

# SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FIFTIETH DAY**

(Wednesday, May 3, 2017)

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

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

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

Pastor Danny Biddy, Old River Baptist Church, Mont Belvieu, offered the invocation as follows:

Almighty God, thank You for this great state and the principles it stands on. May it continue to be like sailors who navigate by the North Star in times of darkness and never fail to arrive at their destination. Thank You for this legislative body we call the Texas Senate, which is dependent upon each person here in order to function and is dependent on a presence, Your presence, Lord, in order to prosper. As they continue the 85th legislative session, may You bless and keep them, be gracious to them, and give them peace. In Jesus' name I pray. 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

Wednesday, May 3, 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 12**

Price

Relating to individuals who are or may be persons with a mental illness or an intellectual disability and who are or have been involved with the court system.

**HB 16**

Lozano

Relating to sexual harassment, sexual assault, dating violence, and stalking at public and private postsecondary educational institutions.

**HB 34**

Smithee

Relating to measures to prevent wrongful convictions.

**HB 61**

Guillen

Relating to consideration under the public school accountability system of performance on assessment instruments by certain students formerly receiving special education services.

**HB 683**

Wu

Relating to the prosecution of the offense of possession or use of law enforcement identification, insignia, or vehicles in a municipality and the clarification of the offenses of false identification as a peace officer and misrepresentation of property.

**HB 912**

Romero, Jr.

Relating to the licensing and regulation of providers of driver and traffic safety education.

**HB 1297**

Fruzzo

Relating to a specialty certification for insurance agents who have completed certain training regarding self-insured health benefit plans.

**HB 1442**

Wu

Relating to the release of certain defendants pending a motion for new trial or an appeal from a misdemeanor conviction.

**HB 1504**

Allen

Relating to a community supervision and corrections department policy regarding supervision officer meetings and visits.

**HB 1787**

Wray

Relating to the execution of a declaration for mental health treatment.

**HB 1920**

Flynn

Relating to the Palo Duro River Authority, following recommendations of the Sunset Advisory Commission.

**HB 2180**

Flynn

Relating to the Sulphur River Basin Authority, following recommendations of the Sunset Advisory Commission.

**HB 2351**

Nevárez

Relating to the investigation of fire fighters employed by certain municipalities.

- HB 2561** Thompson, Senfronia  
Relating to the continuation and functions of the Texas State Board of Pharmacy; authorizing a reduction in fees.
- HB 2671** Dean  
Relating to the placement of certain substances in Penalty Groups 1 and 3 of the Texas Controlled Substances Act for the purposes of prosecution of criminal offenses involving those substances.
- HB 2783** Smithee  
Relating to the assessment of litigation costs and attorney fees in certain lawsuits under the public information law.
- HB 2848** Burkett  
Relating to consultations with contracted physician networks and physician systems during certain investigations of child abuse and neglect.
- HB 2895** Price  
Relating to the requirement that certain public institutions of higher education post mental health resources on the institution's Internet website.
- HB 3016** Thompson, Senfronia  
Relating to the eligibility of a criminal defendant for an order of nondisclosure of criminal history record information.
- HB 3024** Price  
Relating to the removal of a public school student from an interscholastic athletic activity on the basis of a suspected concussion.
- HB 3193** Alvarado  
Relating to the relationship between public employers and fire and police employees.
- HB 3226** Phillips  
Relating to the creation of a temporary health insurance risk pool.
- HB 3329** Paddie  
Relating to regulation of electricians by local governments.
- HB 3803** Faircloth  
Relating to certain authorized investments for domestic life, health, and accident insurers.
- HB 3987** Larson  
Relating to the authority of the Texas Water Development Board to use the state participation account of the water development fund to provide financial assistance for the development of certain facilities.
- HB 4280** Lambert  
Relating to the 32nd Judicial District Juvenile Board.
- HCR 105** Bonnen, Dennis  
Encouraging Congress to pass legislation allowing the State of Texas to manage the Gulf of Mexico red snapper fishery out to 200 nautical miles.

**SB 843**

Perry

Sponsor: Herrero

Relating to disclosure and use of certain information regarding the Crime Victims' Compensation Act.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**PHYSICIAN OF THE DAY**

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

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

**SENATE RESOLUTION 703**

Senator Huffines offered the following resolution:

**SR 703**, Recognizing Tony Romo for his many achievements.

The resolution was read and was adopted without objection.

**GUEST PRESENTED**

Senator Huffines, joined by Senators West and Lucio, was recognized and introduced to the Senate former Dallas Cowboys quarterback Tony Romo.

The Senate welcomed its guest.

**(Senator Hancock in Chair)****GUESTS PRESENTED**

Senator Nichols was recognized and introduced to the Senate a Texas Department of Motor Vehicles delegation, accompanied by Board Presiding Officer Raymond Palacios, Executive Director Whitney Brewster, Deputy Executive Director Shelly Mellott, Vehicle Titles and Registration Director Jeremiah Kuntz, and Government and Strategic Communications Director Caroline Love.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Perry was recognized and introduced to the Senate a Senate District 13 delegation.

The Senate welcomed its guests.

**SENATE RESOLUTION 714**

Senator Miles offered the following resolution:

**SR 714**, Recognizing May 3, 2017, as Asian Real Estate Association of America Day.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

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

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Campbell was recognized and introduced to the Senate Honorary Senate Pages Brooke Hillman and Micaela Contreras and their parents.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Watson was recognized and introduced to the Senate an Austin History Center delegation, accompanied by Managing Archivist Mike Miller and Executive Director Jeff Cohen; an Austin Energy delegation, accompanied by Deputy General Manager Kerry Overton; and *The Last of the Moonlight Towers* co-producers Jeffrey Kerr and Ray Spivey.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator West was recognized and introduced to the Senate a City of Dallas emergency physicians delegation, accompanied by Melisa Gagraca, Fernando Benitez, Jedidiah Leaf, Jeffery Metzger, Sterling Overstreet, and Paul Pepe.

The Senate welcomed its guests.

**SENATE RESOLUTION 415**

Senator Lucio offered the following resolution:

WHEREAS, The Senate of the State of Texas takes great pride in joining the Texas Association of Counties in recognizing May 3, 2017, as County Government Day at the Capitol; and

WHEREAS, The month of May 2017 is being observed by the National Association of Counties as National County Government Month to provide the nation's citizens with an opportunity to honor the many contributions made by county governments; and

WHEREAS, The oldest form of local government in the United States, county government addresses many critical issues, including environmental protection, indigent health care, special assistance for the elderly, job training, and public safety; and

WHEREAS, There are 254 counties in Texas, and those dedicated individuals who serve our counties as elected or appointed officials not only work diligently to meet the needs of citizens without placing an undue burden on taxpayers but also commit themselves to finding solutions to problems that will benefit all Texans; and

WHEREAS, The Texas Association of Counties encourages citizens across the state to observe National County Government Month by learning more about this vital form of local government and the many ways in which it serves the public; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 85th Legislature, hereby commend the county officials of this state for their countless contributions to Texas and welcome members of the Texas Association of Counties to Austin as they celebrate County Government Day at the Capitol; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the Texas Association of Counties in honor of County Government Day at the Capitol and as an expression of esteem from the Texas Senate.

**SR 415** was read and was adopted without objection.

#### **GUESTS PRESENTED**

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

The Senate welcomed its guests.

#### **GUESTS PRESENTED**

Senator Menéndez was recognized and introduced to the Senate Maurine and Cliff Molak.

The Senate welcomed its guests.

#### **(President in Chair)**

#### **SENATE RESOLUTION 715**

Senator Taylor of Collin offered the following resolution:

**SR 715**, Commemorating the 100th anniversary of J. C. Penney Corporation in Texas.

The resolution was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Taylor of Collin was recognized and introduced to the Senate a J. C. Penney Corporation delegation, accompanied by Vice-president Trent Kruse and Senior Counsel, Government Relations, Arnold Grothues.

The Senate welcomed its guests.

#### **RESOLUTIONS SIGNED**

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 121, HCR 124.**

#### **INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED**

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

There was no objection.

#### **REPORT OF COMMITTEE ON NOMINATIONS**

Senator Birdwell submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which was referred the following appointment, have had same under consideration and report it back to the Senate with a recommendation that he be confirmed:

Member, Texas Alcoholic Beverage Commission: Kevin J. Lilly, Harris 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.

### **CONCLUSION OF MORNING CALL**

The President at 12:05 p.m. announced the conclusion of morning call.

### **COMMITTEE SUBSTITUTE SENATE BILL 1693 ON SECOND READING**

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSSB 1693** at this time on its second reading:

**CSSB 1693**, Relating to a study of seniors with a visual impairment by the Aging Texas Well Advisory Committee.

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 1693 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 **CSSB 1693** 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 1021 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1021** at this time on its second reading:

**CSSB 1021**, Relating to reports on the consolidation and certain functions of the health and human services system, including advisory committees within the system, and the re-creation of the Texas system of care framework.

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 1021 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1021** 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 2282 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2282** at this time on its second reading:

**CSSB 2282**, Relating to the dissolution of the Angelina County Water Control and Improvement District No. 3 and the territory of the Angelina County Fresh Water Supply District No. 1.

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 2282 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 2282** 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 537 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 537** at this time on its second reading:

**SB 537**, Relating to requiring the disclosure of special course fees at public institutions of higher education.



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 537 ON THIRD READING**

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 537** 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 754 ON SECOND READING**

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 754** at this time on its second reading:

**SB 754**, Relating to the extension and modification of a public school district depository contract.

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 754 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 **SB 754** 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 1023 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1023** at this time on its second reading:

**CSSB 1023**, Relating to the confidentiality of personal identifying information collected by certain airport governing boards.

The bill was read second time.

Senator Nelson offered the following amendment to the bill:

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

Amend **CSSB 1023** (senate committee printing) as follows:

(1) in SECTION 1 of the bill, in added Section 22.091, Transportation Code (page 1, line 33), by striking "and" and substituting "or".

(2) in SECTION 1 of the bill, in added Section 22.091, Transportation Code (page 1, line 36), by striking "and" and substituting "or".

The amendment to **CSSB 1023** 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 1023** as amended 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 1023 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1023** 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.

### **AT EASE**

The President at 12:17 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

### **IN LEGISLATIVE SESSION**

Senator Hancock at 12:34 p.m. called the Senate to order as In Legislative Session.

### **COMMITTEE SUBSTITUTE SENATE BILL 900 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 900** at this time on its second reading:

**CSSB 900**, Relating to enhanced penalties for certain family violence offenses; imposing court costs.

The bill was read second time.

Senator Uresti offered the following amendment to the bill:

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

Amend **CSSB 900** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 22, Penal Code, is amended by adding Section 22.042 to read as follows:

Sec. 22.042. CONTINUOUS INJURY TO A CHILD, ELDERLY INDIVIDUAL, OR DISABLED INDIVIDUAL. (a) A person commits an offense if, during a period that is 30 or more days but less than five years in duration, the person engages two or more times in conduct that constitutes an offense under Section 22.04 against one or more victims.

(b) If a jury is the trier of fact, members of the jury are not required to agree unanimously on which specific conduct engaged in by the defendant constituted an offense under Section 22.04 or on which exact date the defendant engaged in that conduct. The jury must agree unanimously that the defendant, during a period that is 30 or more days but less than five years in duration, engaged in conduct that constituted an offense under Section 22.04.

(c) If the victim of an offense under Subsection (a) is the same victim as a victim of an offense under Section 22.04, a defendant may not be convicted of the offense under Section 22.04 in the same criminal action as the offense under Subsection (a), unless the offense under Section 22.04:

(1) is charged in the alternative;

(2) occurred outside the period in which the offense alleged under Subsection (a) was committed; or

(3) is considered by the trier of fact to be a lesser included offense of the offense alleged under Subsection (a).

(d) A defendant may not be charged with more than one count under Subsection (a) if all of the conduct that constitutes an offense under Section 22.04 is alleged to have been committed against the same victim.

(e) An offense under this section is a felony of the first degree.

The amendment to **CSSB 900** 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 900** as amended 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 900 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 900** 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 1437 ON SECOND READING**

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1437** at this time on its second reading:

**CSSB 1437**, Relating to payment for the use of a highway toll project.

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 1437 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 1437** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 879 ON SECOND READING**

Senator Uresti moved to suspend the regular order of business to take up for consideration **CSSB 879** at this time on its second reading:

**CSSB 879**, Relating to a review of a person's disqualification to serve as a relative or other designated caregiver for a child.

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

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

Nays: Huffines, Kolkhorst, Nelson, Nichols.

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, Kolkhorst, Nelson, Nichols.

**COMMITTEE SUBSTITUTE  
SENATE BILL 879 ON THIRD READING**

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 879** be placed on its third reading and final passage.

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

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

Nays: Huffines, Kolkhorst, Nelson, Nichols.

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

#### **SENATE BILL 1799 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **SB 1799** at this time on its second reading:

**SB 1799**, Relating to the student loan default prevention and financial aid literacy pilot program.

The motion prevailed.

Senators Huffines 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 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, Taylor of Collin.

#### **SENATE BILL 1799 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1799** 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, Estes, Garcia, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodriguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Huffines, Taylor of Collin.

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

#### **COMMITTEE SUBSTITUTE SENATE BILL 1404 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSB 1404** at this time on its second reading:

**CSSB 1404**, Relating to requiring school districts and open-enrollment charter schools to report certain information regarding expanded learning opportunities.

The motion prevailed.

Senators Burton, Hall, 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 and was passed to engrossment by a viva voce vote.

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

Nays: Burton, Hall, Taylor of Collin.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1404 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1404** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, 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: Burton, Hall, 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)

**COMMITTEE SUBSTITUTE  
SENATE BILL 323 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 323** at this time on its second reading:

**CSSB 323**, Relating to the offense of female genital mutilation.

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 323 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 323** 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 1676 ON SECOND READING**

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1676** at this time on its second reading:

**CSSB 1676**, Relating to the veterans county service office.

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 1676 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 **CSSB 1676** 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 2265 ON SECOND READING**

On motion of Senator Taylor of Galveston and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2265** at this time on its second reading:

**CSSB 2265**, Relating to the Gulf Coast Waste Disposal Authority and expanding the territory and powers of the authority; authorizing fees and the issuance of bonds.

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 2265 ON THIRD READING**

Senator Taylor of Galveston moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2265** 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 2056 ON SECOND READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **CSSB 2056** at this time on its second reading:

**CSSB 2056**, Relating to the use of municipal hotel occupancy tax revenue by certain municipalities.

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

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

Nays: Burton, Hall, Hancock, Huffines, Nelson, Taylor of Collin.

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 2056 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 2056** be placed on its third reading and final passage.

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

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

Nays: Burton, Hall, Hancock, Huffines, Nelson, Taylor of Collin.

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

**SENATE BILL 1812 ON THIRD READING**

Senator Taylor of Collin moved to suspend the regular order of business to take up for consideration **SB 1812** at this time on its third reading and final passage:

**SB 1812**, Relating to the authority of an appraisal district to use public money for lobbying activity.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: 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, Uresti.

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

The bill was read third time and was passed by the following vote: Yeas 22, Nays 9. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 2118 ON SECOND READING**

Senator Seliger moved to suspend the regular order of business to take up for consideration **CSSB 2118** at this time on its second reading:

**CSSB 2118**, Relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.



The motion prevailed.

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

The bill was read second time.

Senator Seliger moved to temporarily postpone further consideration of the bill.

The motion prevailed.

Question: Shall **CSSB 2118** be passed to engrossment?

**SENATE CONCURRENT RESOLUTION 51  
ON SECOND READING**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **SCR 51** at this time on its second reading:

**SCR 51**, Urging appropriate state agencies to support the establishment of a veterans memorial in Conroe.

The resolution was read second time and was adopted by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE  
SENATE BILL 2118 ON SECOND READING**

The Presiding Officer laid before the Senate **CSSB 2118** by Senator Seliger on its second reading. The bill had been read second time and further consideration postponed:

**CSSB 2118**, Relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.

Question: Shall **CSSB 2118** be passed to engrossment?

Senator West offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 2118** (senate committee printing) in SECTION 4 of the bill, in added Section 130.303(b), Education Code (page 2, lines 2 and 3) by striking the text and substituting "degree program in the field of applied science, including a degree program in the field of applied science with an emphasis in early childhood education, applied technology, or nursing and have demonstrated a workforce need."

The amendment to **CSSB 2118** 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 2118** as amended was passed to engrossment by the following vote: Yeas 26, Nays 5.

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

Nays: Buckingham, Burton, Huffines, Kolkhorst, Schwertner.

**COMMITTEE SUBSTITUTE  
SENATE BILL 2118 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 2118** be placed on its third reading and final passage.

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

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

Nays: Buckingham, Burton, Huffines, Kolkhorst, Schwertner.

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 1680 ON SECOND READING**

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSSB 1680** at this time on its second reading:

**CSSB 1680**, Relating to a task force of border health officials.

The motion prevailed.

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

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

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

Nays: Nelson.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1680 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 **CSSB 1680** be placed on its third reading and final passage.

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

Nays: Nelson.

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 179 ON SECOND READING**

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 179** at this time on its second reading:

**CSSB 179**, Relating to harassment, bullying, and cyberbullying of a public school student or minor and injury to or death of a minor; creating a criminal offense.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 179** (senate committee report) as follows:

(1) In SECTION 2 of the bill, in amended Section 37.0832(a)(1)(A), Education Code (page 1, line 31), between "means" and "a pattern", insert "a single significant act or".

The amendment to **CSSB 179** 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 **CSSB 179** (senate committee report) in SECTION 2 of the bill, by striking added Section 37.0832(f), Education Code (page 2, lines 48-50), and substituting the following:

(f) Each school district may establish a district-wide policy to assist in the prevention and mediation of bullying incidents between students that:

(1) interfere with a student's educational opportunities; or  
(2) substantially disrupt the orderly operation of a classroom, school, or school-sponsored or school-related activity.

The amendment to **CSSB 179** 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 **CSSB 179** (senate committee report) in SECTION 4 of the bill as follows:

(1) In added Section 37.0151(a), Education Code (page 3, line 7), strike "shall" and substitute "may".

(2) In added Section 37.0151(b), Education Code (page 3, line 15), strike "shall" and substitute "may".

The amendment to **CSSB 179** 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 Hughes offered the following amendment to the bill:

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

Amend **CSSB 179** (senate committee report) in SECTION 2 of the bill, in added Section 37.0832(a)(1)(A)(i), Education Code (page 1, lines 40-41), by striking "causing a student to experience substantial negative mental health effects,".

The amendment to **CSSB 179** 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 Hughes offered the following amendment to the bill:

#### **Floor Amendment No. 5**

Amend **CSSB 179** (senate committee report) in SECTION 8 of the bill as follows:

(1) In the chapter heading to added Chapter 129A, Civil Practice and Remedies Code (page 5, line 1), strike "BULLYING" and substitute "CYBERBULLYING".

(2) Strike added Sections 129A.001, 129A.002, 129A.003, 129A.004, and 129A.005, Civil Practice and Remedies Code (page 5, line 2, through page 6, line 17), and substitute the following:

Sec. 129A.001. DEFINITION. In this chapter, "cyberbullying" has the meaning assigned by Section 37.0832(a), Education Code.

(3) In added Section 129A.006, Civil Practice and Remedies Code (page 6, lines 18-25), strike Subsection (a) and substitute the following:

(a) A recipient of cyberbullying behavior who is younger than 18 years of age at the time the cyberbullying occurs or a parent of or person standing in parental relation to the recipient may seek injunctive relief under this chapter against the individual who was cyberbullying the recipient or, if the individual is younger than 18 years of age, against a parent of or person standing in parental relation to the individual.

(4) In added Section 129A.006(b), Civil Practice and Remedies Code (page 6, line 28), strike "bullying communication" and substitute "cyberbullying".

(5) In added Section 129A.006(b)(1), Civil Practice and Remedies Code (page 6, lines 30-31), strike "sending bullying communication" and substitute "engaging in cyberbullying".

(6) In added Section 129A.006(b)(2), Civil Practice and Remedies Code (page 6, line 33), strike "a communicator" and substitute "an individual".

(7) In added Section 129A.006(b)(2), Civil Practice and Remedies Code (page 6, lines 34-35), strike "communicator to cease sending bullying communication" and substitute "individual to cease engaging in cyberbullying".

(8) In added Section 129A.006(c), Civil Practice and Remedies Code (page 6, line 39), strike "communicator sent bullying communication to" and substitute "individual was cyberbullying".

(9) In added Section 129A.006(c), Civil Practice and Remedies Code (page 6, line 43), strike "bullying communication by the communicator to" and substitute "cyberbullying by the individual against".

(10) In added Section 129A.006(d), Civil Practice and Remedies Code (page 6, lines 45-46), strike "communicator sent bullying communication to" and substitute "individual was cyberbullying".

(11) In added Section 129A.007(a), Civil Practice and Remedies Code (page 6, line 59), strike "bullying communication" and substitute "cyberbullying".

(12) In added Section 129A.007(e), Civil Practice and Remedies Code (page 7, line 12), strike "form" and substitute "forms".

(13) Strike added Section 129A.008, Civil Practice and Remedies Code (page 7, lines 16-20).

(14) In added Section 129A.010, Civil Practice and Remedies Code (page 7, lines 28-29), strike "bullying communication" and substitute "cyberbullying".

(15) Renumber sections in added Chapter 129A, Civil Practice and Remedies Code, accordingly.

**(President in Chair)**

The amendment to **CSSB 179** was read and was adopted by a viva voce vote.

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

Senator Birdwell offered the following amendment to the bill:

**Floor Amendment No. 6**

Amend **CSSB 179** (senate committee report) as follows:

(1) In SECTION 4 of the bill, in added Section 37.0151, Education Code (page 3, line 5), between "CONSTITUTING" and "HARASSMENT", insert "ASSAULT OR".

(2) In SECTION 4 of the bill, in added Section 37.0151(a), Education Code (page 3, line 14), strike "22.081" and substitute "22.01 or 42.07(a)(7)".

(3) Strike SECTION 9 of the bill, adding Section 22.081, Penal Code (page 7, lines 30-65).

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

SECTION \_\_\_\_\_. Section 42.07(b)(1), Penal Code, is amended to read as follows:

(1) "Electronic communication" means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. The term includes:

(A) a communication initiated through the use of [by] electronic mail, instant message, network call, a cellular or other type of telephone, a computer, a camera, text message, a social media platform or application, an Internet website, any other Internet-based communication tool, or facsimile machine; and

(B) a communication made to a pager.

SECTION \_\_\_\_\_. Section 42.07(c), Penal Code, is amended to read as follows:

(c) An offense under this section is a Class B misdemeanor, except that the offense is a Class A misdemeanor if:

(1) the actor has previously been convicted under this section; or

(2) the offense was committed under Subsection (a)(7) against a child under 18 years of age with the intent that the child:

(A) commit suicide; or

(B) engage in conduct causing serious bodily injury to the child.

(5) Renumber SECTIONS of the bill accordingly.

The amendment to **CSSB 179** was read and was adopted by a viva voce vote.

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

**CSSB 179** as amended 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 179 ON THIRD READING**

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 179** 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 Lucio in Chair)**

### **COMMITTEE SUBSTITUTE SENATE BILL 1913 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 1913** at this time on its second reading:

**CSSB 1913**, Relating to the administrative, civil, and criminal consequences, including fines, fees, and costs, imposed on persons arrested for, charged with, or convicted of certain criminal offenses.

The motion prevailed.

Senators Bettencourt, Creighton, Huffman, Schwertner, Taylor of Galveston, 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 Zaffirini offered the following amendment to the bill:

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

Amend **CSSB 1913** (senate committee printing) as follows:

(1) Strike SECTION 21 of the bill, amending Section 102.0212, Government Code (page 9, line 52, through page 10, line 7).

(2) Strike SECTION 22 of the bill, amending Section 103.021, Government Code (page 10, line 8, through page 12, line 5).

(3) Strike SECTION 23 of the bill, amending Section 133.003, Local Government Code (page 12, lines 6 through 34).

(4) Strike SECTION 28 of the bill, amending Section 708.152(b), Transportation Code (page 14, lines 44 through 50).

(5) Strike SECTION 29 of the bill, amending Section 708.154(c), Transportation Code (page 14, lines 51 through 57).

(6) Strike SECTION 30 of the bill, amending Section 708.158, Transportation Code (page 14, line 58, through page 15, line 33).

(7) Strike SECTION 31 of the bill repealing certain provisions (page 15, lines 34 through 39), and substitute the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. Article 45.0492(e), Code of Criminal Procedure, as added by Chapter 227 (H.B. 350), Acts of the 82nd Legislature, Regular Session, 2011, is repealed.

(8) In SECTION 32 of the bill, adding transition language (page 15, lines 41 and 42), strike "Sections 502.010 and 708.158" and substitute "Section 502.010".

(9) Strike SECTION 37 of the bill, adding transition language (page 16, lines 8 through 13).

(10) Strike SECTION 38 of the bill, adding transition language (page 16, lines 14 through 21).

(11) Renumber remaining SECTIONS of the bill accordingly.

The amendment to **CSSB 1913** 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 1913** 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, Creighton, Huffman, Schwertner, Taylor of Galveston, Taylor of Collin.

### COMMITTEE SUBSTITUTE SENATE BILL 1913 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 1913** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Creighton, Huffman, Schwertner, Taylor of Galveston, Taylor of Collin.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1520 ON SECOND READING**

Senator Hancock moved to suspend the regular order of business to take up for consideration **CSSB 1520** at this time on its second reading:

**CSSB 1520**, Relating to duties of physicians and certain other entities regarding patient records.

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

Nays: Huffines.

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 1520** (senate committee printing) in SECTION 1, in added Section 159.006(f)(2)(B), Occupations Code (page 1, line 37), by striking "in" and substituting "not to exceed".

The amendment to **CSSB 1520** 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 1520** 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 1520 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 1520** 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 1834 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 1834** at this time on its second reading:



**CSSB 1834**, Relating to the allocation of money associated with delays of transportation projects.

The bill was read second time.

Senator Buckingham offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 1834** (senate committee report) by striking added Section 222.007, Transportation Code (page 1, lines 26-53) and substituting the following:

Sec. 222.007. ALLOCATION OF MONEY FROM TRANSPORTATION PROJECT DELAYS. (a) The department shall establish a system to track liquidated damages, including road user costs, retained by the department associated with delayed transportation project contracts.

(b) The system must allow the department to correlate the liquidated damages with:

(1) the project that was the subject of the damages; and

(2) each department district in which the project that was the subject of the damages is located.

(c) Each year, the department shall:

(1) for each department district, determine the amount of money described by Subsection (a) retained in the previous year that is attributable to projects located in the district; and

(2) in addition to other amounts, allocate to each department district an amount of money equal to the amount determined for the district under Subdivision (1) to be used for transportation projects located in that district.

(d) If a transportation project that was the subject of liquidated damages is located in more than one department district, the department may reasonably allocate the amount of the liquidated damages from that project among the districts in which the project is located.

The amendment to **CSSB 1834** 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 1834** as amended 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 1834 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 1834** 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 833 ON SECOND READING**

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

**CSSB 833**, Relating to the regulation of certain health organizations certified by the Texas Medical Board; providing an administrative penalty.

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 833 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 833** 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 515 ON THIRD READING**

Senator Taylor of Collin moved to suspend the regular order of business to take up for consideration **CSSB 515** at this time on its third reading and final passage:

**CSSB 515**, Relating to the right of certain public officers to access public information, documents, records, and property; creating criminal offenses.

The motion prevailed by the following vote: Yeas 23, Nays 8.

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

Nays: Garcia, Huffman, Lucio, Menéndez, Miles, Rodríguez, Uresti, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 8. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE CONCURRENT RESOLUTION 52  
ON SECOND READING**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSCR 52** at this time on its second reading:

**CSSCR 52**, Urging Congress to pass S.2896, the Care Veterans Deserve Act of 2016.

The resolution was read second time and was adopted by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1936 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSB 1936** at this time on its second reading:

**CSSB 1936**, Relating to the issuance of specially marked driver's licenses and personal identification certificates to disabled veterans.

The motion prevailed.

Senator Taylor of Collin 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: Taylor of Collin.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1936 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1936** be placed on its third reading and final passage.

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

Nays: Taylor of Collin.

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

**(Senator Uresti in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 2188 ON SECOND READING**

On motion of Senator Taylor of Galveston and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2188** at this time on its second reading:

**CSSB 2188**, Relating to the average daily attendance calculation for students over 18 years of age who are in an off home campus instructional arrangement.

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 2188 ON THIRD READING**

Senator Taylor of Galveston moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2188** 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.

**(President in Chair)**

**SENATE BILL 2270 ON SECOND READING**

Senator Lucio moved to suspend the regular order of business to take up for consideration **SB 2270** at this time on its second reading:

**SB 2270**, Relating to expansion of a pilot program under the foundation school program for funding prekindergarten programs provided by certain school districts with early high school graduation programs.

The motion prevailed by the following vote: Yeas 22, Nays 9.

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

Nays: Birdwell, Burton, Campbell, Creighton, Hall, Hancock, Huffines, Nelson, Taylor of Collin.

The bill was read second time.

Senator Lucio offered the following committee amendment to the bill:

**Committee Amendment No. 1**

Amend **SB 2270** by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill appropriately:

SECTION \_\_\_\_ . The commissioner of education is required to implement this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commissioner of education may, but is not required to, implement this Act using other appropriations available for the purpose.

The amendment to **SB 2270** was read.

Senator Lucio withdrew Committee Amendment No. 1.

**SB 2270** was passed to engrossment by the following vote: Yeas 22, Nays 9.

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

Nays: Birdwell, Burton, Campbell, Creighton, Hall, Hancock, Huffines, Nelson, Taylor of Collin.

### **SENATE BILL 2270 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 2270** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Burton, Campbell, Hall, Nelson, Taylor of Collin.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 9.

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

Nays: Birdwell, Burton, Campbell, Creighton, Hall, Hancock, Huffines, Nelson, Taylor of Collin.

**(Senator Schwertner in Chair)**

### **COMMITTEE SUBSTITUTE**

### **SENATE BILL 2054 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 2054** at this time on its second reading:

**CSSB 2054**, Relating to the offense of possessing a weapon in a secured area of an airport.

The motion prevailed by the following vote: Yeas 23, Nays 8.

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

Nays: Buckingham, Burton, Campbell, Hall, Huffines, Kolkhorst, Schwertner, Taylor of Collin.

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: Buckingham, Burton, Campbell, Hall, Huffines, Kolkhorst, Schwertner, Taylor of Collin.

**COMMITTEE SUBSTITUTE  
SENATE BILL 2054 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 2054** be placed on its third reading and final passage.

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

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

Nays: Buckingham, Burton, Hall, Kolkhorst, Schwertner, Taylor of Collin.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 8.

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

Nays: Buckingham, Burton, Campbell, Hall, Huffines, Kolkhorst, Schwertner, Taylor of Collin.

**(President in Chair)**

**(Senator Taylor of Collin in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 1289 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 1289** at this time on its second reading:

**CSSB 1289**, Relating to the purchase of iron and steel products made in the United States for certain governmental entity projects.

The motion prevailed by the following vote: Yeas 23, Nays 7, Present-not voting 1.

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

Nays: Burton, Estes, Hancock, Huffines, Miles, Seliger, Watson.

Present-not voting: Taylor of Collin.

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 1289**, in SECTION 6(b) of the bill (Committee printing page 3, line 54), following "date of this Act.", by inserting "In this subsection, the term "formally approved" includes any project that is the subject of a resolution approving an application for financial assistance adopted by the Texas Water Development Board before January 1, 2018, for any portion of the financing of the project."

The amendment to **CSSB 1289** 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 **CSSB 1289** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, immediately following added Section 2252.202(b), Government Code (page 2, between lines 4 and 5), insert the following:

(c) For a contract subject to Chapter 15, 16, or 17, Water Code, this section applies only if the contract finances, refinances, or provides money from funds obtained by a political subdivision or another governmental entity through general obligation bonds.

(2) In SECTION 6(b) of the bill, in the transition language (page 3, lines 51 and 52), strike "as described by Section 15.432 or 15.472, Water Code,".

The amendment to **CSSB 1289** was read.

Senator Creighton moved to table Floor Amendment No. 2.

The motion to table was lost by the following vote: Yeas 9, Nays 19, Present-not voting 2.

Yeas: Buckingham, Creighton, Huffines, Hughes, Kolkhorst, Menéndez, Nichols, Schwertner, Zaffirini.

Nays: Bettencourt, Birdwell, Burton, Campbell, Estes, Garcia, Hall, Hancock, Huffman, Lucio, Miles, Nelson, Perry, Rodríguez, Seliger, Uresti, Watson, West, Whitmire.

Present-not voting: Taylor of Galveston, Taylor of Collin.

Absent: Hinojosa.

Question recurring on the adoption of Floor Amendment No. 2 to **CSSB 1289**, the amendment was adopted by a viva voce vote.

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

**CSSB 1289** 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: Burton, Estes, Hancock, Huffines, Huffman, Miles, Seliger, Watson.

Present-not voting: Taylor of Collin.

### **COMMITTEE SUBSTITUTE SENATE BILL 1289 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1289** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6, Present-not voting 1.

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

Nays: Burton, Estes, Huffines, Huffman, Miles, Seliger.

Present-not voting: Taylor of Collin.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 7, Present-not voting 1.

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

Nays: Burton, Estes, Hancock, Huffines, Miles, Seliger, Watson.

Present-not voting: Taylor of Collin.

**(President in Chair)**

**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 Lucio: **SB 2291**.

On motion of Senator Rodríguez: **SR 706**.

On motion of Senator Seliger: **SR 712**.

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 2291** by Lucio

Relating to the Texas Medal for the Defense of Freedom award.

To Committee on Veteran Affairs and Border Security.

**SB 2292** by Campbell

Relating to the powers and duties of the Meyer Ranch Municipal Utility District of Comal County; affecting an existing limited power of eminent domain; providing authority to issue bonds; providing authority to impose fees and taxes.

To Committee on Veteran Affairs and Border Security.

**SR 706** by Rodríguez

Honoring the economic contributions made by immigrants to the Lone Star State.

To Committee on State Affairs.



**SR 712** by Seliger

Urging Congress to enact legislation to expand and extend the current federal tax credit for carbon capture, utilization, and storage under Section 45Q of the Internal Revenue Code.

To Committee on Business and Commerce.

**HOUSE BILLS AND RESOLUTIONS ON FIRST READING**

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

**HB 8** to Committee on Business and Commerce.

**HB 16** to Committee on Higher Education.

**HB 51** to Committee on Agriculture, Water, and Rural Affairs.

**HB 180** to Committee on Agriculture, Water, and Rural Affairs.

**HB 265** to Committee on State Affairs.

**HB 294** to Committee on Agriculture, Water, and Rural Affairs.

**HB 418** to Committee on Criminal Justice.

**HB 448** to Committee on Finance.

**HB 561** to Committee on Transportation.

**HB 655** to Committee on Higher Education.

**HB 740** to Committee on Health and Human Services.

**HB 755** to Committee on Education.

**HB 1014** to Committee on State Affairs.

**HB 1041** to Committee on Criminal Justice.

**HB 1099** to Committee on Business and Commerce.

**HB 1107** to Committee on Intergovernmental Relations.

**HB 1406** to Committee on Natural Resources and Economic Development.

**HB 1428** to Committee on State Affairs.

**HB 1469** to Committee on Education.

**HB 1512** to Committee on Intergovernmental Relations.

**HB 1555** to Committee on Business and Commerce.

**HB 1593** to Committee on Education.

**HB 1625** to Committee on Natural Resources and Economic Development.

**HB 1648** to Committee on Agriculture, Water, and Rural Affairs.

**HB 1657** to Committee on Business and Commerce.

**HB 1691** to Committee on Transportation.

**HB 1727** to Committee on Criminal Justice.

**HB 1735** to Committee on State Affairs.

**HB 1861** to Committee on Business and Commerce.

**HB 1913** to Committee on Higher Education.

**HB 1978** to Committee on Health and Human Services.

**HB 2097** to Committee on Business and Commerce.

**HB 2113** to Committee on Business and Commerce.

**HB 2126** to Committee on Finance.

**HB 2275** to Committee on Business and Commerce.

**HB 2308** to Committee on Veteran Affairs and Border Security.

**HB 2386** to Committee on Natural Resources and Economic Development.

**HB 2546** to Committee on Business and Commerce.  
**HB 2562** to Committee on Finance.  
**HB 2580** to Committee on Natural Resources and Economic Development.  
**HB 2675** to Committee on Transportation.  
**HB 2729** to Committee on Education.  
**HB 2823** to Committee on Business and Commerce.  
**HB 2989** to Committee on Finance.  
**HB 3101** to Committee on Business and Commerce.  
**HB 3215** to Committee on Business and Commerce.  
**HB 3275** to Committee on Business and Commerce.  
**HB 3563** to Committee on Education.  
**HB 4279** to Committee on Intergovernmental Relations.  
**HCR 32** to Committee on Administration.  
**HCR 53** to Committee on Administration.

**HOUSE BILL 897 REREFERRED**  
**(Motion In Writing)**

Senator Kolkhorst submitted a Motion In Writing requesting that **HB 897** be withdrawn from the Committee on Finance and rereferred to the Committee on Administration.

The Motion In Writing was read and prevailed without objection.

**SENATE BILL 4 WITH HOUSE AMENDMENTS**

Senator Perry called **SB 4** 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**

Amend **SB 4** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED  
 AN ACT

relating to the enforcement by campus police departments and certain local governmental entities of state and federal laws governing immigration and to related duties and liability of certain persons in the criminal justice system; providing a civil penalty; creating a criminal offense.

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

ARTICLE 1. POLICIES OF AND GRANT PROGRAMS FOR LOCAL ENTITIES  
 AND CAMPUS POLICE DEPARTMENTS

SECTION 1.01. Chapter 752, Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. ENFORCEMENT OF STATE AND FEDERAL IMMIGRATION  
 LAWS BY LOCAL ENTITIES AND CAMPUS POLICE DEPARTMENTS

Sec. 752.051. DEFINITIONS. In this subchapter:

(1) "Campus police department" means a law enforcement agency of an institution of higher education.

(2) "Immigration laws" means the laws of this state or federal law relating to aliens, immigrants, or immigration, including the federal Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.).

(3) "Institution of higher education" means:

(A) an institution of higher education as defined by Section 61.003, Education Code; or

(B) a private or independent institution of higher education as defined by Section 61.003, Education Code.

(4) "Local entity" means:

(A) the governing body of a municipality, county, or special district or authority, subject to Section 752.052;

(B) a division, department, or other body, including a municipal police department or a sheriff's department, that is part of a municipality, county, or special district or authority, subject to Section 752.052; and

(C) an officer or employee, including a sheriff, municipal attorney, or county attorney, of a division, department, or other body described by Paragraph (B) whose primary duties involve the oversight or management of, or controlling the direction of, other officers or employees of the division, department, or other body.

Sec. 752.052. APPLICABILITY OF SUBCHAPTER. (a) This subchapter does not apply to a hospital or hospital district created under Subtitle C or D, Title 4, Health and Safety Code, a hospital owned or operated by an institution of higher education, or a hospital district created under a general or special law authorized by Article IX, Texas Constitution, to the extent that the hospital or hospital district is providing access to or delivering medical or health care services as required under the following applicable federal or state laws:

(1) 42 U.S.C. Section 1395dd;

(2) 42 U.S.C. Section 1396b(v);

(3) Subchapter C, Chapter 61, Health and Safety Code;

(4) Chapter 81, Health and Safety Code; and

(5) Section 311.022, Health and Safety Code.

(b) Subsection (a) excludes the application of this subchapter to a commissioned peace officer:

(1) employed by a hospital or hospital district during the officer's employment; or

(2) commissioned by a hospital or hospital district.

(c) This subchapter does not apply to a commissioned peace officer employed or contracted by a religious organization during the officer's employment with the organization or while the officer is performing the contract.

(d) This subchapter does not apply to a school district or open-enrollment charter school. This subchapter does not apply to the release of information contained in educational records of an educational agency or institution, except in conformity with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

(e) This subchapter does not apply to the public health department of a local entity.

Sec. 752.053. POLICY REGARDING IMMIGRATION ENFORCEMENT. (a)

A local entity or campus police department may not:

(1) adopt or enforce an ordinance, order, rule, policy, or other measure under which the entity or department prohibits the enforcement of immigration laws;  
or

(2) as demonstrated by pattern or practice, prohibit the enforcement of immigration laws.

(b) In compliance with Subsection (a), a local entity or campus police department may not have a pattern or practice of prohibiting persons who are employed by or otherwise under the direction or control of the entity or department from doing any of the following:

(1) inquiring into the immigration status of an arrested person;

(2) with respect to information, including information regarding a person's place of birth, relating to the immigration status, lawful or unlawful, of any arrested person:

(A) sending the information to or requesting or receiving the information from United States Citizenship and Immigration Services or United States Immigration and Customs Enforcement;

(B) maintaining the information; or

(C) exchanging the information with another local entity or campus police department or a federal or state governmental entity;

(3) if requested by a federal immigration officer, assisting or cooperating with a federal immigration officer as reasonable and necessary, including providing enforcement assistance; or

(4) permitting a federal immigration officer to enter and conduct enforcement activities at a jail to enforce federal immigration laws.

Sec. 752.054. DISCRIMINATION PROHIBITED. A local entity, campus police department, or a person employed by or otherwise under the direction or control of the entity or department may not consider race, color, religion, language, or national origin while enforcing immigration laws except to the extent permitted by the United States Constitution or Texas Constitution.

Sec. 752.055. COMPLAINT; EQUITABLE RELIEF. (a) Any citizen residing in the jurisdiction of a local entity or any citizen enrolled at or employed by an institution of higher education may file a complaint with the attorney general if the person asserts facts supporting an allegation that the entity or the institution's campus police department has violated Section 752.053. The citizen must include a sworn statement with the complaint stating that to the best of the citizen's knowledge, all of the facts asserted in the complaint are true and correct.

(b) If the attorney general determines that a complaint filed under Subsection (a) against a local entity or campus police department is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief in a district court in Travis County or in a county in which the principal office of the entity or department is located to compel the entity or department that is suspected of violating Section 752.053 to comply with that section. The attorney general may

recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs.

(c) An appeal of a suit brought under Subsection (b) is governed by the procedures for accelerated appeals in civil cases under the Texas Rules of Appellate Procedure. The appellate court shall render its final order or judgment with the least possible delay.

Sec. 752.056. CIVIL PENALTY. (a) A local entity or campus police department that intentionally violates Section 752.053 is subject to a civil penalty in an amount:

(1) not less than \$1,000 and not more than \$1,500 for the first violation; and

(2) not less than \$25,000 and not more than \$25,500 for each subsequent

violation.

(b) Each day of a continuing violation of Section 752.053 constitutes a separate violation for the civil penalty under this section.

(c) The court that hears an action brought under Section 752.055 against the local entity or campus police department shall determine the amount of the civil penalty under this section.

(d) A civil penalty collected under this section shall be deposited to the credit of the compensation to victims of crime fund established under Subchapter B, Chapter 56, Code of Criminal Procedure.

(e) Sovereign immunity of this state and governmental immunity of a county and municipality to suit is waived and abolished to the extent of liability created by this section.

Sec. 752.057. COMMUNITY OUTREACH POLICY. (a) Each law enforcement agency that is subject to the requirements of this subchapter may adopt a written policy requiring the agency to perform community outreach activities to educate the public that a peace officer may not inquire into the immigration status of a victim of or witness to an alleged criminal offense unless, as provided by Article 2.13, Code of Criminal Procedure, the officer determines that the inquiry is necessary to:

(1) investigate the offense; or

(2) provide the victim or witness with information about federal visas designed to protect individuals providing assistance to law enforcement.

(b) A policy adopted under this section must include outreach to victims of:

(1) family violence, as that term is defined by Section 71.004, Family Code, including those receiving services at family violence centers under Chapter 51, Human Resources Code; and

(2) sexual assault, including those receiving services under a sexual assault program, as those terms are defined by Section 420.003.

SECTION 1.02. Subchapter A, Chapter 772, Government Code, is amended by adding Section 772.0073 to read as follows:

Sec. 772.0073. ENFORCEMENT OF IMMIGRATION LAW GRANT PROGRAM. (a) In this section:

(1) "Criminal justice division" means the criminal justice division established under Section 772.006.

(2) "Immigration detainer request" means a federal government request to a local entity to maintain temporary custody of an alien, including a United States Department of Homeland Security Form I-247 document or a similar or successor form.

(3) "Immigration laws" means the laws of this state or federal law relating to aliens, immigrants, or immigration, including the federal Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.).

(4) "Local entity" means a municipality or county.

(b) The criminal justice division shall establish and administer a competitive grant program to provide financial assistance to local entities to offset costs related to:

(1) enforcing immigration laws; or

(2) complying with, honoring, or fulfilling immigration detainer requests.

(c) The criminal justice division shall establish:

(1) eligibility criteria for grant applicants;

(2) grant application procedures;

(3) criteria for evaluating grant applications and awarding grants;

(4) guidelines related to grant amounts; and

(5) procedures for monitoring the use of a grant awarded under this section

and ensuring compliance with any conditions of the grant.

(d) The criminal justice division may use any revenue available for purposes of this section.

## ARTICLE 2. DUTIES OF LAW ENFORCEMENT AGENCIES AND JUDGES

SECTION 2.01. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.251 to read as follows:

Art. 2.251. DUTIES RELATED TO IMMIGRATION DETAINER REQUESTS. (a) A law enforcement agency that has custody of a person subject to an immigration detainer request issued by United States Immigration and Customs Enforcement shall:

(1) comply with, honor, and fulfill any request made in the detainer request provided by the federal government; and

(2) inform the person that the person is being held pursuant to an immigration detainer request issued by United States Immigration and Customs Enforcement.

(b) A law enforcement agency is not required to perform a duty imposed by Subsection (a) with respect to a person who has provided proof that the person is a citizen of the United States.

SECTION 2.02. Chapter 42, Code of Criminal Procedure, is amended by adding Article 42.039 to read as follows:

Art. 42.039. COMPLETION OF SENTENCE IN FEDERAL CUSTODY. (a) This article applies only to a criminal case in which:

(1) the judgment requires the defendant to be confined in a secure correctional facility; and

(2) the defendant is subject to an immigration detainer request.

(b) In a criminal case described by Subsection (a), the judge shall, at the time of pronouncement of a sentence of confinement, issue an order requiring the secure correctional facility in which the defendant is to be confined and all appropriate

government officers, including a sheriff, a warden, or members of the Board of Pardons and Paroles, as appropriate, to require the defendant to serve in federal custody the final portion of the defendant's sentence, not to exceed a period of seven days, following the facility's or officer's determination that the change in the place of confinement will facilitate the seamless transfer of the defendant into federal custody. In the absence of an order issued under this subsection, a facility or officer acting under exigent circumstances may perform the transfer after making the determination described by this subsection. This subsection applies only if appropriate officers of the federal government consent to the transfer of the defendant into federal custody under the circumstances described by this subsection.

(c) If the applicable information described by Subsection (a)(2) is not available at the time sentence is pronounced in the case, the judge shall issue the order described by Subsection (b) as soon as the information becomes available. The judge retains jurisdiction for the purpose of issuing an order under this article.

(d) For purposes of this article, "secure correctional facility" has the meaning assigned by Section 1.07, Penal Code.

### ARTICLE 3. DEFENSE OF LOCAL ENTITIES BY ATTORNEY GENERAL

SECTION 3.01. Subchapter B, Chapter 402, Government Code, is amended by adding Section 402.0241 to read as follows:

Sec. 402.0241. DEFENSE OF LOCAL ENTITIES IN SUITS RELATED TO IMMIGRATION DETAINER REQUESTS. (a) In this section, "local entity" has the meaning assigned by Section 752.051.

(b) The attorney general shall defend a local entity in any action in any court if:

(1) the executive head or governing body, as applicable, of the local entity requests the attorney general's assistance in the defense; and

(2) the attorney general determines that the cause of action arises out of a claim involving the local entity's good-faith compliance with an immigration detainer request required by Article 2.251, Code of Criminal Procedure.

(c) If the attorney general defends a local entity under Subsection (b), the state is liable for the expenses, costs, judgment, or settlement of the claims arising out of the representation. The attorney general may settle or compromise any and all claims described by Subsection (b)(2). The state may not be liable for any expenses, costs, judgments, or settlements of any claims against a local entity not being represented by the attorney general under Subsection (b).

### ARTICLE 4. SURETY BOND

SECTION 4.01. Article 17.16, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) A surety may before forfeiture relieve the surety of the surety's undertaking by:

(1) surrendering the accused into the custody of the sheriff of the county where the prosecution is pending; or

(2) delivering to the sheriff of the county in which the prosecution is pending and to the office of the prosecuting attorney an affidavit stating that the accused is incarcerated in:

(A) federal custody, subject to Subsection (a-1);

(B) ~~the~~ the custody of any state;~~;~~ or

(C) ~~it~~ any county of this state.

(a-1) For purposes of Subsection (a)(2), the surety may not be relieved of the surety's undertaking if the accused is in federal custody to determine whether the accused is lawfully present in the United States.

ARTICLE 5. PROHIBITED CONDUCT BY SHERIFF OR CONSTABLE

SECTION 5.01. Section 87.031, Local Government Code, is amended by adding Subsection (c) to read as follows:

(c) For purposes of Subsection (a), "a misdemeanor involving official misconduct" includes a misdemeanor under Section 39.07, Penal Code.

SECTION 5.02. Chapter 39, Penal Code, is amended by adding Section 39.07 to read as follows:

Sec. 39.07. FAILURE TO COMPLY WITH IMMIGRATION DETAINER REQUEST. (a) A person who is a sheriff, chief of police, or constable or a person who otherwise has primary authority for administering a jail commits an offense if the person:

(1) has custody of a person subject to an immigration detainer request issued by United States Immigration and Customs Enforcement; and

(2) knowingly fails to comply with the detainer request.

(b) An offense under this section is a Class A misdemeanor.

(c) It is an exception to the application of this section that the person who was subject to an immigration detainer request described by Subsection (a)(1) had previously provided proof that the person was a citizen of the United States.

ARTICLE 6. INQUIRY BY PEACE OFFICER REGARDING IMMIGRATION OR NATIONALITY OF CRIME VICTIM OR WITNESS

SECTION 6.01. Article 2.13, Code of Criminal Procedure, is amended by adding Subsections (d) and (e) to read as follows:

(d) Subject to Subsection (e), in the course of investigating an alleged criminal offense, a peace officer may inquire as to the nationality or immigration status of a victim of or witness to the offense only if the officer determines that the inquiry is necessary to:

(1) investigate the offense; or

(2) provide the victim or witness with information about federal visas designed to protect individuals providing assistance to law enforcement.

(e) Subsection (d) does not prevent a peace officer from:

(1) conducting a separate investigation of any other alleged criminal offense; or

(2) inquiring as to the nationality or immigration status of a victim of or witness to a criminal offense if the officer has probable cause to believe that the victim or witness has engaged in specific conduct constituting a separate criminal offense.

ARTICLE 7. SEVERABILITY AND EFFECTIVE DATE

SECTION 7.01. It is the intent of the legislature that every provision, section, subsection, sentence, clause, phrase, or word in this Act, and every application of the provisions in this Act to each person or entity, are severable from each other. If any application of any provision in this Act to any person, group of persons, or



circumstances is found by a court to be invalid for any reason, the remaining applications of that provision to all other persons and circumstances shall be severed and may not be affected.

SECTION 7.02. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

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

Amend **CSSB 4** (house committee printing) on page 5 of the bill, line 14, by striking "may" and substituting "shall".

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

Amend **CSSB 4** (house committee printing) as follows:

(1) On page 2, strike lines 2-14 and substitute the following appropriately numbered subdivisions:

( ) "Lawful detention" means the detention of an individual by a local entity, state criminal justice agency, or campus police department for the investigation of a criminal offense. The term excludes a detention if the sole reason for the detention is that the individual:

(A) is a victim of or witness to a criminal offense; or

(B) is reporting a criminal offense.

( ) "Local entity" means:

(A) the governing body of a municipality, county, or special district or authority, subject to Section 752.052;

(B) an officer or employee of or a division, department, or other body that is part of a municipality, county, or special district or authority, including a sheriff, municipal police department, municipal attorney, or county attorney; and

(C) a district attorney or criminal district attorney.

( ) "Policy" includes a formal, written rule, order, ordinance, or policy and an informal, unwritten policy.

(2) Strike page 3, line 19 through page 4, line 23 and substitute the following:

Sec. 752.053. POLICIES AND ACTIONS REGARDING IMMIGRATION ENFORCEMENT. (a) A local entity or campus police department may not:

(1) adopt, enforce, or endorse a policy under which the entity or department prohibits or materially limits the enforcement of immigration laws;

(2) as demonstrated by pattern or practice, prohibit or materially limit the enforcement of immigration laws; or

(3) for an entity that is a law enforcement agency or for a department, as demonstrated by pattern or practice, intentionally violate Article 2.251, Code of Criminal Procedure.

(b) In compliance with Subsection (a), a local entity or campus police department may not prohibit or materially limit a person who is a commissioned peace officer described by Article 2.12, Code of Criminal Procedure, a corrections officer, a booking clerk, a magistrate, or a district attorney, criminal district attorney, or other prosecuting attorney and who is employed by or otherwise under the direction or control of the entity or department from doing any of the following:

(1) inquiring into the immigration status of a person under a lawful detention or under arrest;

(2) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest, including information regarding the person's place of birth;

(A) sending the information to or requesting or receiving the information from United States Citizenship and Immigration Services, United States Immigration and Customs Enforcement, or another relevant federal agency;

(B) maintaining the information; or

(C) exchanging the information with another local entity or campus police department or a federal or state governmental entity;

(3) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or

(4) permitting a federal immigration officer to enter and conduct enforcement activities at a jail to enforce federal immigration laws.

### **Floor Amendment No. 10**

Amend Amendment No. 9 by Schaefer (851795) by adding the following appropriately numbered item to the amendment:

(\_\_\_\_) On page 6, between lines 20 and 21, insert the following:

Sec. 752.0565. REMOVAL FROM OFFICE. (a) For purposes of Section 66.001, Civil Practice and Remedies Code, a person holding an elective or appointive office of a political subdivision of this state does an act that causes the forfeiture of the person's office if the person violates Section 752.053.

(b) The attorney general shall file a petition under Section 66.002, Civil Practice and Remedies Code, against a public officer to which Subsection (a) applies if presented with evidence, including evidence of a statement by the public officer, establishing probable grounds that the public officer engaged in conduct described by Subsection (a). The court in which the petition is filed shall give precedence to proceedings relating to the petition in the same manner as provided for an election contest under Section 23.101, Government Code.

(c) If the person against whom an information is filed based on conduct described by Subsection (a) is found guilty as charged, the court shall enter judgment removing the person from office.

### **Floor Amendment No. 20**

Amend **CSSB 4** (house committee printing) as follows:

(1) On page 5, line 14, strike "shall", as substituted by Floor Amendment No. 7 by Lucio III, and substitute the original "may".

(2) On page 6, line 2, strike "intentionally violates" and substitute "is found by a court of law as having intentionally violated".

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

Amend **CSSB 4** (house committee printing) on page 3, line 12, between "school" and the underlined period, by inserting ", including a peace officer employed or contracted by a district or charter school during the officer's employment with the district or charter school or while the officer is performing the contract".

**Floor Amendment No. 26**

Amend **CSSB 4** (house committee printing), on page 2, line 17, between "Health and Safety Code," and "a", by inserting "a federally qualified health center as defined in Section 31.017, Health and Safety Code,".

**Floor Amendment No. 28**

Amend **CSSB 4** (house committee printing) on page 3, between lines 18 and 19, by inserting the following appropriately lettered subsection:

( ) This subchapter does not apply to:

(1) a community center as defined by Section 571.003, Health and Safety Code;

(2) a local mental health authority as defined by Section 531.002, Health and Safety Code.

**Floor Amendment No. 40**

Amend **CSSB 4** (house committee printing) on page 4, between lines 23 and 24, by inserting the following appropriately lettered subsection:

( ) Notwithstanding Subsection (b)(3), a local entity or campus police department may prohibit persons who are employed by or otherwise under the direction or control of the entity or department from assisting or cooperating with a federal immigration officer if the assistance or cooperation occurs at a place of worship.

**Floor Amendment No. 60**

Amend **CSSB 4** (house committee printing) as follows:

(1) On page 5, line 19, strike "attorney general" and substitute "prevailing party in an action brought under this subsection"

(2) On page 5, lines 20-21, strike "obtaining relief under this subsection" and substitute "bringing or defending the action".

**Floor Amendment No. 64**

Amend **CSSB 4** (house committee printing) as follows:

(1) On page 9, strike lines 4 through 6 and substitute the following:

(b) A law enforcement agency is not required to perform a duty imposed by Subsection (a) with respect to a person who has provided proof that the person is a citizen of the United States or that the person has lawful immigration status in the United States, such as a Texas driver's license or similar government-issued identification.

(2) On page 12, strike lines 19 through 22 and substitute the following:

(c) It is an exception to the application of this section that the person who was subject to an immigration detainer request described by Subsection (a)(1) had provided proof that the person is a citizen of the United States or that the person has lawful immigration status in the United States, such as a Texas driver's license or similar government-issued identification.

**Floor Amendment No. 66**

Amend **CSSB 4** (house committee printing) on page 5, by striking lines 19-22 and substituting "752.053 to comply with that section.".

The amendments were read.

**(Senator Hancock in Chair)**

**(President in Chair)**

Question: Shall the Senate concur in the House amendments to **SB 4**?

**AT EASE**

The President at 6:38 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

### **IN LEGISLATIVE SESSION**

The President at 6:44 p.m. called the Senate to order as In Legislative Session.

Question: Shall the Senate concur in the House amendments to **SB 4**?

Senator Perry moved to concur in the House amendments to **SB 4**.

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

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

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

### **REASON FOR VOTE**

Senator Garcia submitted the following reason for vote on **SB 4**:

Members, with all due respect to Senator Perry and Representative Geren, I have huge concerns with this legislation. It has gone from a bad bill to a worse bill. It will result in police officers investigating the immigration status of a person, including a child, who is detained without a showing of reasonable suspicion or probable cause that the person is in the United States illegally.

I am afraid that this legislation will lead to harassment and profiling of Latinos. The last thing I want is "walking while brown" to become reasonable suspicion.

And, frankly, that is what will happen with this legislation - it doesn't matter how much its supporters promise that this will not happen. It will happen.

Police chiefs from around the state, including those in my district, oppose this bill. There are many reasons why police agencies have instituted the policy of avoiding immigration questions during routine police work. For one, police in the field simply don't have the resources to take on the additional responsibilities of immigration enforcement.

We've said it before and we'll say it again. Immigration enforcement is the responsibility of the federal government. Our local law enforcement cooperates - to the extent that they can - with immigration authorities. They already check immigration status in our county jails, and report to federal immigration authorities after arrest. So, I ask you, why is it necessary to pass this legislation? Why target our children?

I strongly believe that we should focus the efforts of our police on stopping dangerous criminals in our neighborhoods, and allow our federal officials to focus on immigration.

Additionally, numerous police officials from across the state have testified that a "show me your papers" policy will lead to fear and distrust amongst immigrant communities, and will make their job of protecting and serving more difficult.

When immigrants, or citizens with immigrant family or friends, fear that peace officers are acting as immigration agents, they will stop reporting that they have been the victims of, or witnesses to, crimes out of fear of deportation. It's already happening in Houston as reported by Police Chief Art Acevedo. The number of Hispanics reporting rape is down 42.8 percent from last year, and those reporting other violent crimes has registered a 13 percent drop. No specific statutory prohibition will eliminate this fear.

This will lead to even more crimes as criminals learn their victims or the witnesses to their crimes are too afraid to come forward or cooperate with law enforcement.

Does it really benefit our state to spend limited local police funding on tearing families apart? Our police chiefs don't think so.

No one has yet to define a sanctuary city. What is defined is that "sanctuary cities" bills are simply bad for business and for our state's economy. Texas farmers, builders and many other industries rely on immigrant labor and their purchasing power. Our economy would take a serious blow if we mandate the prioritization of the arrest and deportation the hardworking immigrants of this state.

Not only do unauthorized immigrants contribute with their labor and purchasing power, but they also pay taxes. In fact, a recent study by the Institute on Taxation and Economic Policy estimates that unauthorized immigrants in Texas collectively paid \$1.5 billion in property, sales, and excise taxes in 2012.

And let us not forget that opponents of "sanctuary cities" legislation, including the business community, have long felt that this is a local decision, and should remain one.

Texas has always been a state that prides itself on supporting local control, so why would we stop now?

We claim to want our businesses and economy to grow, yet we continue to push for legislation that the business community has said over and over is bad for business.

Do we really want Texas to be subjected to boycotts and Arizona-like sanctions by national groups who support humane treatment of unauthorized immigrants and oppose racial profiling of Latinos?

At the end of the day, SB 4 won't just impact unauthorized immigrants. It will negatively affect all Texas citizens, regardless of immigration status or ethnicity.

This legislation is unnecessary, creates more problems than it fixes, and is contrary to the values that Texans and this body hold dear. As I've said before, a broken taillight will lead to a broken family which will lead to broken faith in the system. And you can now add that for our children, it will add walking while brown.

GARCIA

**COMMITTEE SUBSTITUTE  
SENATE BILL 762 ON THIRD READING**

Senator Menéndez moved to suspend the regular order of business to take up for consideration **CSSB 762** at this time on its third reading and final passage:

**CSSB 762**, Relating to the prosecution of offenses involving cruelty to animals; increasing a criminal penalty.

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

Yeas: Birdwell, Estes, Garcia, Hall, 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, Burton, Campbell, Creighton, Hancock, Taylor of Collin.

The bill was read third time.

Senator Hughes offered the following amendment to the bill:

**Floor Amendment No. 1 on Third Reading**

Amend **CSSB 762** (senate committee printing) on third reading, in SECTION 1 of the bill, by striking subsection (c) (page 1, lines 27-31) and substituting the following:

(c) An offense under Subsection (b)(3), (4), (5), (6), or (9) is a Class A misdemeanor, except that the offense is a state jail felony if the person has previously been convicted two times under this section, two times under Section 42.09, or one time under this section and one time under Section 42.09.

The amendment to **CSSB 762** 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 on Third Reading.

**CSSB 762** as again amended was finally passed by the following vote: Yeas 24, Nays 7.

Yeas: Birdwell, Estes, Garcia, Hall, 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, Burton, Campbell, Creighton, Hancock, Taylor of Collin.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Wednesday, May 3, 2017 - 2

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**HB 20** Capriglione

Relating to the review, oversight, and reporting of certain state agency contracts and the assessment of certain state agency projects.

**HB 136** Bell

Relating to inclusion of career and technology education and workforce training in the mission of public education.

**HB 435** King, Ken

Relating to the application of certain weapons laws to and liability for certain actions of volunteer emergency services personnel licensed to carry a handgun.

**HB 486** VanDeaver

Relating to the calculation of the rollback tax rate of a school district.

**HB 505** Geren

Relating to restrictions on lobbyist expenditures from certain political contributions.

**HB 626** Workman

Relating to late applications for certain exemptions from ad valorem taxation.

**HB 664** Canales

Relating to the release on bail of a defendant arrested following a violation of a condition of community supervision.

**HB 681** Wu

Relating to restricting access to certain information that relates to a person convicted of or granted a dismissal after deferral of disposition for a fine-only misdemeanor offense.

**HB 714** Wu

Relating to the civil prosecution of offenses involving certain municipal parking ordinances; authorizing a civil fine.

**HB 727** Guerra

Relating to the use of home telemonitoring services under Medicaid.

**HB 834** Parker

Relating to regulating the custody transfer of an adopted child; creating a criminal offense.

**HB 874** Kuempel

Relating to a charitable raffle ticket awarded as a bingo prize.

**HB 928** White

Relating to assisting certain children who are in foster care in the process of applying to institutions of higher education.

**HB 1076** Oliverson

Relating to the mandatory spinal screening of public and private school students.

- HB 1133** Sheffield  
Relating to the reimbursement of prescription drugs under Medicaid and the child health plan program.
- HB 1285** Rose  
Relating to the delegation of death certification to attending physicians in certain counties.
- HB 1296** Frullo  
Relating to health benefit coverage for prescription drug synchronization.
- HB 1414** Cortez  
Relating to voting procedures for certain federal postcard applicants and military personnel serving overseas.
- HB 1426** Allen  
Relating to the issuance of a certificate of relief from collateral consequences to certain persons placed on community supervision, including deferred adjudication community supervision.
- HB 1500** Giddings  
Relating to indicators of achievement under the public school accountability system.
- HB 1543** Burkett  
Relating to access to records that pertain to the testing for, and fitting and dispensing of, hearing instruments.
- HB 1544** Burkett  
Relating to a client's access to certain records of hearing instrument fitters and dispensers.
- HB 1793** Pickett  
Relating to the inspection of certain commercial motor vehicles that are not domiciled in this state.
- HB 1976** Sheffield  
Relating to a study of the use of a patient-reported outcomes registry in conjunction with health coverage for certain governmental employees.
- HB 1980** VanDeaver  
Relating to the high school graduation of a student who transfers to a public school in this state after the student's junior year of high school.
- HB 2039** Huberty  
Relating to creating an early childhood certification to teach students in prekindergarten through grade three.
- HB 2065** Phillips  
Relating to fines collected by a county or municipality from the enforcement of commercial motor vehicle safety standards.
- HB 2174** Darby  
Relating to the regulation of motor fuel quality and motor fuel metering devices.



- HB 2205** Kuempel  
Relating to a report of child abuse or neglect made by an employee of a school district or an open-enrollment charter school.
- HB 2286** Landgraf  
Relating to the qualifications for service as a grand juror and to the selection of grand jurors.
- HB 2501** Phillips  
Relating to insurance requirements for certain nonemergency medical transportation.
- HB 2615** Goldman  
Relating to the licensing of towing operators and vehicle storage facility employees by the Texas Department of Licensing and Regulation.
- HB 2715** Darby  
Relating to the composition and use of money in the oil and gas regulation and cleanup fund.
- HB 2774** Phelan  
Relating to the installation of unsafe motor vehicle tires; creating a criminal offense.
- HB 2817** González, Mary  
Relating to the prosecution of and punishment for the offense of criminal mischief involving the death of a head of cattle or bison or a horse.
- HB 2931** Moody  
Relating to the nonsubstantive revision of certain provisions of the Code of Criminal Procedure, including conforming amendments.
- HB 2950** Burkett  
Relating to the continuation and functions of the Texas Board of Nursing and to the regulation of the practice of nursing.
- HB 3025** King, Tracy O.  
Relating to open, uncovered, abandoned, or deteriorated wells.
- HB 3063** Kacal  
Relating to agricultural liens.
- HB 3130** Parker  
Relating to the establishment of an educational and vocational training pilot program for certain state jail felony defendants.
- HB 3165** Moody  
Relating to the duties of a personal bond pretrial release office.
- HB 3276** Oliverson  
Relating to notice of health benefit plan provider network status provided by certain freestanding emergency medical care facilities.
- HB 3323** Deshotel  
Relating to the evaluation of and improvements to the quality of the Texas Workforce Commission's subsidized child care program.
- HB 3337** Bonnen, Dennis  
Relating to the eligibility of certain persons to teach a driver education course.

- HB 3360** Button  
Relating to a periodic review by the Economic Incentive Oversight Board of the ad valorem tax incentive program established by the Texas Economic Development Act.
- HB 3370** Craddick  
Relating to certain limitations on the increase of a premium, cost, charge, administrative expense, or fee associated with a life insurance policy.
- HB 3675** Paddie  
Relating to the provision of eye health care by certain professionals and institutions as providers in the Medicaid managed care program.
- HB 3765** Longoria  
Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.
- HB 3784** Holland  
Relating to persons approved by the Department of Public Safety to administer online the classroom instruction part of the handgun proficiency course.
- HB 3788** Koop  
Relating to child-to-caregiver ratios and group sizes in licensed day-care centers and reporting certain information related to child safety.
- HB 3872** Lucio III  
Relating to a motion for forensic DNA testing of certain evidence previously subjected to faulty testing.
- HB 3997** Raymond  
Relating to fees imposed by a county for licensing a junkyard or automotive wrecking and salvage yard.
- HB 4054** Murphy  
Relating to the application of sales and use taxes to certain food items.
- SB 16** Nichols Sponsor: King, Phil  
Relating to decreasing the fee for the issuance of an original or renewed license to carry a handgun.  
(Amended)
- SB 347** Watson Sponsor: Phelan  
Relating to the applicability of open meetings and public information laws to regional water planning groups and their committees.
- SJR 38** Estes Sponsor: Darby  
Rescinding certain applications made by the Texas Legislature to the United States Congress to call a national convention under Article V of the United States Constitution for proposing any amendment to that Constitution.  
(Committee Substitute)

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

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

Senator Kolkhorst submitted the following Motion In Writing:

Mr. President:

I move to suspend Senate Rule 11.13 to permit committees to meet during the Local and Uncontested Calendar.

KOLKHORST

The Motion In Writing was read and prevailed without objection.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

On motion of Senator Estes and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Natural Resources and Economic Development might meet at his desk today.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

On motion of Senator Nelson and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Finance might meet at her desk today.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

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

**SB 927, SB 2052.**

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

On motion of Senator Seliger and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Higher Education might meet at his desk today.

**CO-AUTHORS OF SENATE BILL 179**

On motion of Senator Menéndez, Senators Bettencourt, Hinojosa, and Huffman will be shown as Co-authors of **SB 179**.

**CO-AUTHOR OF SENATE BILL 213**

On motion of Senator Menéndez, Senator Garcia will be shown as Co-author of **SB 213**.

**CO-AUTHORS OF SENATE BILL 323**

On motion of Senator Nelson, Senators Hinojosa, Hughes, Menéndez, and Schwertner will be shown as Co-authors of **SB 323**.

**CO-AUTHOR OF SENATE BILL 666**

On motion of Senator Kolkhorst, Senator Garcia will be shown as Co-author of **SB 666**.

**CO-AUTHOR OF SENATE BILL 762**

On motion of Senator Menéndez, Senator Zaffirini will be shown as Co-author of **SB 762**.

**CO-AUTHOR OF SENATE BILL 828**

On motion of Senator Seliger, Senator West will be shown as Co-author of **SB 828**.

**CO-AUTHOR OF SENATE BILL 900**

On motion of Senator Huffman, Senator Garcia will be shown as Co-author of **SB 900**.

**CO-AUTHOR OF SENATE BILL 1220**

On motion of Senator Miles, Senator West will be shown as Co-author of **SB 1220**.

**CO-AUTHOR OF SENATE BILL 1398**

On motion of Senator Lucio, Senator Garcia will be shown as Co-author of **SB 1398**.

**CO-AUTHOR OF SENATE BILL 1404**

On motion of Senator Hughes, Senator West will be shown as Co-author of **SB 1404**.

**CO-AUTHOR OF SENATE BILL 1437**

On motion of Senator Schwertner, Senator Kolkhorst will be shown as Co-author of **SB 1437**.

**CO-AUTHOR OF SENATE BILL 1656**

On motion of Senator Watson, Senator Garcia will be shown as Co-author of **SB 1656**.

**CO-AUTHOR OF SENATE BILL 1680**

On motion of Senator Lucio, Senator Hinojosa will be shown as Co-author of **SB 1680**.

**CO-AUTHOR OF SENATE BILL 1693**

On motion of Senator Lucio, Senator Garcia will be shown as Co-author of **SB 1693**.

**CO-AUTHOR OF SENATE BILL 1834**

On motion of Senator Buckingham, Senator Garcia will be shown as Co-author of **SB 1834**.

**CO-AUTHOR OF SENATE BILL 1913**

On motion of Senator Zaffirini, Senator Hinojosa will be shown as Co-author of **SB 1913**.

**CO-AUTHOR OF SENATE BILL 1990**

On motion of Senator Watson, Senator Garcia will be shown as Co-author of **SB 1990**.

**CO-AUTHOR OF SENATE BILL 2118**

On motion of Senator Seliger, Senator Garcia will be shown as Co-author of **SB 2118**.

**CO-AUTHOR OF SENATE BILL 2170**

On motion of Senator Huffines, Senator West will be shown as Co-author of **SB 2170**.

**CO-AUTHOR OF SENATE BILL 2270**

On motion of Senator Lucio, Senator Zaffirini will be shown as Co-author of **SB 2270**.

**CO-SPONSOR OF HOUSE BILL 4300**

On motion of Senator Huffines, Senator West will be shown as Co-sponsor of **HB 4300**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Congratulatory Resolutions**

**SR 716** by Hinojosa, Recognizing Rex Café and Bakery on the occasion of its 70th anniversary.

**SR 717** by Hinojosa, Recognizing the Feria de las Flores queen, Ariana Jones, and the 2017 Scholarship Pageant contestants.

**SR 719** by Lucio, Recognizing Bertha A. Lucio Caballero on the occasion of her retirement.

**SR 720** by Lucio, Recognizing Michelle del Castillo-Davis on the occasion of her retirement.

**Official Designation Resolution**

**SR 718** by Estes, Recognizing May 8 through 13, 2017, as Economic Development Week in Sherman, Texas.

**RECESS AND MOTION TO ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 7:00 p.m. agreed to recess until 8:00 a.m. tomorrow for the Local and Uncontested Calendar Session.

The Senate further agreed to adjourn, in memory of former Representative Charlie Howard, upon conclusion of the Local and Uncontested Calendar Session, until 11:00 a.m. tomorrow.