

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-FOURTH DAY

(Wednesday, May 10, 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, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Menéndez.

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

Pastor Byron C. Stevenson, The Fort Bend Church, Sugar Land, was introduced by Senator Miles and offered the invocation as follows:

Most gracious and loving God, scripture teaches us that in all things to give thanks. We pause this morning to thank You for Your continued presence in all of our lives. It is because of You that we live, move, and have our being. As our creator, we recognize that we must resemble Your divine wisdom in all of our decisions. Grant us the wisdom to bring about effective change in our world for the benefit of all people. Let us put aside our differences and work together towards building a world that our children and grandchildren will be proud to call home, a place where we can live out our God-given purpose without fear or prejudice. I lift up the State of Texas, our Governor, and every elected official. I lift up our nation and all of our leaders. Give us the strength to continue to labor to become one nation under God, indivisible. I pray this prayer in Jesus' name. 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.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Menéndez was granted leave of absence for today on account of an illness in the family.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 10, 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 7 Wu

Relating to child protective services suits, motions, and services by the Department of Family and Protective Services.

HB 129 Craddick

Relating to the manner in which a payor of proceeds derived from the sale of oil or gas production is required to provide certain information to a royalty interest owner.

HB 183 Dutton

Relating to the consequences of successfully completing a period of deferred adjudication community supervision.

HB 748 Farrar

Relating to certain costs associated with certain court proceedings for cruelly treated animals; authorizing fees and costs.

HB 787 Parker

Relating to the security of the electric grid.

HB 1166 Stephenson

Relating to liability of certain electric utilities that allow certain uses of land that the electric utility owns, occupies, or leases.

HB 1258 Clardy

Relating to information publicly available in a state court document database; authorizing a fee.

HB 1480 Thompson, Senfronia

Relating to a writ of mandamus by a court of appeals against an associate judge in certain cases.

HB 1532 Farrar

Relating to posting notice of self-help resources on the Internet website of a state court and in the office of the court clerk.

HB 1574 Wilson

Relating to documentation regarding an arrest of a person without a warrant.

- HB 1622** Thompson, Senfronia
Relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.
- HB 1639** Vo
Relating to providing a voter in a party primary notice of party conventions.
- HB 1644** Springer
Relating to transferring charge and control of a painting entitled "The Spirit of the Alamo Lives On."
- HB 1689** Burrows
Relating to liability of certain governmental entities in certain workers' compensation actions.
- HB 1708** Miller
Relating to the prizes awarded in certain pull-tab bingo games.
- HB 1810** Dale
Relating to the creation of the offense of possession or promotion of lewd visual material depicting a child.
- HB 1856** King, Ken
Relating to the creation of a defense under the Solid Waste Disposal Act for persons engaged in certain scrap metal recycling transactions.
- HB 1935** Frullo
Relating to the carrying of certain knives; creating a criminal offense.
- HB 2009** Bonnen, Greg
Relating to an exemption for certain law enforcement and military personnel from the requirement to complete a hunter education program.
- HB 2051** Huberty
Relating to the new instructional facility allotment under the foundation school program.
- HB 2052** Phelan
Relating to a tree planting credit to offset tree mitigation fees imposed by a municipality.
- HB 2082** Burrows
Relating to the designation of a liaison to assist first responders with workers' compensation claims.
- HB 2122** Clardy
Relating to the adoption of the Uniform Foreign-Country Money Judgments Recognition Act.
- HB 2523** Davis, Sarah
Relating to the investigation of fraud, waste, and abuse in certain public benefits programs by the office of inspector general for the Health and Human Services Commission.

HB 2533

Geren

Relating to civil suits brought by local governments or certain other persons for violations of certain laws under the jurisdiction of, or rules adopted or orders or permits issued by, the Texas Commission on Environmental Quality.

HB 2612

Meyer

Relating to civil liability of a person who produces, distributes, sells, or provides or aids in the production, distribution, sale, or provision of certain synthetic substances to another person for damages caused by the other person and to certain actions and investigations under the Deceptive Trade Practices-Consumer Protection Act.

HB 2619

Giddings

Relating to grant programs to maintain peace officers' mental health and provide critical incident stress debriefing for certain officers.

HB 3026

Phelan

Relating to the abolishment of the used oil recycling account, deposits of used oil recycling fees, and use of the water resource management account.

HB 3050

King, Phil

Relating to driver's and learner licenses.

HB 3103

Darby

Relating to the jurisdiction of this state to tax tangible personal property that is used continually in this state.

HB 3150

Burns

Relating to a merchant allowing a person suspected of committing or attempting to commit theft to complete a theft education program.

HB 3376

Holland

Relating to forms of notice that may be provided by the Department of Public Safety during certain enforcement proceedings and actions.

HB 3438

Koop

Relating to the creation of a state financing program administered by the Texas Public Finance Authority to assist school districts with certain expenses; granting authority to issue bonds or other obligations.

HB 3533

Raymond

Relating to inspection procedures in certain long-term care facilities and the creation of a long-term care legislative oversight committee.

HB 3548

Parker

Relating to the applicability of certain immunity and liability laws to the nonprofit corporation established by the Texas Public Finance Authority to issue revenue bonds to open-enrollment charter schools for those schools to provide educational facilities.

HB 3629

Bonnen, Dennis

Relating to authorization by the Texas Higher Education Coordinating Board for the Brazosport College District to offer a baccalaureate degree program in nursing.

HB 3655

Herrero

Relating to grants awarded to reimburse counties for the cost of monitoring defendants and victims in criminal cases involving family violence.

HB 3697

Farrar

Relating to notice provided by an applicant to house inmates released on parole or to mandatory supervision.

HB 3810

Cyrier

Relating to the transfer of jurisdiction over and management of the property known as the French Legation to the Texas Historical Commission and to certain historic sites under the commission's jurisdiction.

HB 3919

Thierry

Relating to the eligibility of certain municipalities to establish homestead preservation districts and reinvestment zones.

HB 4117

Coleman

Relating to the provision of telemental health services to prisoners confined in county jails, including the creation of the county jail telemental health fund, and to certain rules and procedures relating to the safety of those prisoners.

HCR 49

Anderson, Charles "Doc"

Designating July as Train Safety Awareness Month for a 10-year period beginning in 2017.

HCR 99

Anchia

Declaring Israel a major strategic ally of Texas.

HCR 101

Herrero

Urging Congress to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act.

HCR 122

Dean

Directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to Master Sergeant Travis E. Watkins.

SB 7

Bettencourt

Sponsor: King, Ken

Relating to improper relationships between educators and students and reporting of educator misconduct; creating a criminal offense and expanding the applicability of an existing offense; authorizing an administrative penalty.

(Committee Substitute/Amended)

SB 44

Zaffirini

Sponsor: Schofield

Relating to requirements relating to an application for a place on the ballot.

(Committee Substitute/Amended)

SB 252

Taylor, Van

Sponsor: Davis, Sarah

Relating to prohibiting governmental contracts with a company doing business with Iran, Sudan, or a foreign terrorist organization.

(Amended)

SB 253

Taylor, Van

Sponsor: Davis, Sarah

Relating to investment prohibitions and divestment requirements for certain investments of public money.

SB 527

Birdwell

Sponsor: Cook

Relating to a defendant's payment of costs associated with a court-appointed counsel.

(Amended)

- SB 579** Taylor, Van Sponsor: Cortez
Relating to the use of epinephrine auto-injectors on private school campuses and at or in transit to or from off-campus school events.
- SB 680** Hancock Sponsor: Bonnen, Greg
Relating to step therapy protocols required by a health benefit plan in connection with prescription drug coverage.
(Committee Substitute)
- SB 712** Hinojosa Sponsor: Hunter
Relating to the duration of certain protective orders against family violence.
- SB 1002** Hancock Sponsor: Murphy
Relating to accounting principles applicable to pension and other postemployment benefit expenses for electric utilities.
- SB 1049** Uresti Sponsor: Klick
Relating to safety requirements of assisted living facilities.
- SB 1083** Perry Sponsor: Frullo
Relating to the applicability of the sales and use tax to certain insurance services.
- SB 2190** Huffman Sponsor: Flynn
Relating to the public retirement systems of certain municipalities.
(Amended)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

PHYSICIAN OF THE DAY

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

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

(Senator Bettencourt in Chair)

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate Ramiro Ramirez Gonzalez, accompanied by his family members.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Kolkhorst was recognized and introduced to the Senate members of the Cy-Fair ISD Community Leadership Committee.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate Patti Card Smith and Bill Card and other family members of Garrison Good Card.

The Senate welcomed its guests.

SENATE RESOLUTION 760

Senator Uresti, on behalf of Senator Menéndez, offered the following resolution:

SR 760, Commemorating the 300th anniversary of the founding of San Antonio.

MENÉNDEZ
CAMPBELL
URESTI
ZAFFIRINI

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Uresti, on behalf of Senator Menéndez, joined by Senators Campbell and Zaffirini, was recognized and introduced to the Senate a City of San Antonio delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 721

Senator Perry offered the following resolution:

SR 721, Recognizing the Texas Water Development Board on the occasion of its 60th anniversary.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Perry was recognized and introduced to the Senate a Texas Water Development Board delegation.

The Senate welcomed its guests.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

The Presiding Officer 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.

MOTIONS IN WRITING

Senator Birdwell offered the following Motions In Writing:

Mr. President:

I move that the nomination of Homer "David" Peeples as the 4th Administrative Judicial Region Presiding Judge be withdrawn from the Committee on Nominations, and I further move that the nomination be returned to the Governor pursuant to his request.

BIRDWELL

The Motion In Writing was read and prevailed without objection.

Mr. President:

I move that the nomination of Daniel R. "Dan" Griffith, II to the Texas School Safety Center Board be withdrawn from the Committee on Nominations, and I further move that the nomination be returned to the Governor pursuant to his request.

BIRDWELL

The Motion In Writing was read and prevailed without objection.

CONCLUSION OF MORNING CALL

The Presiding Officer at 11:53 a.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE SENATE BILL 315 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 315** at this time on its second reading:

CSSB 315, Relating to the enforcement of subpoenas and the regulation of pain management clinics by the Texas Medical Board.

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:

Absent-excused: Menéndez.

COMMITTEE SUBSTITUTE SENATE BILL 315 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 **CSSB 315** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 200 ON SECOND READING

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 200** at this time on its second reading:

CSSB 200, Relating to public access to boundary, financial, and tax rate information of certain political subdivisions.

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:

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
SENATE BILL 200 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 200** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1101 ON SECOND READING**

On motion of Senator Taylor of Collin and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1101** at this time on its second reading:

CSSB 1101, Relating to the prescription of epinephrine auto-injectors to and administration of epinephrine auto-injectors in day-care centers; limiting liability.

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:

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
SENATE BILL 1101 ON THIRD READING**

Senator Taylor of Collin moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1101** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1625 ON SECOND READING**

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1625** at this time on its second reading:

CSSB 1625, Relating to the Texas Physician Assistant Board and the licensing and regulation of physician assistants.

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:

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
SENATE BILL 1625 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 1625** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

SENATE BILL 904 ON SECOND READING

Senator Birdwell moved to suspend the regular order of business to take up for consideration **SB 904** at this time on its second reading:

SB 904, Relating to the creation of the Cresson Municipal Utility District No. 1 of Hood County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

The motion prevailed.

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

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

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

Nays: Hall.

Absent-excused: Menéndez.

SENATE BILL 904 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 904** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Hall.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 2086 ON SECOND READING**

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2086** at this time on its second reading:

CSSB 2086, Relating to measures to facilitate the transfer of students and course credit within the public higher education system.

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:

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
SENATE BILL 2086 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 2086** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
HOUSE BILL 271 ON SECOND READING**

Senator Buckingham moved to suspend the regular order of business to take up for consideration **CSHB 271** at this time on its second reading:

CSHB 271, Relating to the establishment of the Veterans Recovery Pilot Program to provide certain veterans with hyperbaric oxygen treatment.

The motion prevailed.

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

The bill was read second time.

Senator Buckingham moved to temporarily postpone further consideration of **CSHB 271**.

The motion prevailed.

Question: Shall **CSHB 271** be passed to third reading?

**COMMITTEE SUBSTITUTE
SENATE BILL 2179 ON SECOND READING**

Senator Taylor of Galveston moved to suspend the regular order of business to take up for consideration **CSSB 2179** at this time on its second reading:

CSSB 2179, Relating to the applicability of certain insurance laws to certain farm mutual insurance companies.

The motion prevailed.

Senators Bettencourt 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: Bettencourt, Taylor of Collin.

Absent-excused: Menéndez.

COMMITTEE SUBSTITUTE SENATE BILL 2179 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 2179** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

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

Nays: Bettencourt, Taylor of Collin.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

HOUSE BILL 2194 ON SECOND READING

Senator Estes moved to suspend the regular order of business to take up for consideration **HB 2194** at this time on its second reading:

HB 2194, Relating to the board of trustees of the Weatherford Junior College District.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

Nays: Hughes, Perry, Seliger, Watson, Zaffirini.

Absent-excused: Menéndez.

The bill was read second time.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2194** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 130.0828(c), Education Code (page 1, lines 44 and 45), strike "including by voting on any budget that affects the entire district".

(2) In SECTION 1 of the bill, in added Section 130.0828(d)(1)(A), Education Code (page 1, line 50), between "tax" and the semicolon, insert "or the distribution of revenue raised from a tax".

(3) In SECTION 1 of the bill, in added Section 130.0828(e), Education Code (page 1, line 59), strike "2027" and substitute "2023".

The amendment to **HB 2194** was read.

On motion of Senator Estes, Floor Amendment No. 1 was tabled by the following vote: Yeas 21, Nays 9.

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

Nays: Hughes, Kolkhorst, Perry, Rodríguez, Seliger, Taylor of Collin, Uresti, Watson, Zaffirini.

Absent-excused: Menéndez.

HB 2194 was passed to third reading by the following vote: Yeas 25, Nays 5.

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

Nays: Hughes, Perry, Seliger, Watson, Zaffirini.

Absent-excused: Menéndez.

HOUSE BILL 2194 ON THIRD READING

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2194** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

Nays: Hughes, Perry, Seliger, Watson, Zaffirini.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 5. (Same as previous roll call)

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 10, 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 349 Canales

Relating to the disclosure under the public information law of certain information related to parades, concerts, or other entertainment events open to the general public that are paid for with public funds.

HB 493 Perez

Relating to reporting requirements for the College Credit for Heroes program.

HB 654 Clardy

Relating to the elimination of certain formula funding and dropped course restrictions for returning adult students at public institutions of higher education and to the tuition rate that may be charged to those students for certain excessive undergraduate hours.

HB 658 Bernal

Relating to priority voting for voters with certain disabilities substantially impairing mobility.

HB 674 Johnson, Eric

Relating to the suspension of a student enrolled in a grade level below grade three from public school.

HB 804 Dale

Relating to the entitlement of a lessee of property who is required to pay the ad valorem taxes on the property to receive notice of the appraised value of the property.

HB 867 Villalba

Relating to school marshals for private schools.

HB 902 Nevárez

Relating to the use by certain municipalities of hotel occupancy tax revenue to improve or expand certain airports.

HB 917 Schubert

Relating to the designation of a portion of State Highway 95 in Lavaca County as the Sergeant David M. Furrh Memorial Highway.

HB 918 Schubert

Relating to the designation of a portion of Alternate United States Highway 90 in Lavaca County as the Sheriff Ronnie Dodds Memorial Highway.

- HB 995** Wray
Relating to the form and revocation of medical powers of attorney.
- HB 1111** Thompson, Senfronia
Relating to the child safety zone applicable to a person released on parole or to mandatory supervision.
- HB 1207** Gooden
Relating to the powers and duties of the Kaufman County Fresh Water Supply District No. 1-A; providing authority to issue bonds, impose a tax, and levy assessments.
- HB 1208** Gooden
Relating to the powers and duties of the Kaufman County Fresh Water Supply District No. 1-D; providing authority to issue bonds, impose a tax, and levy assessments.
- HB 1256** Kacal
Relating to the issuance of Blessed are the Peacemakers specialty license plates.
- HB 1278** Dutton
Relating to availability of personal information of certain current and former prosecutors.
- HB 1553** Lozano
Relating to permitting a school district that has failed to satisfy performance standards to partner with an institution of higher education to improve district performance.
- HB 1595** Bohac
Relating to the dates to provide a ballot by mail to a voter.
- HB 1640** Vo
Relating to ensuring continuity of education for homeless children and foster care youth and access to higher education, career information, and skills certification for foster care youth and former foster care youth.
- HB 1656** Israel
Relating to the operation of a public transit motor bus by certain mass transit entities on an improved shoulder.
- HB 1764** Israel
Relating to the operation of metropolitan rapid transit authorities.
- HB 1794** Bell
Relating to the establishment of the Work Group on Mental Health Access for First Responders.
- HB 1959** Thompson, Senfronia
Relating to a study by the Texas Department of Motor Vehicles of alternative registration technologies for commercial motor vehicles.
- HB 2010** Bonnen, Greg
Relating to providing workplace safety training information for use in the public school curriculum.
- HB 2015** Paul
Relating to the disclosure of certain registration information by the voter registrar.

- HB 2025** Davis, Yvonne
Relating to staffing requirements for certain facilities that provide care to persons with Alzheimer's disease or related disorders; authorizing an administrative penalty.
- HB 2115** Klick
Relating to the issuance of specialty license plates for persons who serve or have served in the Third United States Infantry Regiment as a guard for the Tomb of the Unknown Soldier.
- HB 2157** Miller
Relating to the requirements for a candidate's application or petition for a place on the ballot.
- HB 2214** Schofield
Relating to cemeteries in certain municipalities.
- HB 2248** Guerra
Relating to the procedure for adoption by a state agency of rules that may have an adverse economic effect on small businesses and micro-businesses.
- HB 2252** Faircloth
Relating to the feasibility of creating and maintaining a coastal barrier system.
- HB 2304** Guillen
Relating to the hours of instruction provided in barbering and cosmetology schools.
- HB 2323** Israel
Relating to the filing period for a place on the ballot in a special election to fill a vacancy.
- HB 2324** Israel
Relating to the deadline for volunteer deputy registrars to submit voter registration applications.
- HB 2358** Metcalf
Relating to the affidavit of a voter in a confirmation election for a water district.
- HB 2388** Herrero
Relating to the designation of a portion of Farm-to-Market Road 666 in Nueces County as the Kollyn Barton Memorial Highway.
- HB 2410** Israel
Relating to the authority to conduct a runoff primary election by mail in certain counties.
- HB 2432** Raney
Relating to the establishment of a university system center located in Brazos County as part of The Texas A&M University System.
- HB 2443** González, Mary
Relating to the electronic submission of a wage claim to the Texas Workforce Commission.
- HB 2458** Price
Relating to the authority of a magistrate to issue a search warrant to collect a blood specimen from a person arrested for certain intoxication offenses.

- HB 2537** Guerra
Relating to requiring public schools to provide information to certain students on the availability of financial assistance for postsecondary education.
- HB 2559** Reynolds
Relating to public inspection of mail ballot applications.
- HB 2586** Thompson, Senfronia
Relating to the electronic filing of bail bonds.
- HB 2614** Huberty
Relating to school district discretion to administer college preparation assessment instruments to public school students at state cost.
- HB 2623** Allen
Relating to requiring school districts and certain facilities to assist students in making the transition back to school after certain prolonged placements outside of school.
- HB 2700** Hunter
Relating to the issuance of childhood cancer awareness license plates.
- HB 2725** González, Mary
Relating to the composition of the board of directors of a stormwater control and recapture planning authority in certain counties.
- HB 2738** Hernandez
Relating to the hours of instruction provided in barbering and cosmetology schools.
- HB 2812** Oliverson
Relating to the use of certain lighting equipment on security patrol vehicles.
- HB 2837** Dean
Relating to removal of deceased voters from voter rolls.
- HB 2856** Villalba
Relating to names of domestic and foreign filing entities for transacting business in this state.
- HB 2875** Guillen
Relating to the imposition of additional fees for filing civil cases in Willacy County and Starr County.
- HB 2886** Klick
Relating to limiting the liability of certain health care providers.
- HB 2911** Lucio III
Relating to a reemployment program as a condition of community supervision for certain veterans who commit a misdemeanor offense.
- HB 2925** Shine
Relating to the administration of gasoline and diesel fuel motor fuels taxes and the fee on the delivery of certain petroleum products.
- HB 2937** Canales
Relating to the establishment of a pilot program under which a licensed hospital may offer dual credit courses to public high school students.

- HB 2960** Parker
Relating to the prosecution and punishment of certain trafficking and sexual offenses; increasing a criminal penalty.
- HB 3008** Thompson, Senfronia
Relating to the provision of certain information or assistance by life insurance agents to owners of life insurance policies.
- HB 3045** Dale
Relating to an election to reduce or increase the sales and use tax rate imposed by a municipality for the benefit of a Type B development corporation.
- HB 3046** Dale
Relating to combined municipal sales tax ballot propositions.
- HB 3047** Dale
Relating to the meeting of a governmental body held by videoconference call.
- HB 3052** Herrero
Relating to an authorization agreement between a parent and a nonparent relative of the child.
- HB 3066** Guillen
Relating to certain benefits and protections for service members of the Texas military forces ordered to state active duty or to state training and other duty.
- HB 3085** Keough
Relating to a study by the Geo-Technology Research Institute on the monitoring, prevention, and removal of floating trash.
- HB 3087** Morrison, Geanie W.
Relating to the definitions of highway maintenance and service vehicles for purposes of certain provisions governing vehicle equipment.
- HB 3147** White
Relating to the entitlement to expunction for certain persons who are arrested solely as a result of inaccurate identifying information.
- HB 3173** Bell
Relating to the creation of the East Lake Houston Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.
- HB 3185** Frank
Relating to fees charged by the Rolling Plains Groundwater Conservation District; authorizing a fee.
- HB 3198** Darby
Relating to liability for the additional tax imposed on land appraised for ad valorem tax purposes as qualified open-space land in the event of a change of use of the land as a result of oil and gas operations.
- HB 3209** Gonzales, Larry
Relating to the consideration for public school accountability purposes of certain students participating in regional day school programs for the deaf.
- HB 3243** Anderson, Charles "Doc"
Relating to the duties of the structural pest control advisory committee.

- HB 3252** Thompson, Senfronia
Relating to certain contracting requirements for certain metropolitan rapid transit authorities.
- HB 3254** Phillips
Relating to the regulation of a motor carrier and the enforcement of motor carrier regulations; authorizing the imposition of a fee.
- HB 3270** Bohac
Relating to criminal background checks for persons employed by certain public school contractors.
- HB 3272** Wray
Relating to the suspension, revocation, or cancellation of a driver's license or personal identification certificate and to certain conduct constituting contempt of court that may result in the suspension or denial of a driver's license.
- HB 3281** Rodriguez, Eddie
Relating to the eligibility of certain municipalities to establish homestead preservation districts and reinvestment zones.
- HB 3321** Frank
Relating to jurisdiction of the county courts in certain counties.
- HB 3359** Cospers
Relating to displaying certain informational materials and videos in driver's license offices.
- HB 3389** Schofield
Relating to fees taxed as costs of suit for certain delinquent tax suits.
- HB 3433** Lambert
Relating to the adoption by state agencies of rules affecting rural communities.
- HB 3446** Davis, Yvonne
Relating to the administration of ad valorem taxes.
- HB 3470** Hunter
Relating to acceptance of donations and bequests by a commissioners court.
- HB 3526** Howard
Relating to renaming the instructional materials allotment as the technology and instructional materials allotment and making associated technical changes.
- HB 3535** Keough
Relating to the taking of certain feral hogs and coyotes using a hot air balloon.
- HB 3560** Oliverson
Relating to a joint interim study regarding health benefit coverage for obesity under certain health benefit plans.
- HB 3564** Klick
Relating to the office of the state long-term care ombudsman; affecting the prosecution of a criminal offense.
- HB 3574** Collier
Relating to the allocation of low income housing tax credits.

- HB 3632** Moody
Relating to extension of the timeline for a parent to request a special education impartial due process hearing in certain circumstances.
- HB 3651** Wray
Relating to exempting certain trailers from being equipped with emergency brakes.
- HB 3654** Wray
Relating to the definition of road machinery for purposes of certain provisions governing vehicle equipment.
- HB 3669** Landgraf
Relating to the operations of the Ector County Hospital District.
- HB 3679** Isaac
Relating to signs informing motorists of facilities providing alternative fuels and electric vehicle charging stations.
- HB 3705** White
Relating to local juvenile justice information systems.
- HB 3706** Lucio III
Relating to certain alternative education programs designed to address workforce development needs for at-risk students.
- HB 3767** Allen
Relating to annual reporting regarding the establishment of certain school district planning and decision-making committees.
- HB 3845** Raymond
Relating to the insurance reporting program operated by the Title IV-D agency to enforce certain child support obligations.
- HB 3887** Coleman
Relating to trauma training for public school personnel.
- HB 3907** Frullo
Relating to certain requirements of retail fireworks sites and inspections of those sites and assessment and collection of certain existing inspection fees by local fire prevention officers.
- HB 3917** Landgraf
Relating to the designation of a portion of Interstate Highway 20 as the Trooper Billy Jack Zachary Memorial Highway.
- HB 4034** Bohac
Relating to updating a voter's information using information provided on a federal postcard application or an application for an early voting ballot.
- HB 4064** Bohac
Relating to staff development and continuing education requirements for public school educators regarding digital education methods.
- HB 4094** Klick
Relating to the access of criminal history record information by the Department of Family and Protective Services.

- HB 4104** Coleman
Relating to the county budget for certain court personnel.
- HB 4114** Coleman
Relating to county approval for the locations at which a junkyard or automotive wrecking and salvage yard may be operated.
- HB 4126** Herrero
Relating to signs required to be posted in licensed vehicle storage facilities.
- HB 4127** Herrero
Relating to the inspection of towing companies and vehicle storage facilities by the Texas Department of Licensing and Regulation.
- HB 4187** Raney
Relating to the use of revenue from municipal hotel occupancy taxes for a sports facility or field in certain municipalities.
- HB 4272** Oliverson
Relating to the creation of the Harris County Municipal Utility District No. 554; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4276** VanDeaver
Relating to the Paris Junior College District.
- HB 4277** Zerwas
Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 50; providing authority to issue bonds; providing authority to impose a tax.
- HB 4283** Oliverson
Relating to the conversion of the Grand Northwest Municipal Utility District to the Grand Northwest Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.
- HB 4285** Zerwas
Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 130; providing authority to issue bonds; providing authority to impose a tax.
- HB 4289** Zerwas
Relating to the compensation of and reimbursement of expenses of the directors of the Aliana Management District.
- HB 4290** Thierry
Relating to the creation of the Stadium Park Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.
- HB 4292** Zerwas
Relating to the powers and duties of the Fort Bend County Municipal Management District No. 1; authorizing the imposition of a tax.
- HB 4315** Deshotel
Relating to the creation of the Beaumont Municipal Management District No. 1; providing authority to issue bonds and impose assessments, fees, or taxes.

- HB 4320** Zerwas
Relating to the creation of the Fort Bend County Municipal Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.
- SB 160** Rodríguez Sponsor: Wu
Relating to a prohibition of a monitoring system performance indicator based solely on the number or percentage of students receiving special education services.
- SB 345** West Sponsor: Davis, Yvonne
Relating to the use of tax revenue by certain municipalities for the payment of certain hotel-related bonds or other obligations.
- SB 417** Watson Sponsor: Lucio III
Relating to notice to policyholders and agents of certain changes to property and casualty insurance policies.
- SB 495** Uresti Sponsor: Thompson, Senfronia
Relating to certain procedural measures in a suit affecting a parent-child relationship to protect a child against child neglect or physical or sexual abuse.
(Amended)
- SB 559** Hancock Sponsor: Darby
Relating to the miscellaneous gross receipts tax on utility companies.
(Committee Substitute)
- SB 617** Rodríguez Sponsor: Wray
Relating to trusts.
- SB 622** Burton Sponsor: Lozano
Relating to itemizing certain public notice expenditures in certain political subdivision budgets.
- SB 671** Campbell Sponsor: Guillen
Relating to the public high school graduation credit requirements for a language other than English.
- SB 945** Bettencourt Sponsor: Murphy
Relating to the authority of the chief appraiser of an appraisal district to correct an ad valorem tax appraisal roll.
- SB 1073** Hancock Sponsor: Smithee
Relating to registration statement and reporting requirements of insurers in an insurance holding company system.
- SB 1203** Perry Sponsor: Thompson, Senfronia
Relating to the issuance of subpoenas or certain other court orders with respect to an online service provider in the investigation or prosecution of certain criminal offenses.
- SB 1229** Menéndez Sponsor: Reynolds
Relating to solid waste services and solid waste management programs in the extraterritorial jurisdiction of municipalities in certain counties; authorizing penalties.
- SB 1246** Rodríguez Sponsor: Ortega
Relating to the salary of a bailiff in El Paso County.

SB 1365 Miles Sponsor: Reynolds
Relating to the use of municipal hotel occupancy tax revenue by certain municipalities.

SB 1402 Campbell Sponsor: Dean
Relating to the regulation of cemeteries and the administration of perpetual care trust funds.

SB 1422 Estes Sponsor: Gonzales, Larry
Relating to the protection and use of intellectual property by the Railroad Commission of Texas.

SB 1494 Zaffirini Sponsor: Oliveira
Relating to preauthorization and concurrent review of certain health care services under the workers' compensation system.

SB 1517 Hancock Sponsor: Oliveira
Relating to partnerships, limited liability companies, and other domestic and foreign entities and to series of limited liability companies and foreign entities.

SB 1518 Hancock Sponsor: Oliveira
Relating to corporations, associations, real estate investment trusts, and related entities; authorizing fees.

SB 1541 Estes Sponsor: Lambert
Relating to the treatment and recycling for beneficial use of drill cuttings.
(Committee Substitute)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE
SENATE BILL 1360 ON SECOND READING**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1360** at this time on its second reading:

CSSB 1360, Relating to the information required to be included in or with a school district ad valorem tax bill.

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:

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
SENATE BILL 1360 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1360** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 2122 ON SECOND READING**

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2122** at this time on its second reading:

CSSB 2122, Relating to the coordination of the transfer of course credit between 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 except as follows:

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
SENATE BILL 2122 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 2122** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1443 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 1443** at this time on its second reading:

CSSB 1443, Relating to electronic benefits transfer cards used by recipients of benefits under certain assistance programs.

The motion prevailed.

Senators Garcia, Hinojosa, Lucio, Miles, Rodríguez, Uresti, Watson, West, Whitmire, and Zaffirini 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 the following vote: Yeas 20, Nays 10.

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, Miles, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Menéndez.

(Senator Watson in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1018 ON THIRD READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSB 1018** at this time on its third reading and final passage:

CSSB 1018, Relating to the licensing of family residential centers by the Department of Family and Protective Services and the detention of certain juveniles.

The motion prevailed by the following vote: Yeas 20, Nays 10.

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, Miles, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Menéndez.

The bill was read third time.

Senator Uresti offered the following amendment to the bill:

Floor Amendment No. 1 on Third Reading

Amend **CSSB 1018** (senate committee printing) on third reading in SECTION 1 of the bill, immediately following added Section 42.0538(b), Human Resources Code (page 1, between lines 39 and 40), by inserting the following:

(b-1) The department shall revoke the license of a family residential center if 90 percent or more of the people detained at the family residential center are held at the center for longer than 90 days.

The amendment to **CSSB 1018** 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 except as follows:

Absent-excused: Menéndez.

CSSB 1018 as amended was finally passed by the following vote: Yeas 20, Nays 10.

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, Miles, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Menéndez.

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 905 ON SECOND READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSSB 905** at this time on its second reading:

CSSB 905, Relating to the creation of the Cresson Crossroads Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

The motion prevailed.

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

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

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

Nays: Hall.

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
SENATE BILL 905 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 905** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Hall.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1278 ON SECOND READING**

Senator Taylor of Galveston moved to suspend the regular order of business to take up for consideration **CSSB 1278** at this time on its second reading:

CSSB 1278, Relating to educator preparation programs.

The motion prevailed by the following vote: Yeas 20, Nays 9.

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

Nays: Garcia, Nelson, Nichols, Perry, Rodríguez, Seliger, Watson, Whitmire, Zaffirini.

Absent: Lucio.

Absent-excused: Menéndez.

The bill was read second time.

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

Floor Amendment No. 1

Amend **CSSB 1278** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In amended Section 21.045(a)(4)(A), Education Code (page 1, line 47), between "requirements" and "through", insert "for a candidate for certification as a classroom teacher".

(2) In amended Section 21.045(a)(4)(B), Education Code (page 1, line 51), between "(B)" and "may", insert "for a candidate for certification as a classroom teacher,".

The amendment to **CSSB 1278** 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 except as follows:

Absent: Lucio.

Absent-excused: Menéndez.

CSSB 1278 as amended was passed to engrossment by the following vote: Yeas 20, Nays 9.

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

Nays: Garcia, Nelson, Nichols, Perry, Rodríguez, Seliger, Watson, Whitmire, Zaffirini.

Absent: Lucio.

Absent-excused: Menéndez.

COMMITTEE SUBSTITUTE SENATE BILL 1278 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 1278** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 5.

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

Nays: Nelson, Nichols, Rodríguez, Whitmire, Zaffirini.

Absent: Lucio.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 9.

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

Nays: Garcia, Nelson, Nichols, Perry, Rodríguez, Seliger, Watson, Whitmire, Zaffirini.

Absent: Lucio.

Absent-excused: Menéndez.

SENATE BILL 1609 REREFERRED (Motion In Writing)

Senator Bettencourt submitted a Motion In Writing requesting that **SB 1609** be withdrawn from the Committee on Business and Commerce and rereferred to the Committee on Intergovernmental Relations.

The Motion In Writing was read and prevailed without objection.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

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

HB 7 to Committee on Health and Human Services.

HB 20 to Committee on Finance.

HB 129 to Committee on Natural Resources and Economic Development.

HB 240 to Committee on Criminal Justice.

HB 257 to Committee on Veteran Affairs and Border Security.

HB 273 to Committee on State Affairs.

HB 402 to Committee on Natural Resources and Economic Development.

HB 442 to Committee on Business and Commerce.

HB 493 to Committee on Veteran Affairs and Border Security.

HB 501 to Committee on State Affairs.

HB 505 to Committee on State Affairs.

HB 658 to Committee on State Affairs.

HB 664 to Committee on Criminal Justice.

HB 715 to Committee on Criminal Justice.

HB 787 to Committee on Business and Commerce.

HB 804 to Committee on Finance.

HB 850 to Committee on Finance.
HB 961 to Committee on Higher Education.
HB 970 to Committee on Health and Human Services.
HB 995 to Committee on State Affairs.
HB 1111 to Committee on Criminal Justice.
HB 1160 to Committee on Health and Human Services.
HB 1166 to Committee on Business and Commerce.
HB 1207 to Committee on Agriculture, Water, and Rural Affairs.
HB 1208 to Committee on Agriculture, Water, and Rural Affairs.
HB 1247 to Committee on Business and Commerce.
HB 1256 to Committee on Transportation.
HB 1278 to Committee on Criminal Justice.
HB 1379 to Committee on State Affairs.
HB 1381 to Committee on State Affairs.
HB 1410 to Committee on State Affairs.
HB 1426 to Committee on Criminal Justice.
HB 1521 to Committee on Criminal Justice.
HB 1553 to Committee on Education.
HB 1574 to Committee on Criminal Justice.
HB 1595 to Committee on State Affairs.
HB 1606 to Committee on Veteran Affairs and Border Security.
HB 1631 to Committee on Intergovernmental Relations.
HB 1639 to Committee on State Affairs.
HB 1644 to Committee on Veteran Affairs and Border Security.
HB 1656 to Committee on Transportation.
HB 1669 to Committee on Education.
HB 1689 to Committee on Business and Commerce.
HB 1764 to Committee on Transportation.
HB 1810 to Committee on Criminal Justice.
HB 1823 to Committee on State Affairs.
HB 1884 to Committee on Criminal Justice.
HB 1935 to Committee on Criminal Justice.
HB 1959 to Committee on Transportation.
HB 1986 to Committee on Transportation.
HB 1999 to Committee on Criminal Justice.
HB 2004 to Committee on Agriculture, Water, and Rural Affairs.
HB 2009 to Committee on Agriculture, Water, and Rural Affairs.
HB 2010 to Committee on Education.
HB 2015 to Committee on State Affairs.
HB 2067 to Committee on Finance.
HB 2079 to Committee on Natural Resources and Economic Development.
HB 2082 to Committee on Business and Commerce.
HB 2115 to Committee on Veteran Affairs and Border Security.
HB 2136 to Committee on Agriculture, Water, and Rural Affairs.
HB 2157 to Committee on State Affairs.
HB 2182 to Committee on Finance.

- HB 2214** to Committee on Intergovernmental Relations.
HB 2248 to Committee on Business and Commerce.
HB 2252 to Committee on Natural Resources and Economic Development.
HB 2304 to Committee on Business and Commerce.
HB 2323 to Committee on State Affairs.
HB 2324 to Committee on State Affairs.
HB 2358 to Committee on Agriculture, Water, and Rural Affairs.
HB 2359 to Committee on Criminal Justice.
HB 2378 to Committee on Agriculture, Water, and Rural Affairs.
HB 2410 to Committee on State Affairs.
HB 2432 to Committee on Higher Education.
HB 2435 to Committee on Intergovernmental Relations.
HB 2443 to Committee on Natural Resources and Economic Development.
HB 2458 to Committee on Criminal Justice.
HB 2466 to Committee on Health and Human Services.
HB 2533 to Committee on Natural Resources and Economic Development.
HB 2537 to Committee on Education.
HB 2559 to Committee on State Affairs.
HB 2654 to Committee on Agriculture, Water, and Rural Affairs.
HB 2700 to Committee on Transportation.
HB 2738 to Committee on Business and Commerce.
HB 2774 to Committee on Transportation.
HB 2803 to Committee on Intergovernmental Relations.
HB 2812 to Committee on Criminal Justice.
HB 2817 to Committee on Agriculture, Water, and Rural Affairs.
HB 2836 to Committee on Veteran Affairs and Border Security.
HB 2837 to Committee on State Affairs.
HB 2880 to Committee on Criminal Justice.
HB 2904 to Committee on Health and Human Services.
HB 2938 to Committee on Agriculture, Water, and Rural Affairs.
HB 2943 to Committee on Agriculture, Water, and Rural Affairs.
HB 2960 to Committee on Criminal Justice.
HB 2985 to Committee on Intergovernmental Relations.
HB 2991 to Committee on Criminal Justice.
HB 3047 to Committee on Business and Commerce.
HB 3050 to Committee on Transportation.
HB 3075 to Committee on Education.
HB 3087 to Committee on Transportation.
HB 3103 to Committee on Finance.
HB 3172 to Committee on Natural Resources and Economic Development.
HB 3173 to Committee on Intergovernmental Relations.
HB 3185 to Committee on Agriculture, Water, and Rural Affairs.
HB 3198 to Committee on Finance.
HB 3206 to Committee on Business and Commerce.
HB 3209 to Committee on Education.
HB 3227 to Committee on Agriculture, Water, and Rural Affairs.

HB 3243 to Committee on Business and Commerce.
HB 3254 to Committee on Transportation.
HB 3270 to Committee on Education.
HB 3277 to Committee on Business and Commerce.
HB 3283 to Committee on Transportation.
HB 3321 to Committee on State Affairs.
HB 3323 to Committee on Health and Human Services.
HB 3338 to Committee on Health and Human Services.
HB 3359 to Committee on Transportation.
HB 3360 to Committee on Natural Resources and Economic Development.
HB 3370 to Committee on Business and Commerce.
HB 3376 to Committee on Transportation.
HB 3389 to Committee on Finance.
HB 3423 to Committee on State Affairs.
HB 3438 to Committee on Education.
HB 3470 to Committee on Intergovernmental Relations.
HB 3488 to Committee on Natural Resources and Economic Development.
HB 3492 to Committee on State Affairs.
HB 3504 to Committee on Intergovernmental Relations.
HB 3521 to Committee on Veteran Affairs and Border Security.
HB 3535 to Committee on Agriculture, Water, and Rural Affairs.
HB 3548 to Committee on State Affairs.
HB 3560 to Committee on Business and Commerce.
HB 3567 to Committee on Veteran Affairs and Border Security.
HB 3593 to Committee on Education.
HB 3629 to Committee on Higher Education.
HB 3632 to Committee on Education.
HB 3651 to Committee on Transportation.
HB 3654 to Committee on Transportation.
HB 3664 to Committee on Business and Commerce.
HB 3788 to Committee on Health and Human Services.
HB 3808 to Committee on Higher Education.
HB 3810 to Committee on Administration.
HB 3879 to Committee on Business and Commerce.
HB 3905 to Committee on Business and Commerce.
HB 3907 to Committee on Agriculture, Water, and Rural Affairs.
HB 3917 to Committee on Transportation.
HB 3934 to Committee on Health and Human Services.
HB 3992 to Committee on Finance.
HB 4034 to Committee on State Affairs.
HB 4064 to Committee on Education.
HB 4180 to Committee on Intergovernmental Relations.
HB 4272 to Committee on Administration.
HB 4277 to Committee on Administration.
HB 4283 to Committee on Administration.
HB 4285 to Committee on Administration.

HB 4289 to Committee on Administration.
HB 4290 to Committee on Intergovernmental Relations.
HB 4291 to Committee on Agriculture, Water, and Rural Affairs.
HB 4315 to Committee on Administration.
HB 4320 to Committee on Administration.
HB 4330 to Committee on Administration.
HCR 113 to Committee on Administration.
HCR 122 to Committee on Veteran Affairs and Border Security.
HJR 52 to Committee on Finance.
HJR 100 to Committee on State Affairs.

HOUSE BILL 1917 REREFERRED
(Motion In Writing)

Senator Schwertner submitted a Motion In Writing requesting that **HB 1917** be withdrawn from the Committee on Business and Commerce and rereferred to the Committee on Health and Human Services.

The Motion In Writing was read and prevailed without objection.

SENATE BILL 2095 ON THIRD READING

Senator Hall moved to suspend the regular order of business to take up for consideration **SB 2095** at this time on its third reading and final passage:

SB 2095, Relating to regulation of steroid use by students participating in athletic competitions sponsored or sanctioned by the University Interscholastic League.

The motion prevailed by the following vote: Yeas 21, Nays 9.

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

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

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 9. (Same as previous roll call)

COMMITTEE SUBSTITUTE
HOUSE BILL 271 ON SECOND READING

The President laid before the Senate **CSHB 271** by Senator Buckingham on its second reading. The bill had been read second time and further consideration temporarily postponed:

CSHB 271, Relating to the establishment of the Veterans Recovery Pilot Program to provide certain veterans with hyperbaric oxygen treatment.

Question: Shall **CSHB 271** be passed to third reading?

Senator Birdwell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 271** (senate committee printing) in SECTION 1 of the bill, in added Section 49.001(7), Health and Safety Code, as follows:

(1) In Paragraph (A) (page 1, line 53), between "(A)" and "the", insert "an active or reserve component of".

(2) In Paragraph (B) (page 1, line 55-56), strike "an auxiliary service of one of the armed forces described in Paragraph (A)" and insert the following: "the Texas National Guard as defined by Section 431.001(4), Government Code."

The amendment to **CSHB 271** 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 except as follows:

Absent-excused: Menéndez.

CSHB 271 as amended was passed to third reading by a viva voce vote.

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

Nays: Hall.

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
HOUSE BILL 271 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 **CSHB 271** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Hall.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

RECESS

On motion of Senator Whitmire, the Senate at 2:52 p.m. recessed until 3:40 p.m. today.

AFTER RECESS

The Senate met at 4:10 p.m. and was called to order by Senator Hughes.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2379 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2379** at this time on its second reading:

CSHB 2379, Relating to the functions and administration of the Health and Human Services Commission and the commission's office of inspector general in relation to fraud, waste, and abuse in health and human services.

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

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

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2379 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 **CSHB 2379** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1649 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **CSSB 1649** at this time on its second reading:

CSSB 1649, Relating to increasing the punishment for certain conduct constituting the offense of criminal trespass.

The motion prevailed.

Senators Bettencourt, Burton, Creighton, 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: Bettencourt, Burton, Creighton, Hall, Taylor of Collin.

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
SENATE BILL 1649 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1649** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

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

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

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 5. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 2079 ON SECOND READING**

Senator Taylor of Galveston moved to suspend the regular order of business to take up for consideration **CSSB 2079** at this time on its second reading:

CSSB 2079, Relating to a requirement that a student's postsecondary transcript include the average or median grade awarded in each class.

The motion prevailed.

Senators Buckingham, Estes, 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 Taylor of Galveston offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2079** (senate committee report) as follows:

(1) In SECTION 2 of the bill, in the transition language, strike "as soon as practicable after this Act takes effect" and substitute "not later than September 1, 2020".

(2) In SECTION 3 of the bill, in the transition language, strike "2018 spring semester" and substitute "2022 fall semester".

The amendment to **CSSB 2079** 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 except as follows:

Absent-excused: Menéndez.

CSSB 2079 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: Buckingham, Estes, Taylor of Collin.

Absent-excused: Menéndez.

**COMMITTEE SUBSTITUTE
SENATE BILL 2079 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 2079** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

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

Nays: Buckingham, Estes, Taylor of Collin.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1061 ON SECOND READING**

Senator Taylor of Collin moved to suspend the regular order of business to take up for consideration **CSSB 1061** at this time on its second reading:

CSSB 1061, Relating to the powers and duties of the commissioner of education regarding granting additional charters for open-enrollment charter schools.

The motion prevailed.

Senators Garcia, Miles, Nichols, Rodríguez, Watson, and Zaffirini asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

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

Floor Amendment No. 1

Amend **CSSB 1061** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 12.1015(c)(4), Education Code (page 1, line 56), strike "and".

(2) In added Section 12.1015(c), Education Code (page 1, line 59), between "rule" and the underlined period, insert the following:

; and

(6) an open-enrollment charter school that has assumed the operations of another charter holder's open-enrollment charter school or school district campus and is implementing a campus turnaround plan approved by the commissioner under Chapter 39

(3) After added Section 12.1015(c), Education Code (page 1, between lines 59 and 60), insert the following:

(d) Notwithstanding Subsection (c)(6), the transfer of an existing charter school to a charter holder authorized under this section does not affect the performance rating assigned for the current school year or previous school years or any intervention or sanction actions determined by the commissioner under this subchapter or Chapter 39.

The amendment to **CSSB 1061** 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 except as follows:

Absent-excused: Menéndez.

CSSB 1061 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: Garcia, Miles, Nichols, Rodríguez, Watson, Zaffirini.

Absent-excused: Menéndez.

COMMITTEE SUBSTITUTE SENATE BILL 1061 ON THIRD READING

Senator Taylor of Collin moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1061** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

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

Nays: Garcia, Miles, Nichols, Rodríguez, Watson, Zaffirini.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 6. (Same as previous roll call)

SENATE BILL 585 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **SB 585** at this time on its second reading:

SB 585, Relating to the opportunity of certain patriotic societies to present information regarding the society to public school students during regular school hours.

The motion prevailed.

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

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

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

Nays: Hall.

Absent-excused: Menéndez.

SENATE BILL 585 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 585** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Hall.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 1659 ON SECOND READING

Senator Taylor of Galveston moved to suspend the regular order of business to take up for consideration **CSSB 1659** at this time on its second reading:

CSSB 1659, Relating to the commissioner of education accepting contributions for the public school system, adopting rules regarding grant compliance, and establishing grants for high-quality educational programs.

The motion prevailed.

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

The bill was read second time.

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

Floor Amendment No. 1

Amend **CSSB 1659** (senate committee printing) as follows:

(1) In SECTION 3 of the bill, in added Section 29.924(c), Education Code (page 2, line 7), strike "from available sources, including" and substitute "allocated for that purpose under Section 12.141(c)(1) and".

(2) Strike SECTION 5 of the bill (page 2, line 17), and substitute the following:

SECTION 5. (a) Except as provided by Subsection (b), this Act takes effect September 1, 2017.

(b) This Act takes effect only if S.B. 1658, Acts of the 85th Legislature, Regular Session, 2017, is enacted and becomes law. If S.B. 1658 is not enacted or does not become law, this Act has no effect.

The amendment to **CSSB 1659** 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 except as follows:

Absent-excused: Menéndez.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1659** (senate committee printing) in SECTION 3 of the bill, as follows:

(1) In added Section 29.924(b), Education Code (page 2, line 4), strike "facility purposes" and substitute "the remodeling of current facilities".

(2) Following added Section 29.924(b), Education Code, (page 2, between lines 5 and 6), insert new Sections 29.924(c) and (d) as follows and reletter subsequent subsections of the section as appropriate:

(c) Grant funds awarded under this section may be used by a grant recipient only to implement a high-quality educational program or to enhance a current educational program in order for the program to operate as a high-quality educational program.

(d) In selecting grant recipients under this section, the commissioner must consider the availability of existing resources, including funds and equipment, to students in the school district or open-enrollment charter school.

The amendment to **CSSB 1659** was read and was adopted by a viva voce vote.

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

Absent-excused: Menéndez.

CSSB 1659 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: Garcia.

Absent-excused: Menéndez.

COMMITTEE SUBSTITUTE SENATE BILL 1659 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 1659** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Garcia.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 830 ON SECOND READING

Senator Rodríguez moved to suspend the regular order of business to take up for consideration **CSSB 830** at this time on its second reading:

CSSB 830, Relating to the provision of accounting statements by mortgage servicers for certain loans secured by a lien on residential real property.

The motion prevailed.

Senators Burton, Campbell, Creighton, Huffines, and Hughes asked to be recorded as voting "Nay" on suspension of the regular order of business.

Senator Taylor of Collin asked to be recorded as "Present-not voting" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by the following vote: Yeas 24, Nays 5, Present-not voting 1.

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

Nays: Burton, Campbell, Creighton, Huffines, Hughes.

Present-not voting: Taylor of Collin.

Absent-excused: Menéndez.

COMMITTEE SUBSTITUTE SENATE BILL 830 ON THIRD READING

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 830** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 5, Present-not voting 1.

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

Nays: Burton, Campbell, Creighton, Huffines, Hughes.

Present-not voting: Taylor of Collin.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 5, Present-not voting 1. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 1713 ON SECOND READING

Senator Uresti moved to suspend the regular order of business to take up for consideration **CSSB 1713** at this time on its second reading:

CSSB 1713, Relating to the collection of, and notices and reports regarding, state sales and use taxes; providing an administrative penalty.

The motion prevailed by the following vote: Yeas 20, Nays 10.

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

Nays: Buckingham, Burton, Campbell, Creighton, Hall, Hancock, Huffines, Hughes, Kolkhorst, Taylor of Collin.

Absent-excused: Menéndez.

The bill was read second time.

Senator Uresti offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1713** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. STUDY OF SALES AND USE TAX COMPLIANCE. (a) The comptroller shall conduct a study of methods to increase compliance with sales and use tax collection and payment requirements under Chapter 151, Tax Code.

(b) The study must:

(1) consider various possible methods to increase sales and use tax compliance, including:

(A) imposing registration or information reporting requirements on persons who refer purchasers in this state to out-of-state retailers;

(B) requiring retailers to notify purchasers of use tax payment requirements; and

(C) imposing information reporting requirements for retailers making sales subject to use tax;

(2) examine actions taken by other states to increase sales and use tax compliance and the results of those actions;

(3) include the estimated fiscal impact to this state, including to small local businesses in this state, of the potential methods to increase sales and use tax compliance considered in the study; and

(4) estimate the information technology costs to this state associated with the potential methods to increase sales and use tax compliance considered in the study.

(c) The comptroller shall consult with the office of the attorney general regarding the constitutionality of the potential methods to increase sales and use tax compliance considered in the study. The comptroller shall indicate any possible constitutional issues in the report of the results of the study.

(d) Not later than December 1, 2018, the comptroller shall issue a written report of the results of the study under this section, including recommendations for legislation to increase compliance with sales and use tax collection and payment requirements. The comptroller shall post the report on the comptroller's Internet website and provide notice of the availability of the report to the members of the legislature.

(e) This section expires January 1, 2019.

SECTION 2. EFFECTIVE DATE; CONTINGENCY. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2017.

(b) This Act takes effect only if the 85th Legislature appropriates money specifically for the purpose of implementing this Act. If the legislature does not appropriate money specifically for the purpose of implementing this Act, this Act has no effect.

The amendment to **CSSB 1713** 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 except as follows:

Absent-excused: Menéndez.

CSSB 1713 as amended was passed to engrossment by the following vote: Yeas 20, Nays 10.

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

Nays: Buckingham, Burton, Campbell, Creighton, Hall, Hancock, Huffines, Hughes, Kolkhorst, Taylor of Collin.

Absent-excused: Menéndez.

SENATE BILL 1407 ON SECOND READING

On motion of Senator Taylor of Collin and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1407** at this time on its second reading:

SB 1407, Relating to the information required to be included in or with a school district ad valorem tax bill.

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:

Absent-excused: Menéndez.

SENATE BILL 1407 ON THIRD READING

Senator Taylor of Collin moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1407** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 2078 ON SECOND READING

Senator Taylor of Galveston moved to suspend the regular order of business to take up for consideration **CSSB 2078** at this time on its second reading:

CSSB 2078, Relating to the duties of school districts, open-enrollment charter schools, the Texas Education Agency, and the Texas School Safety Center regarding multihazard emergency operations plans and other school safety measures.

The motion prevailed.

Senators Buckingham, Burton, 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: Buckingham, Burton, Taylor of Collin.

Absent-excused: Menéndez.

COMMITTEE SUBSTITUTE SENATE BILL 2078 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 2078** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

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

Nays: Buckingham, Burton, Taylor of Collin.

Absent-excused: Menéndez.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3. (Same as previous roll call)

(President in Chair)

SENATE BILL 2190 WITH HOUSE AMENDMENTS

Senator Huffman called **SB 2190** 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.

Floor Amendment No. 1

Amend **SB 2190** (house committee printing) as follows:

(1) On page 1, line 8, strike "(12),".

(2) Strike page 4, line 26, through page 5, line 2.

(3) Strike page 12, line 11, through page 17, line 4, and substitute the following:

Sec. 1C. ALTERNATIVE RETIREMENT PLANS. (a) In this section, "salary-based benefit plan" means a retirement plan provided by the fund under this article that provides member benefits calculated in accordance with a formula that is based on multiple factors, one of which is the member's salary at the time of the member's retirement.

(b) Notwithstanding any other law, including Section 13G of this article, the board and the municipality may enter into a written agreement to offer an alternative retirement plan or plans, including a cash balance retirement plan or plans, if both parties consider it appropriate.

(c) Notwithstanding any other law, including Section 13G of this article, if, beginning with the final risk sharing valuation study prepared under Section 13B of this article on or after July 1, 2021, either the funded ratio of the fund is less than 65 percent as determined in the final risk sharing valuation study without making any adjustments under Section 13E or 13F of this article, or the funded ratio of the fund is less than 65 percent as determined in a revised and restated risk sharing valuation study prepared under Section 13B(a)(7) of this article, the board and the municipality shall, as soon as practicable but not later than the 60th day after the date the determination is made:

(1) enter into a written agreement to establish a cash balance retirement plan that complies with Section 1D of this article; and

(2) require each firefighter first hired by the municipality on or after the 90th day after the date the cash balance retirement plan is established to participate in the cash balance retirement plan established under this subsection instead of participating in the salary-based benefit plan, provided the firefighter would have otherwise been eligible to participate in the salary-based benefit plan.

Sec. 1D. REQUIREMENTS FOR CERTAIN CASH BALANCE RETIREMENT PLANS. (a) In this section:

(1) "Cash balance plan participant" means a firefighter who participates in a cash balance retirement plan.

(2) "Cash balance retirement plan" means a cash balance retirement plan established by written agreement under Section 1C(b) or 1C(c) of this article.

(3) "Interest" means the interest credited to a cash balance plan participant's notional account, which may not:

(A) exceed a percentage rate equal to the cash balance retirement plan's most recent five fiscal years' smoothed rate of return; or

(B) be less than zero percent.

(4) "Salary-based benefit plan" has the meaning assigned by Section 1C of this article.

(b) The written agreement establishing a cash balance retirement plan must:

(1) provide for the administration of the cash balance retirement plan;

(2) provide for a closed amortization period not to exceed 20 years from the date an actuarial gain or loss is realized;

(3) provide for the crediting of municipal and cash balance plan participant contributions to each cash balance plan participant's notional account;

(4) provide for the crediting of interest to each cash balance plan participant's notional account;

(5) include a vesting schedule;

(6) include benefit options, including options for cash balance plan participants who separate from service prior to retirement;

(7) provide for death and disability benefits;

(8) allow a cash balance plan participant who is eligible to retire under the plan to elect to:

(A) receive a monthly annuity payable for the life of the cash balance plan participant in an amount actuarially determined on the date of the cash balance plan participant's retirement based on the cash balance plan participant's accumulated notional account balance annuitized in accordance with the actuarial assumptions and actuarial methods established in the most recent actuarial experience study conducted under Section 13D of this article, except that the assumed rate of return applied may not exceed the fund's assumed rate of return in the most recent risk sharing valuation study; or

(B) receive a single, partial lump-sum payment from the cash balance plan participant's accumulated notional account balance and a monthly annuity payable for life in an amount determined in accordance with Paragraph (A) of this subdivision based on the cash balance plan participant's notional account balance after receiving the partial lump-sum payment; and

(9) include any other provision determined necessary by:

(A) the board and the municipality; or

(B) the fund for purposes of maintaining the tax-qualified status of the fund under Section 401 of the code.

(c) Notwithstanding any other law, including Section 13 of this article, a firefighter who participates in a cash balance retirement plan:

(1) subject to Subsection (d) of this section, is not eligible to be a member of and may not participate in the fund's salary based benefit plan; and

(2) may not accrue years of participation or establish service credit in the salary-based benefit plan during the period the firefighter is participating in the cash balance retirement plan.

(d) A cash balance plan participant is considered a member for purposes of Sections 13A through 13H of this article.

(e) At the time the cash balance retirement plan is implemented, the employer normal cost rate of the cash balance retirement plan may not exceed the employer normal cost rate for the salary-based benefit plan.

(4) On page 27, line 13, strike "13(c)" and substitute "13(c-1)".

(5) On page 33, line 4, strike "section" and substitute "subsection".

(6) On page 67, lines 14 through 16, strike "In this context, the term does not include an alternative retirement plan established under Section 2B of this article."

(7) Strike page 70, line 15, through page 75, line 4, and substitute the following:

Sec. 2B. ALTERNATIVE RETIREMENT PLANS. (a) In this section, "salary-based benefit plan" means a retirement plan provided by the pension system under this article that provides member benefits calculated in accordance with a formula that is based on multiple factors, one of which is the member's salary at the time of the member's retirement.

(b) Notwithstanding any other law, including Section 9F of this article, and except as provided by Subsection (c) of this section, the board and the city may enter into a written agreement under Section 27 of this article to offer an alternative retirement plan or plans, including a cash balance retirement plan or plans, if both parties consider it appropriate.

(c) Notwithstanding any other law, including Section 9F of this article, and except as provided by Subsection (d) of this section, if, beginning with the final risk sharing valuation study prepared under Section 9A of this article on or after July 1, 2021, either the funded ratio of the pension system is less than 65 percent as determined in the final risk sharing valuation study without making any adjustments under Section 9D or 9E of this article, or the funded ratio of the pension system is less than 65 percent as determined in a revised and restated risk sharing valuation study prepared under Section 9A(a)(7) of this article, the board and the city shall, as soon as practicable but not later than the 60th day after the date the determination is made:

(1) enter into a written agreement under Section 27 of this article to establish a cash balance retirement plan that complies with Section 2C of this article; and

(2) require each employee first hired by the city on or after the 90th day after the date the cash balance retirement plan is established to participate in the cash balance retirement plan established under this subsection instead of participating in the salary-based benefit plan, provided the employee would have otherwise been eligible to participate in the salary-based benefit plan.

(d) If the city fails to deliver the proceeds of the pension obligation bonds described by Section 9B(j)(1) of this article within the time prescribed by that subdivision, notwithstanding the funded ratio of the pension system, the board and the city may not establish a cash balance retirement plan under Subsection (c) of this section.

Sec. 2C. REQUIREMENTS FOR CERTAIN CASH BALANCE RETIREMENT PLANS. (a) In this section:

(1) "Cash balance plan participant" means an employee who participates in a cash balance retirement plan.

(2) "Cash balance retirement plan" means a cash balance retirement plan established by written agreement under Section 2B(b) of this article or Section 2B(c) of this article.

(3) "Interest" means the interest credited to a cash balance plan participant's notional account, which may not:

(A) exceed a percentage rate equal to the cash balance retirement plan's most recent five fiscal years' smoothed rate of return; or

(B) be less than zero percent.

(4) "Salary-based benefit plan" has the meaning assigned by Section 2B of this article.

(b) The written agreement establishing a cash balance retirement plan must:

(1) provide for the administration of the cash balance retirement plan;

(2) provide for a closed amortization period not to exceed 20 years from the date an actuarial gain or loss is realized;

(3) provide for the crediting of city and cash balance plan participant contributions to each cash balance plan participant's notional account;

(4) provide for the crediting of interest to each cash balance plan participant's notional account;

(5) include a vesting schedule;

(6) include benefit options, including options for cash balance plan participants who separate from service prior to retirement;

(7) provide for death and disability benefits;

(8) allow a cash balance plan participant who is eligible to retire under the plan to elect to:

(A) receive a monthly annuity payable for the life of the cash balance plan participant in an amount actuarially determined on the date of the cash balance plan participant's retirement based on the cash balance plan participant's accumulated notional account balance annuitized in accordance with the actuarial assumptions and actuarial methods established in the most recent actuarial experience study conducted under Section 9C of this article, except that the assumed rate of return applied may not exceed the pension system's assumed rate of return in the most recent risk sharing valuation study; or

(B) receive a single, partial lump-sum payment from the cash balance plan participant's accumulated account balance and a monthly annuity payable for life in an amount determined in accordance with Paragraph (A) of this subdivision based on the cash balance plan participant's notional account balance after receiving the partial lump-sum payment; and

(9) include any other provision determined necessary by:

(A) the board and the city; or

(B) the pension system for purposes of maintaining the tax-qualified status of the pension system under Section 401 of the code.

(c) Notwithstanding any other law, including Sections 2(1), 11, and 12 of this article, an employee who participates in a cash balance retirement plan:

(1) subject to Subsection (d) of this section, is not eligible to be an active member of and may not participate in the salary-based benefit plan; and

(2) may not accrue years of service or establish service credit in the salary-based benefit plan during the period the employee is participating in the cash balance retirement plan.

(d) A cash balance plan participant is considered an active member for purposes of Sections 9 through 9G of this article.

(e) At the time of implementation of the cash balance retirement plan, the employer normal cost rate of the cash balance retirement plan may not exceed the employer normal cost rate of the salary-based benefit plan.

(8) On page 164, lines 11 through 13, strike "In this context, the term does not include a cash balance retirement plan established under Section 1C of this Act."

(9) Strike page 168, line 18, through page 173, line 7, and substitute the following:

Sec. 1C. ALTERNATIVE RETIREMENT PLANS. (a) In this section, "salary-based benefit plan" means a retirement plan provided by the pension system under this Act that provides member benefits that are calculated in accordance with a formula that is based on multiple factors, one of which is the employee's salary at the time of the member's retirement.

(b) Notwithstanding any other law, including Section 8H of this Act, and except as provided by Subsection (c) of this section, the pension board and the city may enter into a written agreement under Section 3(n) of this Act to offer an alternative retirement plan or plans, including a cash balance retirement plan or plans, if both parties consider it appropriate.

(c) Notwithstanding any other law, including Section 8H of this Act, and except as provided by Subsection (d) of this section, if, beginning with the final risk sharing valuation study prepared under Section 8B of this Act on or after July 1, 2027, either the funded ratio of the pension system is less than 60 percent as determined in the final risk sharing valuation study without making any adjustments under Section 8E or 8F of this Act, or the funded ratio of the pension system is less than 60 percent as determined in a revised and restated risk sharing valuation study prepared under Section 8B(a)(8) of this Act, the pension board and the city shall, as soon as practicable but not later than the 60th day after the date the determination is made:

(1) enter into a written agreement under Section 3(n) of this Act to establish a cash balance retirement plan that complies with Section 1D of this Act; and

(2) require each employee first hired by the city on or after the 90th day after the date the cash balance retirement plan is established to participate in the cash balance retirement plan established under this subsection instead of participating in the salary-based benefit plan, provided the employee would have otherwise been eligible to participate in the salary-based benefit plan.

(d) If the city fails to deliver the proceeds of the pension obligation bonds described by Section 8C(j)(1) of this Act within the time prescribed by that subdivision, notwithstanding the funded ratio of the pension system, the pension board and the city may not establish a cash balance retirement plan under Subsection (c) of this section.

Sec. 1D. REQUIREMENTS FOR CERTAIN CASH BALANCE RETIREMENT PLANS. (a) In this section:

(1) "Cash balance plan participant" means an employee who participates in a cash balance retirement plan.

(2) "Cash balance retirement plan" means a cash balance retirement plan established by written agreement under Section 1C(b) or Section 1C(c) of this Act.

(3) "Interest" means the interest credited to a cash balance plan participant's notional account, which may not:

(A) exceed a percentage rate equal to the cash balance retirement plan's most recent five fiscal years' smoothed rate of return; or

(B) be less than zero percent.

(4) "Salary-based benefit plan" has the meaning assigned by Section 1C of this Act.

(b) The written agreement establishing a cash balance retirement plan must:

(1) provide for the administration of the cash balance retirement plan;

(2) provide for a closed amortization period not to exceed 20 years from the date an actuarial gain or loss is realized;

(3) provide for the crediting of city and cash balance plan participant contributions to each cash balance plan participant's notional account;

(4) provide for the crediting of interest to each cash balance plan participant's notional account;

(5) include a vesting schedule;

(6) include benefit options, including options for cash balance plan participants who separate from service prior to retirement;

(7) provide for death and disability benefits;

(8) allow a cash balance plan participant who is eligible to retire under the plan to elect to:

(A) receive a monthly annuity payable for the life of the cash balance plan participant in an amount actuarially determined on the date of the cash balance plan participant's retirement based on the cash balance plan participant's accumulated notional account balance annuitized in accordance with the actuarial assumptions and actuarial methods established in the most recent actuarial experience study conducted under Section 8D of this Act, except that the assumed rate of return applied may not exceed the pension system's assumed rate of return in the most recent risk sharing valuation study; or

(B) receive a single, partial lump-sum payment from the cash balance plan participant's accumulated account balance and a monthly annuity payable for life in an amount determined in accordance with Paragraph (A) of this subdivision based on the cash balance plan participant's account balance after receiving the partial lump-sum payment; and

(9) include any other provision determined necessary by:

(A) the pension board and the city; or

(B) the pension system for purposes of maintaining the tax-qualified status of the pension system under Section 401, Internal Revenue Code of 1986, as amended.

(c) Notwithstanding any other law, including Section 5 of this Act, an employee who participates in a cash balance retirement plan:

(1) subject to Subsection (d) of this section, is not eligible to be a member of and may not participate in the salary-based benefit plan; and

(2) may not earn credited service in the salary-based benefit plan during the period the employee is participating in the cash balance retirement plan.

(d) A cash balance plan participant is considered a member for purposes of Section 8A through 8I of this Act.

(e) At the time of implementation of the cash balance retirement plan, the employer normal cost rate of the cash balance retirement plan may not exceed the employer normal cost rate of the salary-based benefit plan.

Floor Amendment No. 2

Amend **SB 2190** (house committee printing) as follows:

(1) On page 11, line 3, strike "and 1E" and substitute "1E, and 1F".

(2) On page 17, between lines 6 and 7, insert the following:

Sec. 1F. BENEFIT REDUCTION PROPOSAL. (a) Notwithstanding any other provision of this article, including Section 13G of this article, not later than the fifth day after the year 2017 effective date:

(1) the fund shall submit:

(A) actuarial data to the municipal actuary; and

(B) a benefit reduction proposal to the municipal actuary; and

(2) subject to Subsection (b) of this section, the municipality, in the municipality's sole discretion, may enter into a written agreement with the fund to:

(A) rescind some or all of the benefit changes made effective under

SB 2190, Acts of the 85th Legislature, Regular Session, 2017, as of the year 2017 effective date; and

(B) prospectively adopt some or all of the benefit reductions included in the benefit reduction proposal described under Subdivision (1)(B) of this subsection.

(b) Any benefit change included in a written agreement described under Subsection (a)(2) of this section must, for the fiscal year ending June 30, 2016, result in a legacy liability, as determined by the municipal actuary in accordance with an initial risk sharing valuation study prepared under Section 13C of this article, that is:

(1) not more than \$658 million; and

(2) not less than \$435.5 million.

(c) If necessary to reflect changes in benefits included in a written agreement adopted under Subsection (a)(2) of this section, the initial risk sharing valuation study shall be revised and restated, including a restatement of the amortization of the legacy liability over the remaining period and a recalculation of the corridor midpoint for the remainder of the applicable 31-year period, and the resulting municipal contribution rate will become effective in the fiscal year following the completion of the restated initial risk sharing valuation study.

(3) On page 17, line 5, strike "1E" and substitute "1F".

Floor Amendment No. 3

Amend **SB 2190** as follows:

In section 1.14 of the bill, in added section 13C, Article 6243e.2(1), Revised Statutes, insert (page 45 following line 10) new subsections (j) and (k) as follows:

(j) Notwithstanding any other provision of this article, including Section 13G of this article:

1. If the municipality fails to deliver the proceeds of pension obligation bonds totaling \$750 million to the pension system governed in whole or part by article 6243g-4, revised statutes, on or before May 31, 2018, the board shall have 30 days from May 31, 2018, to rescind, prospectively, any or all benefit changes made effective under **SB 2190**, Acts of the 85th Legislature, Regular Session, 2017, as of the year 2017 effective date; and

2. Subject to Subsection (k) of the section, if the board rescinds benefit changes under Subdivision (1) of this subsection or pension obligation bond proceeds are not delivered on or before the deadline prescribed by Subdivision (1) of this subsection, the initial risk sharing valuations study shall be prepared again and restated without assuming the rescinded benefit changes, as applicable, and the resulting municipal contribution rate will become effective in the fiscal year following the completion of the restated initial risk sharing valuation study.

(k) The restated initial risk sharing valuation study required under Subsection (j) (2) of this section must be completed at least 30 days before the start of the fiscal year ending June 30, 2019.

Floor Amendment No. 4

Amend **SB 2190** (house committee printing), on page 58, between lines 15 and 16, by inserting the following appropriately numbered SECTION and renumbering subsequent SECTIONS of ARTICLE 1 accordingly:

SECTION 1. _____. Sections 4 and 11, Article 6243e.2(1), Revised Statutes, as amended by this article, do not apply to a member of the firefighters' relief and retirement fund established under Article 6243e.2(1), Revised Statutes, as amended by this article, who retired before the effective date of this Act. A member of the firefighters' relief and retirement fund established under Article 6243e.2(1), Revised Statutes, who retired before the effective date of this Act is subject to the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

The amendments were read.

Senator Huffman moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The President asked if there were any motions to instruct the conference committee on **SB 2190** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate: Senators Huffman, Chair; Nelson, Schwertner, Hancock, and Uresti.

SENATE JOINT RESOLUTION 2 WITH HOUSE AMENDMENTS

Senator Birdwell called **SJR 2** from the President's table for consideration of the House amendments to the resolution.

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

Amendment

Amend **SJR 2** by substituting in lieu thereof the following:

A JOINT RESOLUTION

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

WHEREAS, The drafters of the United States Constitution empowered state legislatures to be guardians of liberty against abuses of power by the federal government; and

WHEREAS, The federal government has abused its power by creating a crushing national debt through improper and imprudent spending; and

WHEREAS, The federal government has abused its power by invading the legitimate role of the states through the manipulative process of federal mandates that are to a great extent unfunded; and

WHEREAS, The federal government has ceased to abide by a proper interpretation of the United States Constitution; and

WHEREAS, It is the solemn duty of state legislatures to protect the liberty of the people and of future generations by proposing amendments to the United States Constitution that place clear restraints on federal power; and

WHEREAS, Article V of the United States Constitution authorizes the several state legislatures to restrict the power of the federal government through the amendment process; and

WHEREAS, Article V of the United States Constitution provides that on application of the legislatures of two-thirds of the several states Congress shall call a convention for the purpose of proposing amendments to the constitution; now, therefore, be it

RESOLVED, That the 85th Texas Legislature apply to Congress to call a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

RESOLVED, That, unless rescinded by a succeeding legislature, this application by the 85th Texas Legislature constitutes a continuing application in accordance with Article V of the United States Constitution until at least two-thirds of the legislatures of the several states have applied to Congress to call a convention for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

RESOLVED, That, notwithstanding the provisions of this resolution, the 85th Texas Legislature makes this application to Congress and imposes the duties prescribed by this resolution on the Texas secretary of state only if S.B. 21 or H.B. 506, 85th Legislature, Regular Session, 2017, becomes law and S.J.R. 38, 85th Legislature, Regular Session, 2017, takes effect; and, be it further

RESOLVED, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the House of Representatives and the president of the Senate of the Congress of the United States, and to all members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as an application to Congress for a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

RESOLVED, That the Texas secretary of state forward official copies of this resolution to the secretaries of state and to the presiding officers of the legislatures of the several states with the request that they join this state in applying to Congress for a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

Floor Amendment No. 1

Amend **CSSJR 2** (house committee printing) by striking page 2, line 22, through page 3, line 1.

The amendments were read.

Senator Birdwell moved to concur in the House amendments to **SJR 2**.

The motion prevailed by the following vote: Yeas 20, Nays 10.

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, Miles, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Absent-excused: Menéndez.

SENATE BILL 21 WITH HOUSE AMENDMENT

Senator Birdwell called **SB 21** from the President's table for consideration of the House amendment to the bill.

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

Amendment

Amend **SB 21** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

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

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

SECTION 1. Subtitle Z, Title 3, Government Code, is amended by adding Chapter 393 to read as follows:

CHAPTER 393. DELEGATES TO FEDERAL ARTICLE V CONVENTIONS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 393.001. DEFINITIONS. In this chapter:

(1) "Alternate delegate" means an individual appointed under Section 393.052 to represent this state as an alternate delegate at an Article V convention.

(2) "Article V convention" means a convention called by the United States Congress under Article V of the United States Constitution.

(3) "Delegate" means:

(A) the governor;

(B) an individual appointed under Section 393.052 to represent this state as a delegate at an Article V convention; or

(C) an alternate delegate who fills a vacancy in the office of the alternate delegate's paired delegate.

(4) "Unauthorized vote" means a vote cast by a delegate or alternate delegate at an Article V convention that:

(A) is contrary to the instructions adopted under Section 393.101 in effect at the time the vote is taken;

(B) exceeds the scope or subject matter of the Article V convention as authorized by the legislature in the application to the United States Congress to call the convention if the legislature made an application to call the convention; or

(C) exceeds the scope or subject matter of the Article V convention if the legislature did not make an application to the United States Congress to call the convention.

Sec. 393.002. RULES AND PROCEDURES. (a) The legislature by concurrent resolution shall provide the rules and procedures necessary to implement this chapter.

(b) A legislative action relating to the appointment or recall of a delegate or alternate delegate, the filling of a vacancy in the office of a delegate or alternate delegate, or the determination of an unauthorized vote may be accomplished through a resolution adopted by the house that takes the action.

SUBCHAPTER B. DELEGATES AND ALTERNATE DELEGATES

Sec. 393.051. GOVERNOR AS EX OFFICIO DELEGATE. (a) The governor shall serve as a delegate to an Article V convention.

(b) The governor is the head of the state delegation of delegates to the convention.

(c) Service as a delegate by the governor is an additional duty of the governor's office.

Sec. 393.052. APPOINTMENT. (a) The legislature shall appoint delegates and alternate delegates to the convention, other than the governor, as provided by this section.

(b) If the difference between the number of delegates allocated to represent the state at the Article V convention and one is an even number:

(1) the house of representatives shall appoint a number of individuals as delegates that is equal to one-half of that number and the same number of individuals as alternate delegates; and

(2) the senate shall appoint a number of individuals as delegates that is equal to one-half of that number and the same number of individuals as alternate delegates.

(c) If the difference between the number of delegates allocated to represent the state at the Article V convention and one is an odd number greater than one:

(1) the house of representatives shall appoint a number of individuals as delegates that is equal to three-fifths of that number or as close to that proportion as possible and the same number of individuals as alternate delegates; and

(2) the senate shall appoint a number of individuals as delegates that is equal to two-fifths of that number or as close to that proportion as possible and the same number of individuals as alternate delegates.

(d) If the number of delegates allocated to represent the state at the Article V convention is two, the house of representatives shall appoint one individual as a delegate and one individual as an alternate delegate.

(e) If applicable, service as a delegate or alternate delegate by a member of the legislature is an additional duty of the member's legislative office.

(f) The appointing house shall pair each alternate delegate with an appointed delegate at the time each appointment is made.

Sec. 393.053. VACANCY. (a) An alternate delegate automatically fills a vacancy in the office of the alternate delegate's paired delegate unless the office of the alternate delegate is simultaneously vacated.

(b) Except as provided by Subsection (a), the house that appointed a delegate or alternate delegate shall fill a vacancy in the office of the delegate or alternate delegate as soon as possible after the vacancy occurs.

Sec. 393.054. RECALL. (a) The house that appointed a delegate or alternate delegate may recall the delegate or alternate delegate.

(b) A vacancy created by the recall of a delegate or alternate delegate shall be filled in the manner provided by Section 393.053.

Sec. 393.055. COMPENSATION; REIMBURSEMENT OF EXPENSES. (a) A delegate or alternate delegate is not entitled to compensation for service as a delegate or alternate delegate.

(b) A delegate or alternate delegate is entitled to reimbursement for necessary expenses incurred in performance of official duties, subject to any applicable limitation on reimbursement provided by general law or the General Appropriations Act.

Sec. 393.056. OATH. (a) The governor and an individual appointed as a delegate or alternate delegate must take the following oath before voting or taking an action as a delegate or alternate delegate of this state: "I do solemnly swear (or affirm) that to the best of my abilities, I will, as a delegate (or alternate delegate) to the Article V convention, act according to the limits of the authority granted to me as a delegate or alternate delegate by Texas law, will not consider or vote to approve an amendment to the United States Constitution not authorized by the Texas Legislature in its application to the United States Congress to call this convention or an amendment outside the scope of this convention if the Texas Legislature did not make an application to the United States Congress to call this convention, and will faithfully abide by and execute the instructions to delegates or alternate delegates adopted by the Texas Legislature."

(b) Each delegate and alternate delegate must file the executed oath with the secretary of state.

Sec. 393.057. PROHIBITION ON ACCEPTANCE OF BENEFIT. A delegate or alternate delegate may not accept a gift, a loan, food or beverages, entertainment, lodging, transportation, or another benefit from a person, including a corporation, nonprofit organization, or individual, if that person is required to register as a lobbyist under Chapter 305 or under other law.

SUBCHAPTER C. DUTIES OF DELEGATES AND ALTERNATE DELEGATES

Sec. 393.101. INSTRUCTIONS TO DELEGATES AND ALTERNATE DELEGATES. (a) The legislature by joint resolution shall adopt instructions to the delegates and alternate delegates to govern the actions of those officers at the Article V convention.

(b) The legislature may not adopt instructions for an Article V convention called following an application by the legislature to the United States Congress for the convention that authorize a delegate or alternate delegate to consider or vote to approve an amendment to the United States Constitution that is not authorized by the legislature in its application for the convention.

(c) The legislature by joint resolution may amend the instructions at any time.

Sec. 393.102. DUTY OF ALTERNATE DELEGATE. An alternate delegate shall act in the place of the alternate delegate's paired delegate when the delegate is absent from the convention.

Sec. 393.103. UNAUTHORIZED VOTE. (a) A delegate or alternate delegate may not cast an unauthorized vote.

(b) Except as provided by Section 393.104, the determination that a vote cast by an appointed delegate or alternate delegate is an unauthorized vote may only be made by the house that appointed the delegate or alternate delegate who cast the vote.

(c) A vote cast by an appointed delegate or alternate delegate and determined to be an unauthorized vote is invalid.

(d) An appointed delegate or alternate delegate who casts a vote determined to be an unauthorized vote is disqualified to continue to serve as a delegate or alternate delegate. A vacancy in the office of a delegate or alternate delegate created by the disqualification of the delegate or alternate delegate shall be filled in the manner provided by Section 393.053.

(e) The presiding officer of the house that determined that an appointed delegate or alternate delegate has cast an unauthorized vote shall promptly notify the head of the state delegation and the presiding officer of the Article V convention that the delegate or alternate delegate has cast an unauthorized vote and is disqualified to serve as a delegate or alternate delegate.

Sec. 393.104. OVERSIGHT COMMITTEE. (a) The legislature shall appoint an Article V Oversight Committee at the time delegates and alternate delegates are appointed under Section 393.052.

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

(1) the lieutenant governor;

(2) the speaker of the house of representatives;

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

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

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

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

of the house of representatives.

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

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

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

(2) determine whether a vote cast by an appointed delegate or alternate delegate is an unauthorized vote.

(e) A vote cast by an appointed delegate or alternate delegate is an unauthorized vote if seven or more members of the committee determine by committee vote that the vote cast was an unauthorized vote.

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

SECTION 2. 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.

The amendment was read.

Senator Birdwell moved that the Senate do not concur in the House amendment, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The President asked if there were any motions to instruct the conference committee on **SB 21** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate: Senators Birdwell, Chair; Bettencourt, Buckingham, Lucio, and Hughes.

BILLS SIGNED

The President announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read:

HB 409, HB 1483, HB 1612, HB 1818.

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 Burton and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Administration might meet tomorrow.

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 at Senator Hancock's 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:

HB 21, HB 639, HB 657, HB 878, HB 1469, HB 2130, HB 3157.

SENATE RULES SUSPENDED
(Posting Rules)

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

HB 1990, HB 2928, HB 3275, HB 3276, HB 4042.

SENATE RULES SUSPENDED
(Posting Rules)

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

HB 1819, HB 1877, HB 2048, HB 834, HB 1043, HB 2849, HB 4284, HB 3481, HB 999, HB 874, SB 2149.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Intergovernmental Relations might meet and consider **SB 1609** at his desk today.

CO-AUTHOR OF SENATE BILL 370

On motion of Senator Garcia, Senator West will be shown as Co-author of **SB 370**.

CO-AUTHOR OF SENATE BILL 908

On motion of Senator Creighton, Senator Garcia will be shown as Co-author of **SB 908**.

CO-AUTHORS OF SENATE BILL 1101

On motion of Senator Taylor of Collin, Senators Hinojosa and Lucio will be shown as Co-authors of **SB 1101**.

CO-AUTHOR OF SENATE BILL 1484

On motion of Senator Taylor of Galveston, Senator Garcia will be shown as Co-author of **SB 1484**.

CO-AUTHOR OF SENATE BILL 1553

On motion of Senator Menéndez, Senator Uresti will be shown as Co-author of **SB 1553**.

CO-AUTHOR OF SENATE BILL 1838

On motion of Senator Hughes, Senator Bettencourt will be shown as Co-author of **SB 1838**.

CO-SPONSOR OF HOUSE BILL 1001

On motion of Senator Zaffirini, Senator Garcia will be shown as Co-sponsor of **HB 1001**.

CO-SPONSOR OF HOUSE BILL 1638

On motion of Senator West, Senator Garcia will be shown as Co-sponsor of **HB 1638**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 759 by Estes and Watson, In memory of Harrison Brown.

Congratulatory Resolutions

SR 755 by Hughes, Recognizing Tom and Pat Bingham on the occasion of their 60th wedding anniversary.

SR 756 by Hughes, Recognizing James Greer for his service to Harrison County.

SR 757 by Hughes, Recognizing Rebecca Simpson on the occasion of her retirement.

SR 758 by Lucio, Recognizing Gaspar Garcia for his service to Oliveira Middle School.

SR 761 by Schwertner, Recognizing Ferdinand and Laverne Tonn on the occasion of their 60th wedding anniversary.

SR 762 by Seliger, Recognizing Cherylyn Murray on the occasion of her 60th birthday.

SR 763 by West, Recognizing the Successful Treatment of Addiction through Collaboration Court of Dallas County on the occasion of its 10th anniversary.

RECESS AND MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 5:49 p.m. agreed to recess until 8:00 a.m. tomorrow for the Local and Uncontested Calendar Session.

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

APPENDIX

COMMITTEE REPORTS

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

May 10, 2017

ADMINISTRATION — **CSHCR 42**

STATE AFFAIRS — **CSHB 791, CSSB 506**

AGRICULTURE, WATER, AND RURAL AFFAIRS — **SB 2283, CSSB 1587, CSSB 1392, HB 1648, HB 886, HB 294, HB 544, HCR 31**

BUSINESS AND COMMERCE — **HB 2964, HB 635, HB 1555, HB 2027, HB 2060, HB 2113, HB 2579, HB 2823, HB 1701, HB 2061, HB 2437**

TRANSPORTATION — **HB 1699, HB 216, HB 263, HB 516, HB 561, HB 920, HB 979, HB 1221, HB 1345, HB 1790, HB 1793, HB 2065, HB 2968, HB 3536, HB 4156**

BILLS AND RESOLUTION ENGROSSED

May 9, 2017

SB 50, SB 83, SB 349, SB 384, SB 436, SB 748, SB 764, SB 1143, SB 1239, SB 1294, SB 1314, SB 1660, SB 1679, SB 1794, SB 1873, SB 1981, SB 2068, SB 2094, SB 2140, SJR 54

RESOLUTIONS ENROLLED

May 9, 2017

SR 682, SR 704, SR 740, SR 749, SR 750, SR 751, SR 752, SR 753, SR 754

SENT TO SECRETARY OF STATE

May 10, 2017

SJR 60

SENT TO GOVERNOR

May 10, 2017

**SB 24, SB 77, SB 256, SB 561, SB 1012, SB 1459, SB 1533, SB 1871, SB 1955,
SB 1976, SB 2105**

SIGNED BY GOVERNOR

May 10, 2017

SB 988, SB 1120, SCR 25, SCR 43, SCR 44, SCR 45

