice, and the Commission on Law Enforcement.

Agency/Item	2018-19 Biennial Total (in millions)
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**Department of Public Safety**

Baseline Border Security	\$294.4
<del>4550</del> hour work week for all DPS law enforcement officers statewide	<u>\$72.8</u> <del>\$145.6</del>
250 troopers and 110 associated support staff	\$123.9
Texas Ranger Company - 22 Rangers, 5 Support Staff	\$9.5
Operation Secure Texas fuel, travel, and support staff	\$4.4
National Incident Base Reporting System (NIBRS) Training	\$1.0

**Trusted Programs within the Office of the Governor**

Border Security Enforcement Activities	\$10.2
Anti-gang Activities	\$10.2
Prosecution Resources	\$9.0
Sustain Year-round Flight Capacity for Helicopters	\$6.0
Installation and Maintenance of Border Cameras	\$3.0
Transition to NIBRS Crime Reporting System	\$16.4

**Texas Parks and Wildlife Department**

Game Warden Activity on the Border	<u>\$14.7</u> <del>\$17.6</del>
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**Texas Alcoholic Beverage Commission**

Special Investigation Agents	\$1.2
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**Texas Department of Criminal Justice**

Anti-gang Intelligence	\$0.5
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**Texas Commission on Law Enforcement**

Border Investigators	\$0.3
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GRAND TOTAL, ALL AGENCIES	<u>\$577.4</u> <del>\$653.1</del>
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(5) On page I-55, under Trusted Programs Within the Office of the Governor, add the following new rider:

\_\_\_\_. Grants for Bullet-Resistant Vests. In addition to amounts appropriated above in Strategy B.1.1, Criminal Justice, is \$38.5 million in Economic Stabilization Fund in fiscal year 2018 to fund grants to city and county law enforcement agencies for the purchase of bullet-resistant personal body armor for commissioned law enforcement, compliant with the National Institute of Justice (NIJ) standard for rifle protection. Grant recipients shall report to the Criminal Justice Division how many vests, ballistic plates, and plate carriers were purchased, the price of each, and provide proof of purchase. Any unexpended balances remaining in this appropriation on August 31, 2018, are appropriated for the same purpose for the fiscal year beginning on September 1, 2018.

Not later than December 1 of each year, the Office of the Governor shall provide a report on the previous fiscal year's grants to the Legislative Budget Board that includes the agencies that applied for funding the amount distributed to each agency, and the number of vests, plates, and carriers purchased.

**Floor Amendment No. 342**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article IX of the bill, in Section 17.13 of the miscellaneous provisions, in the appropriations to the Department of Public Safety for border security (page IX-86), reduce the amount appropriated to the department from the Economic Stabilization Fund for funding overtime pay sufficient to increase the work week for all of the agency's troopers to an average of 50 hours per week as described by Section 17.07, Article IX, of the bill (page IX-79), by \$145.6 million for the state fiscal biennium ending August 31, 2019.

(2) In Article IX of the bill, in Section 17.13 of the miscellaneous provisions (page IX-86), in the appropriations for the Department of Public Safety for border security, strike "\$578,785,177" and substitute "\$433,185,177."



(3) In Article IX of the bill, in Section 17.07 of the miscellaneous provisions (page IX-79), strike "50 hour work week for all DPS law enforcement officers statewide \$145.6".

(4) In Article IX of the bill, in Section 17.13 of the miscellaneous provisions (page IX-86), add a new agency line item for "Support for Military and Veterans Exemptions" and make an appropriation in the amount \$145.6 million for the state fiscal biennium ending August 31, 2019.

(5) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 343**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article IX, Section 17.13 of the bill, in Section 4) of that section (page IX-87), in the first sentence of the section, between "security" and the period, strike "with the following exception: funding for overtime pay sufficient to increase the work week for all of the agency's troopers to an average of 50 hours per week".

### **Floor Amendment No. 344**

Amend **CSSB 1** (house committee printing) as follows:

(1) In the appropriations to the Department of Public Safety, reduce the amount appropriated from the Economic Stabilization Fund for border security (page IX-86) by the amount of \$40,000,000 for the state fiscal year ending August 31, 2018, and by the amount of \$40,000,000 for the state fiscal year ending August 31, 2019.

(2) Add the following appropriately numbered rider following the appropriation to the Secretary of State:

\_\_\_\_\_. Additional Funds for Matching Grants for New Voting Machines. In addition to other amounts appropriated to the Secretary of State under this Act, the amount of \$40,000,000 is appropriated out of the Economic Stabilization Fund to the Secretary of State for the state fiscal year ending August 31, 2018, for the purpose of a matching grant program to enable counties to purchase new voting machines, and the additional amount of \$40,000,000 is appropriated out of the Economic Stabilization Fund to the Secretary of State for the state fiscal year ending August 31, 2019, for the same purpose.

### **Floor Amendment No. 345**

Amend **CSSB 1** (house committee printing) as follows:

(1) Reduce the Section 17.13, Article IX, appropriations from the Economic Stabilization Fund to the Department of Public Safety for border security (page IX-86), by \$10,642,263 for the state fiscal biennium ending August 31, 2019.

(2) Increase the Article I appropriations from the Economic Stabilization Fund to the Commission on the Arts for Strategy A.1.2, Arts Education Grants (page I-1), by \$321,131 for the state fiscal year ending August 31, 2018, and by \$321,132 for the state fiscal year ending August 31, 2019.

(3) Increase the Article I appropriations from the Economic Stabilization Fund to the Commission on the Arts for Strategy A.1.3, Cultural Tourism Grants (page I-1), by \$5,000,000 for the state fiscal year ending August 31, 2018, and by \$5,000,000 for the state fiscal year ending August 31, 2019.

(4) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 346**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article IX of the bill, in Section 17.13, in the appropriations to the Department of Public Safety (page IX-86), reduce the amount appropriated from the Economic Stabilization Fund for Border Security by the amount of \$120,000 for the state fiscal biennium beginning September 1, 2017.

(2) Add the following appropriately numbered rider to Article I of the bill, following the appropriations to the Veterans Commission:

\_\_\_\_. Texas Women Veterans Program. In addition to other amounts appropriated to the Veterans Commission under this Act, the amount of \$120,000 is appropriated out of the Economic Stabilization Fund to the Veterans Commission for the state fiscal biennium beginning September 1, 2017, for the purpose of supporting the casework and employment benefit staff of the Texas Women Veterans Program.

(3) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 347**

Amend **CSSB 1** (house committee report) in Section 17.13, Article IX, of the bill, by striking the first sentence of Subsection 3) of that section (page IX-87) and substituting the following:

Included in the amounts appropriated above for Deferred Maintenance at the Texas Facilities Commission is \$8,380,000 for emergency repairs to facilities under the Commission's authority and \$1,620,000 for repairs, maintenance, and associated costs for the French Legation Museum and grounds.

**Floor Amendment No. 348**

Amend **CSSB 1** (house committee printing) in Section 17.13 of Article IX of the bill, following the appropriations for selected state agencies and programs, by striking Section 5 (pages IX-87 and IX-88) and substituting the following:

5) The Department of Public Safety shall submit a report each fiscal year of the state fiscal biennium beginning September 1, 2017, detailing the effectiveness of and dollar amount saved by various cost containment measures the department has implemented, and proposing additional measures, including any amount saved by the cost containment measures, to reduce the department's operating costs with respect to the department's border security operations. Not later than the 45th day after the last day of the fiscal year, the department shall submit the report to the legislative and executive budget offices, in the form those offices require. Cost containment measures the department must consider include:

- a. eliminating duplicate functions within the department;
- b. having the department perform functions that are being performed by a private contractor;
- c. using technology to simplify department functions; and
- d. eliminating duplicative functions between the department and the United States Customs and Border Protection and between the department and the United States Immigration and Customs Enforcement.

**Floor Amendment No. 349**

Amend **CSSB 1** as follows:

(1) In Article IX, Section 17.13 on page IX-88 of **CSSB 1**, add the following new subsection:

11. Law Enforcement Training Facility. From the Economic Stabilization Funds appropriated above in the Department of Public Safety's "Border Security" section, \$3,000,000 in each fiscal year shall be used to establish a law enforcement training facility in Cameron County, Texas.

#### **Floor Amendment No. 350**

Amend **CSSB 1** (house committee report), in Article IX of the bill:

Sec. 17.14. Budget Certification. (a) Deferrals of state expenditures made by this Act must be included in the total amount appropriated by this Act for the purposes of budget certification by the Comptroller of Public Accounts under Article III, Section 49a(b) of the Texas Constitution and Section 403.0131(a) of the Government Code.

(b) Revenue generated from accelerated payments of state taxes may not be used by the Comptroller of Public Accounts for the purposes of certifying the appropriations made in this Act under Article III, Section 49a(b) of the Texas Constitution and Section 403.0131(a) of the Government Code.

#### **Floor Amendment No. 351**

Amend **CSSB 1** (house committee printing), in Part 17 of Article IX of the bill, by adding the following appropriately numbered rider to read as follows:

Sec. 17. \_\_\_\_\_. Contingency Rider. Contingent on **HB 3680** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to education employees uniform group health coverage becoming law:

(1) In Article IX of this Act, in Section 17.13, make a proportional reduction in the amount appropriated to each agency other than the Teacher Retirement System from the Economic Stabilization Fund (page IX-84) to reduce the total appropriations to the agencies by \$620,000,000 for the state fiscal year ending August 31, 2018, and \$1,200,000,000 for the state fiscal year ending August 31, 2019.

(2) There is appropriated to the Teacher Retirement System from the Economic Stabilization Fund \$620,000,000 for the state fiscal year ending August 31, 2018, and \$1,200,000,000 for the state fiscal year ending August 31, 2019, to provide additional state assistance for the purchase of group health coverage for employees of participating school districts.

(3) Adjust totals and methods of financing accordingly.

#### **Floor Amendment No. 352**

Amend **CSSB 1** (house committee printing), in Part 17 of Article IX of the bill, by adding the following appropriately numbered rider to read as follows:

Sec. 17. \_\_\_\_\_. Contingency Rider. Contingent on **HB 3680** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to education employees uniform group health coverage becoming law:

(1) In Article IX of this Act, in Section 17.13, make a proportional reduction in the amount appropriated to each agency other than the Teacher Retirement System from the Economic Stabilization Fund (page IX-84) to reduce the total appropriations to the agencies by \$620,000,000 for the state fiscal year ending August 31, 2018, and \$1,200,000,000 for the state fiscal year ending August 31, 2019.

(2) There is appropriated to the Teacher Retirement System from the Economic Stabilization Fund \$620,000,000 for the state fiscal year ending August 31, 2018, and \$1,200,000,000 for the state fiscal year ending August 31, 2019, to provide additional state assistance for the purchase of group health coverage for employees of participating school districts.

(3) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 353**

Amend **CSSB 1** (house committee printing), in Part 17 of Article IX of the bill, by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

Sec. 17.\_\_\_\_. Contingency Rider for **HB 3190**. Contingent on the passage of **HB 3190**, Acts of the 85th Legislature, Regular Session, 2017, relating to an adjustment to certain benefits paid by the Teacher Retirement System of Texas, or similar legislation of the 85th Legislature being enacted and becoming law:

(1) In addition to other amounts appropriated by this Act to the Teacher Retirement System of Texas, the amount of \$500,000,000 is appropriated out of the Economic Stabilization Fund to the Teacher Retirement System of Texas for each fiscal year of the 2018-19 state fiscal biennium.

(2) In Article IX of the bill, in Section 17.13 of that article:

(A) in the appropriations to the Department of Public Safety, reduce the amount appropriated from the Economic Stabilization Fund for Border Security (page IX-86) by \$294,400,000 for the 2018-19 state fiscal biennium; and

(B) make a proportional reduction in the amount appropriated to each agency other than the Teacher Retirement System of Texas from the Economic Stabilization Fund (page IX-84) to reduce total appropriations to those agencies by \$705,600,000 for the 2018-19 state fiscal biennium.

(3) In Article IX of the bill, in Section 17.07 of that article, in the informational listing of amounts appropriated for border security to the Department of Public Safety (IX-79), strike the line item for Baseline Border Security and the associated amount appropriated for that item.

(4) Adjust totals and methods of financing accordingly.

### **Floor Amendment No. 354**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Part 17, Article IX of the bill, insert the following appropriately numbered rider:

Sec. 17.\_\_\_\_. Trooper Work Week Compensation. The amounts appropriated above in Section 17.13, Part 17, Article IX, of this Act, to the Department of Public Safety for border security (page IX-86) and, as described by the informational listing

under Section 17.07, Part 17, Article IX, of this Act (page IX-78), allocated for increasing the work week for department troopers to an average of 50 hours per week may be used to compensate a department trooper only if:

(1) the trooper's regularly assigned duties include the performance of border security, as defined by Section 7.11(b), Article IX, of this Act;

(2) the trooper regularly performs border security in the area described by Section 7.11(b)(1), (2), or (3), Article IX, of this Act; and

(3) the compensation paid from those amounts does not exceed the amount sufficient to increase the work week of the trooper to not more than 50 hours per week.

(2) In Article IX, Section 17.13 of the bill, in Section 4) of that section (page IX-87), in the first sentence of the section, between "security" and the period, strike "with the following exception: funding for overtime pay sufficient to increase the work week for all of the agency's troopers to an average of 50 hours per week".

### **Floor Amendment No. 355**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Part 17, Article IX, of the bill:

Sec. 17.\_\_\_\_. Contingency Rider: Economic Impact on This State and on Governmental Entities of Legislation Regarding Enforcement of Immigration Laws. Contingent on **SB 4**, relating to enforcement by governmental entities and police departments of laws governing immigration and to related duties of law enforcement and judicial entities, or similar legislation of the 85th Legislature, in a regular or called session, becoming law, out of money appropriated by this Act and available to the Legislative Budget Board for that purpose, the board shall conduct a study of the fiscal and economic effects of the enactment and implementation of the legislation on this state. The study must include consideration of any potential loss that may result from the implementation of the legislation of federal funds that would otherwise be available to state and local governmental entities. The board shall undertake to complete the study and make the study available to the public and to state and local governmental entities as soon as is practicable after the legislation becomes law and may undertake to initiate the study before the effective date of the legislation.

### **Floor Amendment No. 356**

Amend **CSSB 1** (house committee printing) as follows:

(1) Add the following appropriately numbered section to Part 17, Article IX:

Sec. 17.\_\_\_\_. Contingent Rider. Transportation of Certain Persons Under Emergency Mental Health Detention. Contingent on the enactment and becoming law of **HB 71** or similar legislation of the 85th Legislature, Regular Session, 2017, authorizing a judge or magistrate in certain border counties to authorize the transportation of a person apprehended under a warrant for emergency mental health detention by a relative or other responsible person who has a proper interest in the apprehended person's welfare:

(1) In the appropriations to the Department of Public Safety made by Section 17.13, Article IX, of this Act (page IX-86), reduce the appropriations from the Economic Stabilization Fund for border security by the amount of \$125,000 for the state fiscal year ending August 31, 2018, and by the amount of \$125,000 for the state fiscal year ending August 31, 2019.

(2) In addition to other amounts appropriated for the fiscal biennium, the amount of \$125,000 for each fiscal year of the 2018-2019 fiscal biennium is appropriated from the Economic Stabilization Fund to the Health and Human Services Commission for Strategy G.2.1, Mental Health State Hospitals, for the purpose of implementing that legislation.

#### **Floor Amendment No. 357**

Amend **CSSB 1** as follows:

(1) At the end of Article IX, Part 17. Miscellaneous Provisions, add the following new rider:

\_\_\_\_\_. Contingency for **HB 1671**. Contingent upon enactment of **HB 1671** or similar legislation allocating all of the state share of child support collected on behalf of children in foster care to the Texas Department of Family and Protective Services by the Eighty-Fifth Legislature, Regular Session, 2017:

a) amounts appropriated to the Office of Attorney General in Strategy B.1.1., Child Support Enforcement, from Child Support Retained Collection Account No. 787 are reduced by \$900,000 in each year of the 2018-19 biennium;

b) in addition to amounts appropriated above in Strategy B.1.9, Foster Care Payments, the Texas Department of Family and Protective Services is appropriated an estimated \$900,000 in DFPS Appropriated Receipts - Child Support Collections in each fiscal year of the 2018-19 biennium to be used as reimbursement for foster care maintenance payments pursuant to the provisions of Code of Federal Regulations, Title 45 Public Welfare, §302.52(b), and appropriation of general revenue funds in that strategy are reduced by a like amount.

c) the Texas Department of Family Protective Services and the Office of the Attorney General shall evaluate the memorandum of understanding authorized in Texas Family Code §264.109 to find the most efficient manner of distributing child support to kinship caregivers of children in foster care; and, excess foster care child support funds to the corresponding child or appropriate caregiver when the child exits foster care. No later than November 1, 2017, the Texas Department of Family and Protective Services and the Office of the Attorney General shall report to the Legislative Budget Board how the efficiency of the distribution of child support for children in foster care will be improved and how the agencies will track and distribute excess child support funds for children in foster care. The report shall include a timeline for when the anticipated changes to the distribution process will be implemented.

#### **Floor Amendment No. 358**

Amend **CSSB 1** as follows:

(1) Move all appropriations in Article IX to the affected agencies in Articles I-VIII and adjust Methods of Finance, Objects of Expense, Full time Equivalent (FTEs), riders, and End of Article recapitulation totals accordingly.

**Floor Amendment No. 359**

Amend **CSSB 1** (house committee printing) in Article X of the bill, following the appropriations to the House of Representatives (page X-2), by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_\_. Vote Against General Appropriations Act. No funds appropriated by this Act may be expended for the benefit of the legislative district of a member of the House of Representatives who votes against this bill unless the constitution requires the expenditure.

**Floor Amendment No. 360**

Amend Amendment No. 359 by K. King to **CSSB 1** (page 450, prefiled amendment packet) on lines 7-9 of the amendment, by striking "the legislative district of a member of the House of Representatives who" and substituting "Texas House District 88 if any member of the House of Representatives".

**Floor Amendment No. 361**

Amend **CSSB 1** (house committee printing) in Article X of the bill, in Rider 7 following the appropriations to the House of Representatives (page X-3), after Subsection c. by inserting the following:

d. This rider takes effect only if **HB 1397** or similar legislation by the 85th Legislature, Regular Session, 2017, relating to the creation of a joint committee to review the Sunset Advisory Commission, is enacted and becomes law. If **HB 1397** or similar legislation described by this subsection does not become law, this rider has no effect.

**Floor Amendment No. 362**

Amend **CSSB 1** as follows:

In Article X, page 8, Special Provisions Relating to the Legislature, add the following rider:

Annual Dues - Southern Legislative Conference. It is the intent of the legislature that out of funds appropriated above, the Texas house and senate shall coordinate to ensure the timely payment of annual membership dues to the Southern Legislative Conference.

**Floor Amendment No. 363**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article XI of the bill, under the Article I items for the Trusteed Programs Within the Office of the Governor (page XI-2), strike "Moving Image Industry Incentive Program" and the associated amount for the biennium.

(2) In Article XI of the bill, under the Article I items for the Trusteed Programs Within the Office of the Governor (page XI-2), strike "Moving Image Industry Incentive Program - Rider" and the associated amount for the biennium.

(3) In Article XI of the bill, under the Article I items for the Trusteed Programs Within the Office of the Governor (page XI-2), strike "Workforce Development for Moving Image Industry Incentive - Rider" and the associated amount for the biennium.

(4) Adjust the Article I Subtotal (page XI-3) under Article XI accordingly.

**Floor Amendment No. 364**

Amend **CSSB 1** (house committee printing) as follows:

(1) Under the Article XI provisions for the Department of Family and Protective Services (page XI-3) add the following appropriately numbered provision:

\_\_\_\_. Contingent Appropriation: Child Protective Services Suits by the Department of Family and Protective Services. Contingent on the enactment and becoming law of **HB 7** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to child protective services suits by the Department of Family and Protective Services, the amount of \$1,113,377 is appropriated out of the general revenue fund to the Department of Family and Protective Services for the fiscal year ending August 31, 2018, and the amount of \$886,034 is appropriated out of the general revenue fund to the Department of Family and Protective Services for the fiscal year ending August 31, 2019, for the purpose of implementing the provisions of that legislation.

(2) Adjust totals and methods of financing appropriately.

**Floor Amendment No. 365**

Amend **CSSB 1** (house committee printing) as follows:

(1) Under the Article XI provisions for the Department of Family and Protective Services (page XI-3) add the following appropriately numbered provision:

\_\_\_\_. Contingent Appropriation: Child Protective Services Functions of the Department of Family and Protective Services. Contingent on the enactment and becoming law of **HB 39** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the child protective services functions of the Department of Family and Protective Services, the amount of \$12,258,808 is appropriated out of the general revenue fund to the Department of Family and Protective Services for the fiscal year ending August 31, 2018, and the amount of \$10,047,645 is appropriated out of the general revenue fund to the Department of Family and Protective Services for the fiscal year ending August 31, 2019, for the purpose of implementing the provisions of that legislation.

(2) Adjust totals and methods of financing appropriately.

**Floor Amendment No. 366**

Amend **CSSB 1** (house committee printing) as follows:

(1) In Article XI of the bill, following the Article II provisions for the Health and Human Services Commission (page XI-4), add the following appropriately numbered rider:

\_\_\_\_. Healthy Texas Women Program, Outreach and Marketing. In addition to amounts otherwise appropriated to the Health and Human Services Commission by this Act, \$5,000,000 for the state fiscal biennium ending August 31, 2019, is appropriated out of the general revenue fund to be used by the commission for outreach and marketing for the Healthy Texas Women Program.

(2) Adjust totals and methods of financing accordingly.

**Floor Amendment No. 367**

Amend **CSSB 1** on page XI-5 by adding the following:



Contingent upon the passage of **HB 1622** or similar legislation relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities, the Health and Human Services Commission is hereby appropriated \$6,427,585 in 2018 and \$6,416,487 in 2019 out of general revenue for the purpose of implementing the Act.

#### **Floor Amendment No. 368**

Amend **CSSB 1** (house committee printing) in Article XI of the bill by adding the following appropriately numbered rider under the appropriations to Texas A&M University - Kingsville (page XI-6) and renumbering subsequent riders accordingly:

\_\_\_\_. Rural Access to Higher Education. The amount of \$2.5 million is appropriated from the general revenue fund to Texas A&M University–Kingsville for each year of the state fiscal biennium ending August 31, 2019, for the purpose of expanding access to public higher education in rural communities in South Texas, including in Brooks, Duval, Jim Hogg, and Willacy Counties. The university shall collaborate with school districts and rural communities in South Texas to support dual credit programs and to meet the educational needs of those communities, including by developing new educational programs, hiring faculty or staff, or providing classroom or office space, necessary computer or other technological infrastructure and support, or library resources.

#### **Floor Amendment No. 369**

Amend **CSSB 1** (house committee printing) as follows:

(1) Under the Article XI appropriations to the Department of Agriculture (page XI-11), add the following appropriately numbered rider:

\_\_\_\_. Rural Technology Grants. (a) In addition to other amounts appropriated by this Act to the Department of Agriculture for the purposes of Article VI, Strategy A.2.1, Rural Community and Economic Development, the amount of \$2,500,000 is appropriated out of the general revenue fund for the state fiscal year ending August 31, 2018, and the amount of \$2,500,000 is appropriated out of the general revenue fund for the state fiscal year ending August 31, 2019.

(b) The additional amounts appropriated under this provision may be used only as provided by Section 12.027 (g), Agriculture Code, to further economic development in rural south Texas, including the communities in Brooks County, Duval County, Jim Hogg County, and Willacy County by providing financial assistance to those counties, or to municipalities, school districts, or junior college districts located in those counties, to support dual enrollment programs and other educational programs that further economic development. The financial assistance may be used to develop new programs, to hire faculty and staff, to provide classroom and office space, to provide computer and technology infrastructure and support, to provide library materials, and for similar educational purposes that further economic development.

(2) Adjust the Article VI subtotal (page XI-12) under Article XI and the Article XI grand total (page XI-14) accordingly.

**Floor Amendment No. 370**

Amend **CSSB 1** (house committee printing) by adding the following appropriately numbered rider to Article XI of the bill:

\_\_\_\_. State Agency Contracts for Small Businesses. Notwithstanding any other provision of this Act, an institution, department, or agency of this state that receives an appropriation under this Act for the purchase of goods or services may set aside at least 20 percent of that money to purchase goods and services from small businesses.

**Floor Amendment No. 371**

Amend **CSSB 1** (house committee printing) in Article XI of the bill by adding the following appropriately numbered provision:

\_\_\_\_. TRS Care and TRS Active Care Blue Ribbon Panel. Out of funds appropriated to the Legislative Budget Board, the Legislative Budget Board shall establish a blue ribbon panel consisting of five members to study the long-term effectiveness of the expenditure of state funds for TRS Care and TRS Active Care. The panel shall:

- (1) identify issues related to the effectiveness of TRS Care and TRS Active Care that the legislature must address;
- (2) determine whether TRS Care and TRS Active Care are sustainable; and
- (3) not later than December 31, 2017, report to the legislature the findings and conclusions of the study and recommend legislation to improve TRS Care and TRS Active Care.

**Floor Amendment No. 372**

Amend **CSSB 1** (house committee printing), in Article XI of the bill, by adding the following appropriately numbered rider to the bill:

\_\_\_\_. Contingent Appropriation for **HB 572**. Contingent on the enactment and becoming law of **HB 572** or similar legislation of the 85th Legislature, Regular Session, 2017, relating to the disposal of pesticides, the amount deposited by the Department of Agriculture under Section 76.044(c), Agriculture Code, to the pesticide disposal fund in each year of the state fiscal biennium beginning September 1, 2017, not to exceed \$400,000 each year, is appropriated out of that fund to the department for that state fiscal biennium for the purpose of implementing the pesticide waste and pesticide container collection activities performed under Section 76.132, Agriculture Code.

**Floor Amendment No. 373**

Amend **CSSB 1** (house committee printing) as follows:

(1) Under the Article XI appropriations to the Department of Public Safety, add the following appropriately numbered rider:

\_\_\_\_. Anti-Crime Grant Program. In addition to the amount appropriated under Article V to the Department of Public Safety, the amount of \$4 million is appropriated from the general revenue fund for the state fiscal year ending August 31, 2018, to the Department of Public Safety for the purpose of awarding a grant in that amount to a nonprofit organization located in Harris County that is dedicated to preventing and

solving crime in that county and the surrounding area by providing programs that emphasize crime information reporting, child and parent education, and community empowerment.

(2) Adjust the article totals and methods of financing accordingly.

#### **Floor Amendment No. 374**

Amend **CSSB 1** (committee report version) on page XI-13 of the Article XI Texas Department of Transportation bill pattern by adding the following new rider:

Out of the funds appropriated above in Goal A, Project Development and Delivery, the Department of Transportation shall allocate, in addition to the allocations made under Subsection (a) of this rider, \$16,000,000 in FY 2018 to increase security measures, expedite trade, better facilitate cargo traffic and improve the efficiency of border inspections by procuring and implementing an Intelligent Transportation System at the International Port of Entry at the Zaragoza Bridge in El Paso. The Department shall coordinate with the City of El Paso for the procurement, design and implementation of the system.

#### **Floor Amendment No. 375**

Amend **CSSB 1** (house committee printing) in Article V of the bill (page V-45), following the appropriations to the Department of Public Safety, by adding the following appropriately numbered rider and renumbering subsequent riders accordingly:

\_\_\_\_. Plan for Border Security Drawdown. a. Out of funds appropriated above or elsewhere in this bill to the Department of Public Safety for Border Security, the Department of Public Safety shall prepare a plan to reduce the state's border security operations as the federal government increases its activities related to security along the Texas-Mexico border. The plan must include, at a minimum:

1. timelines for reducing or transitioning out of the border region troopers, Texas Rangers, and other personnel associated with border security activities and details regarding other areas of this state to which these personnel may be reassigned;
2. options for phasing out any remaining interagency contracts supplementing current border security operations with Texas National Guard forces;
3. alternate uses across this state for boats and aircraft currently used for border security activities; and
4. the amount of funds associated with the items described by Subdivisions (1) - (3) of this rider and any other appropriation for border security for the state fiscal biennium ending August 31, 2019, that may be reduced or repurposed, with the goal of returning to the funding levels for Secure Texas that existed before Operation Secure Texas.

b. Not later than November 1, 2018, the Department of Public Safety shall submit the plan described by Subsection a of this rider to the Legislative Budget Board, the Office of the Governor, and all standing committees of the legislature with jurisdiction over border security activities.

**Floor Amendment No. 376**

Amend **CSSB 1** (house committee printing) in Article IV of the bill following the appropriations to the Judiciary Section, Comptroller's Department (page IV-37), in Rider 11 (Fraud Investigations) by adding the following immediately after the last sentence of the second paragraph:

No funds appropriated under this rider shall be used to investigate or prosecute elected officials who reside in a county whose voters do not elect the Travis County district attorney.

**Floor Amendment No. 377**

Amend **CSSB 1** (house committee report), in Article III of the bill, in Rider 45 in the Special Provisions Relating Only to State Agencies of Higher Education (page III-256), by inserting the following at the end of the rider: "The brochure must be medically accurate."

**Floor Amendment No. 378**

Amend **CSSB 1** (house committee printing) under the Article VIII appropriations to the Department of Insurance by adding the following appropriately numbered provision:

\_\_\_\_\_. Review. Out of amounts appropriated above, the Department of Insurance shall, in fiscal year 2018, conduct a comprehensive review of policies and endorsements in the market and, pursuant to Chapter 2301.007, Insurance Code, disapprove or withdraw approval of all such forms or endorsements that allow any party to wait more than sixty days, after receipt of written notice of a dispute, to invoke any provision that provides for the resolution of such dispute through a process that determines the amount of loss, and disapprove or withdraw approval of all such forms or endorsements that include any provision that requires only one party to be bound by the outcome of the aforementioned process, as such forms violate the public policy of this state, which favors the prompt resolution of disputes."

The amendments were read.

Senator Nelson moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The President asked if there were any motions to instruct the conference committee on **SB 1** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate: Senators Nelson, Chair; Hinojosa, Huffman, Schwertner, and Kolkhorst.

**HOUSE BILL 10 REREFERRED**  
**(Motion In Writing)**

Senator Zaffirini submitted a Motion In Writing requesting that **HB 10** be withdrawn from the Committee on Health and Human Services and rereferred to the Committee on Business and Commerce.

The Motion In Writing was read and prevailed without objection.

**REPORT OF COMMITTEE ON NOMINATIONS**

Senator Birdwell submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed:

Executive Commissioner, Health and Human Services Commission: Charles Ray Smith, Hays County.

Members, Texas Board of Medical Radiologic Technology: Nicholas Marc Beckmann, Harris County; Jennifer Colleen Flanagan, Tarrant County; Anthony Jaso, Bexar County; Faraz Adil Khan, Harris County; Regan Leigh Robinson Landreth, Williamson County; Melanie Lutz, Harris County; Scott Alan Morren, Hockley County; Carol Waddell, McLennan County.

Members, Texas Board of Nursing: Laura A. Disque, Hidalgo County; Allison Porter Edwards, Harris County; Diana Rodriguez Flores, Bexar County; Doris Jean Jackson, Fort Bend County; Kathy Lynette Leader-Horn, Hood County; David Edward Saucedo, El Paso County; Francis D. Stokes, Nueces County.

Members, Board of Directors, Texas Economic Development Corporation: Marcus Ray Griffin, Lubbock County; Stephen Chalmus Head, Montgomery County; Alejandro G. Meade, Hidalgo County; Michael Wagner Rollins, Travis County; Nancy Carol Windham, Nacogdoches County; Sanjiv Yajnik, Dallas County.

Member, Texas Transportation Commission: Laura Ryan Heizer, Harris County.

Members, Board of Regents, University of Houston System: Tilman J. Fertitta, Harris County; Lorinda Madison, Harris County; Gerald Wayne McElvy, Tarrant County.

**NOTICE OF CONSIDERATION OF NOMINATIONS**

Senator Birdwell gave notice that he would tomorrow submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

**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: **SB 772, SB 1290.**

**CO-AUTHOR OF SENATE BILL 82**

On motion of Senator Nelson, Senator Garcia will be shown as Co-author of **SB 82**.

**CO-AUTHOR OF SENATE BILL 188**

On motion of Senator Uresti, Senator Zaffirini will be shown as Co-author of **SB 188**.

**CO-AUTHOR OF SENATE BILL 224**

On motion of Senator Watson, Senator Nelson will be shown as Co-author of **SB 224**.

**CO-AUTHOR OF SENATE BILL 289**

On motion of Senator Taylor of Collin, Senator Creighton will be shown as Co-author of **SB 289**.

**CO-AUTHOR OF SENATE BILL 292**

On motion of Senator Huffman, Senator Rodríguez will be shown as Co-author of **SB 292**.

**CO-AUTHOR OF SENATE BILL 341**

On motion of Senator Perry, Senator Garcia will be shown as Co-author of **SB 341**.

**CO-AUTHORS OF SENATE BILL 445**

On motion of Senator Burton, Senators Bettencourt, Creighton, and Huffines will be shown as Co-authors of **SB 445**.

**CO-AUTHOR OF SENATE BILL 451**

On motion of Senator Hancock, Senator Hughes will be shown as Co-author of **SB 451**.

**CO-AUTHORS OF SENATE BILL 489**

On motion of Senator Lucio, Senators Garcia and West will be shown as Co-authors of **SB 489**.

**CO-AUTHOR OF SENATE BILL 586**

On motion of Senator Perry, Senator Buckingham will be shown as Co-author of **SB 586**.

**CO-AUTHOR OF SENATE BILL 588**

On motion of Senator Lucio, Senator Garcia will be shown as Co-author of **SB 588**.

**CO-AUTHORS OF SENATE BILL 640**

On motion of Senator Taylor of Collin, Senators Campbell, Huffines, and Lucio will be shown as Co-authors of **SB 640**.

**CO-AUTHOR OF SENATE BILL 655**

On motion of Senator Bettencourt, Senator Creighton will be shown as Co-author of **SB 655**.

**CO-AUTHORS OF SENATE BILL 693**

On motion of Senator Garcia, Senators Nichols and Rodríguez will be shown as Co-authors of **SB 693**.

**CO-AUTHOR OF SENATE BILL 697**

On motion of Senator Buckingham, Senator West will be shown as Co-author of **SB 697**.

**CO-AUTHOR OF SENATE BILL 907**

On motion of Senator Birdwell, Senator Seliger will be shown as Co-author of **SB 907**.

**CO-AUTHOR OF SENATE BILL 933**

On motion of Senator Schwertner, Senator Hinojosa will be shown as Co-author of **SB 933**.

**CO-AUTHOR OF SENATE BILL 977**

On motion of Senator Schwertner, Senator Kolkhorst will be shown as Co-author of **SB 977**.

**CO-AUTHOR OF SENATE BILL 979**

On motion of Senator Schwertner, Senator Kolkhorst will be shown as Co-author of **SB 979**.

**CO-AUTHOR OF SENATE BILL 1152**

On motion of Senator Menéndez, Senator Campbell will be shown as Co-author of **SB 1152**.

**CO-AUTHOR OF SENATE BILL 1208**

On motion of Senator Schwertner, Senator Uresti will be shown as Co-author of **SB 1208**.

**CO-AUTHOR OF SENATE BILL 1287**

On motion of Senator Huffines, Senator Campbell will be shown as Co-author of **SB 1287**.

**CO-AUTHOR OF SENATE BILL 1341**

On motion of Senator Garcia, Senator Whitmire will be shown as Co-author of **SB 1341**.

**CO-AUTHOR OF SENATE BILL 1345**

On motion of Senator Watson, Senator Garcia will be shown as Co-author of **SB 1345**.

**CO-AUTHOR OF SENATE BILL 1381**

On motion of Senator Hughes, Senator Nichols will be shown as Co-author of **SB 1381**.

**CO-AUTHOR OF SENATE BILL 1430**

On motion of Senator Perry, Senator Creighton will be shown as Co-author of **SB 1430**.

**CO-AUTHOR OF SENATE BILL 1764**

On motion of Senator Zaffirini, Senator Perry will be shown as Co-author of **SB 1764**.

**CO-AUTHOR OF SENATE BILL 1806**

On motion of Senator Huffman, Senator Uresti will be shown as Co-author of **SB 1806**.

**CO-AUTHOR OF SENATE BILL 2001**

On motion of Senator Watson, Senator Hughes will be shown as Co-author of **SB 2001**.

**CO-AUTHOR OF SENATE BILL 2016**

On motion of Senator Creighton, Senator Hughes will be shown as Co-author of **SB 2016**.

**CO-AUTHORS OF SENATE BILL 2110**

On motion of Senator Menéndez, Senators Campbell and Zaffirini will be shown as Co-authors of **SB 2110**.

**CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 35**

On motion of Senator Estes, Senator Creighton will be shown as Co-author of **SCR 35**.

**CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 42**

On motion of Senator Garcia, Senator Rodríguez will be shown as Co-author of **SCR 42**.

**CO-AUTHOR OF SENATE JOINT RESOLUTION 43**

On motion of Senator Huffman, Senator Creighton will be shown as Co-author of **SJR 43**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 625** by Perry, In memory of William Taylor "Spike" Dykes.

**SR 634** by Lucio, In memory of Hernan Ilufi "Tito" Orellana.

**SR 637** by Watson, In memory of William Charles Akins.



### **Congratulatory Resolutions**

**SR 621** by Taylor of Galveston, Recognizing Tina Taylor for her contributions to the Deer Park community.

**SR 623** by Taylor of Galveston, Recognizing Eddie Janek on the occasion of his 90th birthday.

**SR 624** by Campbell, Menéndez, Uresti, and Zaffirini, Recognizing the Texas Cavaliers and Michael Casillas for their contributions to the San Antonio community.

**SR 626** by West, Recognizing Hiawatha Williams on the occasion of the 30th anniversary of Williams Chicken.

**SR 627** by Watson, Recognizing Mark L. Madrid for his contributions to this state.

**SR 628** by Buckingham, Recognizing Dian Graves Owen Stai for being inducted into the Texas Business Hall of Fame.

**SR 629** by Buckingham, Recognizing the 100th anniversary of the election of Ophelia "Birdie" Crosby Harwood as mayor of Marble Falls.

**SR 632** by Birdwell, Recognizing Billie Hopps for her 40 years of service to the children of Keene.

**SR 633** by Lucio, Recognizing Michael Salgado for his contributions to the music industry.

**SR 635** by Watson, Recognizing Sylvia Kay Daves for her 50 years of service to the people of Texas.

**SR 636** by Watson, Recognizing Andrew Asdell and Joe LeBlanc on the occasion of their marriage.

### **ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 3:56 p.m. adjourned, in memory of David Mattax, until 11:00 a.m. tomorrow.

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### **APPENDIX**

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### **COMMITTEE REPORTS**

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

April 18, 2017

TRANSPORTATION — **SB 1037, SB 1129, SB 1131, SB 1133, SB 1384, SB 1386, SB 1654, SB 1940, SB 1944, SCR 42**

AGRICULTURE, WATER, AND RURAL AFFAIRS — **CSSB 319**

STATE AFFAIRS — **CSSB 188**

TRANSPORTATION — **CSSB 1062, CSSB 1349**

CRIMINAL JUSTICE — **SB 1298, SB 1504, SB 1977**

TRANSPORTATION — **CSSB 693**

VETERAN AFFAIRS AND BORDER SECURITY — **CSSB 441, CSSB 544, SB 1152, SB 1901, SB 1968**

HEALTH AND HUMAN SERVICES — **CSSB 849, CSSB 190, CSSB 922, CSSB 1922, CSSB 2001, CSSB 1565, SCR 33, SB 1533, SB 1300, CSSB 1208, CSSB 1743, CSSB 1806, CSSB 547**

STATE AFFAIRS — **CSSJR 34, CSSB 2020, CSSB 1736, CSSB 859**

HEALTH AND HUMAN SERVICES — **CSSB 907**

CRIMINAL JUSTICE — **CSSB 2176, CSSB 1487, CSSB 239, CSSB 1326**

BUSINESS AND COMMERCE — **SB 350, SB 1087, SB 1088, SB 1493, SB 1497, SB 1500, SB 1503, SB 1537, SB 1516, CSSB 896, CSSB 1199, CSSB 1499, CSSB 1501, CSSB 1502, CSSB 2212, CSSB 1498, CSSB 2065**

EDUCATION — **CSSB 1153, CSSB 1566, CSSB 1658, CSSB 1784, CSSB 1837, CSSB 2080**

HIGHER EDUCATION — **CSSB 810**

#### **BILLS ENGROSSED**

April 12, 2017

**SB 43, SB 316, SB 345, SB 461, SB 522, SB 593, SB 627, SB 736, SB 813, SB 1083, SB 1361, SB 1767**

#### **RESOLUTIONS ENROLLED**

April 12, 2017

**SR 549, SR 583, SR 586, SR 594, SR 608, SR 612, SR 613, SR 614, SR 615, SR 616, SR 617, SR 618, SR 619, SR 620**