

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-SIXTH DAY

(Monday, May 15, 2017)

The Senate met at 2:00 p.m. pursuant to adjournment and was called to order by the President.

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

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

Pastor Steven Branson, Village Parkway Baptist Church, San Antonio, offered the invocation as follows:

Our Father who is in heaven, it is with great honor that we give thanks to You this day from the floor of the Texas Senate. We give thanks to You for You are good and Your loving kindness is everlasting. We thank You this day because You give us the privilege to call upon You. We know from Your word that You are with us, therefore we do not have to live in fear. We do not have to worry about what man can do to us. Your hand is upon each one in this room, therefore, Father, give them humility and the courage which flows from it to do that which is right and just for life in Texas. We thank You this day because we can take refuge in You. You tell us not to trust man but to entrust ourselves into Your providential care. You have promised to never leave us nor forsake us in life. So, teach us this day that when we walk by faith and we trust You to protect us, that life works and that we can have a powerful impact for righteousness. We thank You this day that You are our strength, that You are the song that comes from our hearts, and that You are our salvation through Your son, Jesus Christ. Father, my prayer is that each Senator in this room will live this day fully for Your purposes and that You will give them the strength and the wisdom to do the work that is before them. We rejoice and we are glad for this is the day which the Lord has made. We ask for Your grace and Your mercy upon us and that You will bless the Senate Chamber on this day as they do their work. You are our God and we exalt Your name. We thank You because

You are good and Your loving kindness is everlasting. And it is by Your grace and mercy that I ask that You bless all of us in the name of our lord and savior, Jesus Christ. Amen.

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

The motion prevailed without objection.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 15, 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 245 Johnson, Eric
Relating to certain reporting requirements for law enforcement agencies; providing a civil penalty.

HB 661 Parker
Relating to access to certain investigational drugs, biological products, and devices that are in clinical trials by patients with severe chronic diseases.

HB 810 Parker
Relating to the provision of certain investigational stem cell treatments to patients with certain severe chronic diseases or terminal illnesses and regulating the possession, use, and transfer of adult stem cells; creating a criminal offense.

HB 849 Murr
Relating to notice to certain lienholders of cancellation of certain automobile insurance coverages.

HB 1151 Schofield
Relating to the deadline for returning a ballot voted by mail.

HB 1223 Murr
Relating to the operation and movement of authorized emergency vehicles.

HB 1300 Springer
Relating to the collection and use of certain hotel occupancy taxes.

HB 1372 Koop
Relating to information included in the curriculum of each driver education course and driving safety course.

- HB 1616** Thompson, Senfronia
Relating to an exemption from civil liability for certain professionals for the disclosure of certain mental health information.
- HB 1632** Bonnen, Greg
Relating to deferred payment of ad valorem taxes for certain persons serving in the United States armed forces.
- HB 1886** Miller
Relating to dyslexia screening and testing, the employment of dyslexia specialists by regional education service centers, and the development by the Texas Education Agency of a list of training opportunities for educators regarding dyslexia.
- HB 2121** Cyrier
Relating to damages in certain contract claims against the state.
- HB 2473** Davis, Sarah
Relating to the disclosure of gifts by vendors to certain local government officers and of certain relationships with local government officers; creating a criminal offense.
- HB 2542** Anderson, Rodney
Relating to notice to certain insurers by the Texas Department of Insurance regarding supervision or conservatorship of certain insurance agents.
- HB 2552** Thompson, Senfronia
Relating to measures to address and deter certain criminal or other unlawful activity, including trafficking of persons, sexual offenses, prostitution, and activity that may constitute a public nuisance; increasing criminal penalties; creating a criminal offense.
- HB 2557** Miller
Relating to the development of certain local government transportation infrastructure projects; authorizing the issuance of bonds.
- HB 2691** Bonnen, Greg
Relating to certain election practices and procedures.
- HB 2703** Muñoz, Jr.
Relating to a temporary order appointing a receiver in a suit for dissolution of a marriage.
- HB 2755** Turner
Relating to the punishment for the offense of tampering with a governmental record; increasing a criminal penalty.
- HB 2757** Turner
Relating to the donation of sick leave by state employees.
- HB 2782** Wilson
Relating to the method used in rating public school districts and campuses for accountability purposes.
- HB 2908** Hunter
Relating to the punishment for a criminal offense committed against a person because of bias or prejudice on the basis of status as a peace officer or judge; increasing a criminal penalty.

- HB 2962** Capriglione
Relating to reporting requirements by certain physicians and health care facilities for abortion complications; authorizing a civil penalty.
- HB 3015** King, Tracy O.
Relating to vacation leave time accounts for firefighter employee organizations.
- HB 3021** Phelan
Relating to indemnification and duties of engineers and architects under certain governmental contracts.
- HB 3083** Price
Relating to repayment of certain mental health professional education loans.
- HB 3152** Thompson, Senfronia
Relating to the care and transportation provided to a sexual assault survivor by a health care facility.
- HB 3236** Kacal
Relating to the costs associated with the provision of certain investigational drugs, biological products, and devices that are in clinical trials.
- HB 3292** Klick
Relating to the continuation of medical assistance for certain individuals.
- HB 3349** Gervin-Hawkins
Relating to creating an abbreviated certification program and probationary and standard certificates for trade and industrial workforce training.
- HB 3391** Geren
Relating to the creation of a specialty court for certain public safety employees who commit a criminal offense; imposing fees for participation and testing, counseling, and treatment.
- HB 3576** Guerra
Relating to the investigation of, and release of information concerning, communicable disease, including the Zika virus and other high consequence communicable diseases.
- HB 3702** Davis, Yvonne
Relating to the notice of rights provided to an injured employee under the Texas workers' compensation system.
- HB 3735** Frank
Relating to an application for a new or amended water right submitted to the Texas Commission on Environmental Quality.
- HB 3771** Cook
Relating to the definition of abortion.
- HB 3871** Thierry
Relating to substandard residential building fines issued by certain municipalities.
- HB 3991** Larson
Relating to appropriations of water for use in aquifer storage and recovery projects.

SB 179 Menéndez Sponsor: Minjarez
Relating to harassment, bullying, and cyberbullying of a public school student or minor and certain mental health programs for public school students.
(Committee Substitute/Amended)

SB 587 Campbell Sponsor: VanDeaver
Relating to the ability of certain dependents of members of the United States military to enroll full-time in courses provided through the state virtual school network.
(Committee Substitute/Amended)

SB 1171 Estes Sponsor: Paul
Relating to the suspension and reactivation of the operation of the Texas Health Reinsurance System.

SB 1289 Creighton Sponsor: Paddie
Relating to the purchase of iron and steel products made in the United States for certain governmental entity projects.
(Committee Substitute/Amended)

SCR 52 Creighton Sponsor: Metcalf
Urging Congress to pass S.2896, the Care Veterans Deserve Act of 2016.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate Élan Southpark Meadows senior living facility residents and staff.

The Senate welcomed its guests.

(Senator Schwertner in Chair)

PHYSICIAN OF THE DAY

Senator Watson was recognized and presented Dr. Gretchen Crook of Austin as the Physician of the Day.

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

SENATE RESOLUTION 783

Senator Taylor of Collin offered the following resolution:

SR 783, Congratulating Ian Rawn on his fourth place finish in the 2017 Special Olympics World Winter Games figure skating competition.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Taylor of Collin was recognized and introduced to the Senate Special Olympics competitor Ian Rawn, accompanied by his parents, Jeff Rawn and Cinde Rawn; his brother, Madison Rawn; his friend, Kelsey Kroll; Lisa and Tom Kroll; and Special Olympics of Texas Vice-president of Communications Tela Mange.

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.

CONCLUSION OF MORNING CALL

The Presiding Officer at 2:27 p.m. announced the conclusion of morning call.

SENATE BILL 1786 ON THIRD READING

Senator Hall moved to suspend the regular order of business to take up for consideration **SB 1786** at this time on its third reading and final passage:

SB 1786, Relating to the applicability of certain laws to open-enrollment charter schools.

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

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

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

The bill was read third time and was passed by the following vote: Yeas 20, Nays 11. (Same as previous roll call)

GUESTS PRESENTED

Senator Menéndez was recognized and introduced to the Senate East Terrell Hills Elementary School students, accompanied by physical education teacher Brad Cavanaugh; North East ISD Director of Physical Education, Health, and Athletics Rachel Naylor and Athletics Executive Director Karen Funk.

The Senate welcomed its guests.

ACKNOWLEDGMENT

The Presiding Officer recognized Senator Campbell, who acknowledged today as Peace Officers Memorial Day and this week as National Police Week.

HOUSE BILL 728 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 728** at this time on its second reading:

HB 728, Relating to the establishment by the State Board of Education of an advanced computer science program for high school students.

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.

HOUSE BILL 728 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 **HB 728** be placed on its third reading and final passage.

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

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

HOUSE BILL 2580 ON SECOND READING

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2580** at this time on its second reading:

HB 2580, Relating to criminal history record information obtained by the savings and mortgage lending commissioner.

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.

HOUSE BILL 2580 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 2580** be placed on its third reading and final passage.

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

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

SENATE BILL 1963 ON SECOND READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **SB 1963** at this time on its second reading:

SB 1963, Relating to requirements for educator preparation program support for certain candidates for certification.

The motion prevailed.

Senators Garcia, Menéndez, Perry, 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 and was passed to engrossment by the following vote: Yeas 25, Nays 6.

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

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

SENATE BILL 1963 ON THIRD READING

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1963** be placed on its third reading and final passage.

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

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

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

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

SENATE BILL 2141 ON SECOND READING

On motion of Senator Taylor of Galveston and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2141** at this time on its second reading:

SB 2141, Relating to requirements for a representative for a student in a special education due process hearing.

The bill was read second time.

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

Floor Amendment No. 1

Amend **SB 2141** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In amended Section 29.0162(b), Education Code (page 1, line 41), between "require" and "that" insert ", if the representative receives monetary compensation from a person for representation in an impartial due process hearing,".

(2) In amended Section 29.0162(b), Education Code (page 1, line 44), between "require" and "that" insert ", if the representative receives monetary compensation from a person for representation in an impartial due process hearing,".

(3) In added Section 29.0162(e), Education Code (page 1, line 51), strike "unless otherwise required by law".

The amendment to **SB 2141** was read and was adopted by a viva voce vote.

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

SB 2141 as amended was passed to engrossment by a viva voce vote.

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

SENATE BILL 2141 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 **SB 2141** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1553 ON SECOND READING**

Senator Menéndez moved to suspend the regular order of business to take up for consideration **CSSB 1553** at this time on its second reading:

CSSB 1553, Relating to the refusal of entry to or ejection from school district property.

The motion prevailed.

Senators Buckingham and Perry 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 1553** (senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.1051 to read as follows:

Sec. 37.1051. BLUE RIBBON PANEL ON TREATMENT OF UNAUTHORIZED PERSONS. (a) The Blue Ribbon Panel on Treatment of Unauthorized Persons is established to identify best practices regarding a school district's refusal of a person's entry to or ejection of a person from district property and the identification of persons on that property as provided by Section 37.105.

(b) The panel consists of members appointed by the commissioner, who must include:

- (1) a school administrator;
- (2) a member of the board of trustees of a school district;
- (3) a classroom teacher;
- (4) a representative of a parent-teacher organization; and
- (5) a public safety representative.

(c) All meetings of the panel must be open to the public.

(d) The panel shall hold at least one public hearing regarding the treatment of unauthorized persons on school district property.

(e) Not later than August 1, 2018, the panel shall submit to the standing legislative committees with primary jurisdiction over education, and the Texas Education Agency, a report on the panel's findings and any recommendations for legislative or other action.

(f) The agency shall make the recommendations of the report available to all school districts and open-enrollment charter schools.

(g) This section expires September 1, 2019.

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 to **CSSB 1553** was read and was adopted by a viva voce vote.

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

CSSB 1553 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, Perry.

COMMITTEE SUBSTITUTE SENATE BILL 1553 ON THIRD READING

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1553** be placed on its third reading and final passage.

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

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

Nays: Buckingham, Perry.

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

SENATE RESOLUTION 788

Senator Menéndez offered the following resolution:

SR 788, In memory of Bertha Cuellar Gonzalez.

MENÉNDEZ
CAMPBELL
URESTI
ZAFFIRINI

On motion of Senator Menéndez, the resolution was read and was adopted by a rising vote of the Senate.

In honor of the memory of Bertha Cuellar Gonzalez, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Menéndez, joined by Senators Uresti, Zaffirini, and Campbell, was recognized and introduced to the Senate family members of Bertha Cuellar Gonzalez, her sons, Charlie Gonzalez and Stephen Gonzalez; and grandsons, Joshua Gonzalez and Henry Gonzalez III.

The Senate welcomed its guests and extended its sympathy.

SENATE BILL 1683 ON SECOND READING

Senator Lucio moved to suspend the regular order of business to take up for consideration **SB 1683** at this time on its second reading:

SB 1683, Relating to food allergen awareness in food service establishments.

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

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

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

The bill was read second time and was passed to engrossment by the following vote: Yeas 17, Nays 14.

Yeas: Buckingham, Estes, Garcia, Hinojosa, Kolkhorst, Lucio, Menéndez, Miles, Perry, Rodríguez, Schwertner, Seliger, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Burton, Campbell, Creighton, Hall, Hancock, Huffines, Huffman, Hughes, Nelson, Nichols, Taylor of Galveston, Taylor of Collin.

COMMITTEE SUBSTITUTE

SENATE BILL 1353 ON SECOND READING

On motion of Senator Taylor of Galveston and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1353** at this time on its second reading:

CSSB 1353, Relating to state financial assistance for a school district to which an academically unacceptable school district is annexed.

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

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

COMMITTEE SUBSTITUTE

SENATE BILL 1353 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 1353** be placed on its third reading and final passage.

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

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

HOUSE BILL 2437 ON SECOND READING

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2437** at this time on its second reading:

HB 2437, Relating to confidentiality of reports and related information for a solvency examination of an insurance carrier.

The bill was read second time.

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

Floor Amendment No. 1

Amend **HB 2437** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In amended Section 401.058(a), Insurance Code (page 1, line 25), strike "Except as provided by Subsection (c), a [A]" and substitute "A".

(2) In added Section 401.058(c), Insurance Code (page 1, line 36), between "regulatory action" and "that", insert "relating to the administration of this code".

The amendment to **HB 2437** 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.

HB 2437 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.

HOUSE BILL 2437 ON THIRD READING

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2437** be placed on its third reading and final passage.

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

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

(Senator Hancock in Chair)

HOUSE BILL 1761 ON SECOND READING

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1761** at this time on its second reading:

HB 1761, Relating to jurisdiction of the Texas Supreme Court.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1761** (senate committee report) as follows:

(1) In SECTION 1 of the bill, amending Section 22.001(c), Government Code (page 1, line 53), between "subsection" and the comma, insert "or other law".

(2) In SECTION 5 of the bill (page 2, lines 28 and 29), strike "rendered" in both instances it is stated and substitute "signed".

The amendment to **HB 1761** 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.

HB 1761 as amended was passed to third reading by the following vote: Yeas 31, Nays 0.

HOUSE BILL 1761 ON THIRD READING

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1761** be placed on its third reading and final passage.

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

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

SENATE BILL 1683 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1683** be placed on its third reading and final passage:

SB 1683, Relating to food allergen awareness in food service establishments.

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

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

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

The bill was read third time and was passed by the following vote: Yeas 17, Nays 14.

Yeas: Buckingham, Estes, Garcia, Hinojosa, Kolkhorst, Lucio, Menéndez, Miles, Perry, Rodríguez, Schwertner, Seliger, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Burton, Campbell, Creighton, Hall, Hancock, Huffines, Huffman, Hughes, Nelson, Nichols, Taylor of Galveston, Taylor of Collin.

COMMITTEE SUBSTITUTE SENATE BILL 1605 ON SECOND READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 1605** at this time on its second reading:

CSSB 1605, Relating to the availability of certain school district financial information on certain districts' Internet websites.

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

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

Nays: Birdwell, Buckingham, Garcia, Hall, Menéndez, Perry, Rodríguez.

The bill was read second time and was passed to engrossment by the following vote: Yeas 24, Nays 7. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1605 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1605** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Garcia, Hall, Menéndez, Perry, Rodríguez.

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

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

Nays: Birdwell, Buckingham, Garcia, Hall, Menéndez, Perry, Rodríguez.

**COMMITTEE SUBSTITUTE
SENATE BILL 1994 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 1994** at this time on its second reading:

CSSB 1994, Relating to residential mortgage loans, including the financing of residential real estate purchases by means of a wrap mortgage loan; providing licensing requirements; authorizing an administrative penalty.

The motion prevailed by the following vote: Yeas 26, Nays 4, Present-not voting 1.

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

Nays: Burton, Hall, Huffines, Huffman.

Present-not voting: Taylor of Collin.

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

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

Nays: Burton, Hall, Huffines, Huffman.

Present-not voting: Taylor of Collin.

COMMITTEE SUBSTITUTE SENATE BILL 1994 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1994** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4, Present-not voting 1.

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

Nays: Burton, Hall, Huffines, Huffman.

Present-not voting: Taylor of Collin.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 4, Present-not voting 1. (Same as previous roll call)

(President in Chair)

HOUSE BILL 1128 ON SECOND READING

On motion of Senator Taylor of Galveston and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1128** at this time on its second reading:

HB 1128, Relating to the date and time for the public sale of real property.

The bill was read second time.

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

Floor Amendment No. 1

Amend **HB 1128** (senate committee report) as follows:

(1) In SECTION 4 of the bill, in the recital (page 1, line 55), strike "Subsection (r-1)" and substitute "Subsections (r-1) and (r-2)".

(2) In SECTION 4 of the bill, in added Section 34.01(r-1), Tax Code (page 1, line 56), strike "including" and substitute "other than".

(3) In SECTION 4 of the bill, in amended Section 34.01, Tax Code (between page 1, line 61, and page 2, line 1), after added Subsection (r-1), insert the following:

(r-2) A sale of real property conducted by means of a public auction using online bidding and sale under Subsection (a-1) may begin at any time and must conclude at 4 p.m. on the first Tuesday of a month or, if the first Tuesday of a month occurs on January 1 or July 4, at 4 p.m. on the first Wednesday of the month.

The amendment to **HB 1128** was read and was adopted by a viva voce vote.

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

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

Floor Amendment No. 2

Amend **HB 1128** (senate committee report) by striking SECTION 7 of the bill (page 2, lines 18-22) and substituting the following:

SECTION 7. This Act takes effect September 1, 2017.

The amendment to **HB 1128** 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.

HB 1128 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.

HOUSE BILL 1128 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 **HB 1128** be placed on its third reading and final passage.

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

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

SENATE BILL 7 WITH HOUSE AMENDMENTS

Senator Bettencourt called **SB 7** from the President's table for consideration of the House amendments to the bill.

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

Amendment

Amend **SB 7** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

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.

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

SECTION 1. Section 21.12(a), Penal Code, is amended to read as follows:

(a) An employee of a public or private primary or secondary school commits an offense if the employee:

(1) engages in sexual contact, sexual intercourse, or deviate sexual intercourse with a person who is enrolled in a public or private primary or secondary school at which the employee works;

(2) holds a position described by Section 21.003(a) or (b), Education Code, regardless of whether the employee holds the appropriate certificate, permit, license, or credential for the position, [a certificate or permit issued as provided by Subchapter B, Chapter 21, Education Code, or is a person who is required to be licensed by a state agency as provided by Section 21.003(b), Education Code,] and engages in sexual contact, sexual intercourse, or deviate sexual intercourse with a person the employee knows is:

(A) enrolled in a public or private primary or secondary school, other than a school described by Subdivision (1) [in the same school district as the school at which the employee works]; or

(B) a student participant in an educational activity that is sponsored by a school district or a public or private primary or secondary school, if:

~~[(i)]~~ students enrolled in a public or private primary or secondary school are the primary participants in the activity; [and

~~[(ii) the employee provides education services to those participants;]~~ or

(3) engages in conduct described by Section 33.021, with a person described by Subdivision (1), or a person the employee knows is a person described by Subdivision (2)(A) or (B), regardless of the age of that person.

SECTION 2. Article 42.018(a), Code of Criminal Procedure, is amended to read as follows:

(a) This article applies only to:

(1) ~~[(a)]~~ conviction or deferred adjudication community supervision granted on the basis of an offense for which a conviction or grant of deferred adjudication community supervision requires the defendant to register as a sex offender under Chapter 62; or

(2) conviction of:

~~[(A)]~~ an offense under Title 5, Penal Code, [or

~~[(B) an offense on conviction of which a defendant is required to register as a sex offender under Chapter 62; and~~

~~[(2)]~~ if the victim of the offense was [is] under 18 years of age at the time the offense was committed.

SECTION 3. Section 21.006, Education Code, is amended by amending Subsections (b), (b-1), (c), (e), and (f) and adding Subsections (b-2), (c-1), (i), and (j) to read as follows:

(b) In addition to the reporting requirement under Section 261.101, Family Code, the superintendent or director of a school district, district of innovation, open-enrollment charter school, regional education service center, or shared services arrangement shall notify the State Board for Educator Certification if:

(1) an educator employed by or seeking employment by the school district, district of innovation, charter school, service center, or shared services arrangement has a criminal record and the school district, district of innovation, charter school, service center, or shared services arrangement obtained information about the educator's criminal record by a means other than the criminal history clearinghouse established under Section 411.0845, Government Code;

(2) an educator's employment at the school district, district of innovation, charter school, service center, or shared services arrangement was terminated and there is ~~based on~~ evidence that the educator:

(A) abused or otherwise committed an unlawful act with a student or minor;

(A-1) was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor;

(B) possessed, transferred, sold, or distributed a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;

(C) illegally transferred, appropriated, or expended funds or other property of the school district, district of innovation, charter school, service center, or shared services arrangement;

(D) attempted by fraudulent or unauthorized means to obtain or alter a professional certificate or license for the purpose of promotion or additional compensation; or

(E) committed a criminal offense or any part of a criminal offense on school property or at a school-sponsored event;

(3) the educator resigned and there is evidence that the educator engaged in misconduct described by Subdivision (2); or

(4) the educator engaged in conduct that violated the assessment instrument security procedures established under Section 39.0301.

(b-1) A superintendent or director of a school district, district of innovation, ~~or~~ open-enrollment charter school, regional education service center, or shared services arrangement shall complete an investigation of an educator that involves is based on evidence that the educator may have engaged in misconduct described by Subsection (b)(2)(A) or (A-1), despite the educator's resignation from ~~[district or school]~~ employment before completion of the investigation.

(b-2) The principal of a school district, district of innovation, or open-enrollment charter school campus must notify the superintendent or director of the school district, district of innovation, or charter school not later than the seventh business day after the date:

(1) of an educator's termination of employment or resignation following an alleged incident of misconduct described by Subsection (b); or

(2) the principal knew about an educator's criminal record under Subsection (b)(1).

(c) The superintendent or director must notify the State Board for Educator Certification by filing a report with the board not later than the seventh business day after the date the superintendent or director receives a report from a principal under Subsection (b-2) or otherwise learns ~~knew~~ about an educator's ~~employee's criminal~~

~~record under Subsection (b)(1) or a]~~ termination of employment or resignation following an alleged incident of misconduct described by Subsection (b) or an employee's criminal record under Subsection (b)(1).

(c-1) The report under Subsection (c) must be:

- (1) in writing; and
- (2) in a form prescribed by the board.

(e) A superintendent, ~~or~~ director, or principal of a school district, district of innovation, open-enrollment charter school, regional education service center, or shared services arrangement who in good faith and while acting in an official capacity files a report with the State Board for Educator Certification under this section or communicates with another superintendent, director, or principal concerning an educator's criminal record or alleged incident of misconduct is immune from civil or criminal liability that might otherwise be incurred or imposed.

(f) The State Board for Educator Certification shall determine whether to impose sanctions, including an administrative penalty under Subsection (i), against a principal who fails to provide notification to a superintendent or director in violation of Subsection (b-2) or against a superintendent or director who fails to file a report in violation of Subsection (c).

(i) If an educator serving as a superintendent or director is required to file a report under Subsection (c) and fails to file the report by the date required by that subsection, or if an educator serving as a principal is required to notify a superintendent or director about an educator's criminal record or alleged incident of misconduct under Subsection (b-2) and fails to provide the notice by the date required by that subsection, the State Board for Educator Certification may impose on the educator an administrative penalty of not less than \$500 and not more than \$10,000. The State Board for Educator Certification may not renew the certification of an educator against whom an administrative penalty is imposed under this subsection until the penalty is paid.

(j) A superintendent or director required to file a report under Subsection (c) commits an offense if the superintendent or director fails to file the report by the date required by that subsection with intent to conceal an educator's criminal record or alleged incident of misconduct. A principal required to notify a superintendent or director about an educator's criminal record or alleged incident of misconduct under Subsection (b-2) commits an offense if the principal fails to provide the notice by the date required by that subsection with intent to conceal an educator's criminal record or alleged incident of misconduct. An offense under this subsection is a state jail felony.

SECTION 4. Section 21.044(g), Education Code, is amended to read as follows:

- (g) Each educator preparation program must provide information regarding:
- (1) the skills that educators are required to possess, the responsibilities that educators are required to accept, and the high expectations for students in this state;
 - (2) the effect of supply and demand forces on the educator workforce in this state;
 - (3) the performance over time of the educator preparation program;
 - (4) the importance of building strong classroom management skills; ~~and~~
 - (5) the framework in this state for teacher and principal evaluation, including the procedures followed in accordance with Subchapter H; and

(6) appropriate relationships, boundaries, and communications between educators and students.

SECTION 5. Sections 21.054(d) and (e), Education Code, are amended to read as follows:

(d) Continuing education requirements for a classroom teacher must provide that not more than 25 percent of the training required every five years include instruction regarding:

- (1) collecting and analyzing information that will improve effectiveness in the classroom;
- (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
- (3) integrating technology into classroom instruction; ~~and~~
- (4) educating diverse student populations, including:
 - (A) students with disabilities, including mental health disorders;
 - (B) students who are educationally disadvantaged;
 - (C) students of limited English proficiency; and
 - (D) students at risk of dropping out of school; and

(5) understanding appropriate relationships, boundaries, and communications between educators and students.

(e) Continuing education requirements for a principal must provide that not more than 25 percent of the training required every five years include instruction regarding:

- (1) effective and efficient management, including:
 - (A) collecting and analyzing information;
 - (B) making decisions and managing time; and
 - (C) supervising student discipline and managing behavior;
- (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
- (3) integrating technology into campus curriculum and instruction; ~~and~~
- (4) educating diverse student populations, including:
 - (A) students with disabilities, including mental health disorders;
 - (B) students who are educationally disadvantaged;
 - (C) students of limited English proficiency; and
 - (D) students at risk of dropping out of school; and

(5) preventing, recognizing, and reporting any sexual conduct between an educator and student that is prohibited under Section 21.12, Penal Code, or for which reporting is required under Section 21.006 of this code.

SECTION 6. The heading to Section 21.058, Education Code, is amended to read as follows:

Sec. 21.058. REVOCATION OF CERTIFICATE AND TERMINATION OF EMPLOYMENT BASED ON CONVICTION OF OR PLACEMENT ON DEFERRED ADJUDICATION COMMUNITY SUPERVISION FOR CERTAIN OFFENSES.

SECTION 7. Sections 21.058(a), (b), (c), (c-1), and (c-2), Education Code, are amended to read as follows:

- (a) The procedures described by Subsections (b) and (c) apply only:

(1) to conviction of or placement on deferred adjudication community supervision for an offense for which a defendant is required to register as a sex offender under Chapter 62, Code of Criminal Procedure; or

(2) to conviction of a felony offense under Title 5, Penal Code, [~~or an offense on conviction of which a defendant is required to register as a sex offender under Chapter 62, Code of Criminal Procedure; and~~

[~~2~~] if the victim of the offense was is under 18 years of age at the time the offense was committed.

(b) Notwithstanding Section 21.041(b)(7), not later than the fifth day after the date the board receives notice under Article 42.018, Code of Criminal Procedure, of the conviction or placement on deferred adjudication community supervision of a person who holds a certificate under this subchapter, the board shall:

(1) revoke the certificate held by the person; and

(2) provide to the person, to the agency, and to any school district or open-enrollment charter school employing the person at the time of revocation written notice of:

(A) the revocation; and

(B) the basis for the revocation.

(c) A school district or open-enrollment charter school that receives notice under Subsection (b) of the revocation of a certificate issued under this subchapter shall:

(1) immediately remove the person whose certificate has been revoked from campus or from an administrative office, as applicable, to prevent the person from having any contact with a student; and

(2) if the person is employed under a probationary, continuing, or term contract under this chapter, with the approval of the board of trustees or governing body or a designee of the board or governing body:

(A) suspend the person without pay;

(B) provide the person with written notice that the person's contract is void as provided by Subsection (c-2); and

(C) terminate the employment of the person as soon as practicable.

(c-1) If a school district or open-enrollment charter school becomes aware that a person employed by the district or school under a probationary, continuing, or term contract under this chapter has been convicted of or received deferred adjudication for a felony offense, and the person is not subject to Subsection (c), the district or school may, with the approval of the board of trustees or governing body or a designee of the board of trustees or governing body:

(1) suspend the person without pay;

(2) provide the person with written notice that the person's contract is void as provided by Subsection (c-2); and

(3) terminate the employment of the person as soon as practicable.

(c-2) A person's probationary, continuing, or term contract is void if, with the approval of the board of trustees or governing body or a designee of the board or governing body, the school district or open-enrollment charter school takes action under Subsection (c)(2)(B) or (c-1)(2).

SECTION 8. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.0581 to read as follows:

Sec. 21.0581. REVOCATION FOR ASSISTING PERSON WHO ENGAGED IN SEXUAL MISCONDUCT OBTAIN EMPLOYMENT. (a) The board may suspend or revoke a certificate held by a person under this subchapter, impose other sanctions against the person, or refuse to issue a certificate to the person under this subchapter if:

(1) the person assists another person in obtaining employment at a school district or open-enrollment charter school, other than by the routine transmission of administrative and personnel files; and

(2) the person knew that the other person has previously engaged in sexual misconduct with a minor or student in violation of the law.

(b) The commissioner may require a school district to revoke or decline to issue a school district teaching permit under Section 21.055 issued to or requested by a person subject to board action under Subsection (a).

SECTION 9. Section 21.062(a), Education Code, is amended to read as follows:

(a) During an investigation by the commissioner of an educator for an alleged incident of misconduct, the commissioner may issue a subpoena to compel:

(1) the attendance of a relevant witness; or

(2) the production, for inspection or copying, of relevant evidence that is located in this state.

SECTION 10. Section 21.355, Education Code, is amended by amending Subsection (a) and adding Subsections (d), (e), and (f) to read as follows:

(a) A document evaluating the performance of a teacher or administrator is confidential and is not subject to disclosure under Chapter 552, Government Code.

(d) A school district or open-enrollment charter school may give the agency a document evaluating the performance of a teacher or administrator employed by the district or school for purposes of an investigation conducted by the agency.

(e) Notwithstanding Subsection (a) and except as otherwise provided by a court order prohibiting disclosure, a document provided to the agency under Subsection (d) may be used in a disciplinary proceeding against a teacher or administrator based on a report submitted under Section 21.006 concerning an alleged incident of misconduct, if permissible under rules of evidence applicable to a contested case, as provided by Section 2001.081, Government Code.

(f) A document provided to the agency under Subsection (d) remains confidential unless the document becomes part of the record in a contested case under Chapter 2001, Government Code.

SECTION 11. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.027 to read as follows:

Sec. 38.027. ELECTRONIC COMMUNICATION POLICY. (a) In this section, "electronic communication" means any communication facilitated by the use of any electronic device, including a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. The term includes e-mails, text messages, instant messages, and any communications made through an Internet website, including a social media website or a social networking website.

(b) A school district shall adopt a written policy concerning electronic communications between a school employee and a student enrolled in the district.

(c) The policy adopted under this section must:

(1) include provisions designed to prevent improper electronic communications between a school employee and a student;

(2) allow a school employee to elect to not disclose to students the employee's personal telephone number or e-mail address; and

(3) include provisions instructing a school employee about the proper method for notifying appropriate local administrators about an incident in which a student engages in improper communications with the school employee.

SECTION 12. Section 39.057(a), Education Code, is amended to read as follows:

(a) The commissioner may authorize special accreditation investigations to be conducted:

(1) when excessive numbers of absences of students eligible to be tested on state assessment instruments are determined;

(2) when excessive numbers of allowable exemptions from the required state assessment instruments are determined;

(3) in response to complaints submitted to the agency with respect to alleged violations of civil rights or other requirements imposed on the state by federal law or court order;

(4) in response to established compliance reviews of the district's financial accounting practices and state and federal program requirements;

(5) when extraordinary numbers of student placements in disciplinary alternative education programs, other than placements under Sections 37.006 and 37.007, are determined;

(6) in response to an allegation involving a conflict between members of the board of trustees or between the board and the district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by this code;

(7) when excessive numbers of students in special education programs under Subchapter A, Chapter 29, are assessed through assessment instruments developed or adopted under Section 39.023(b);

(8) in response to an allegation regarding or an analysis using a statistical method result indicating a possible violation of an assessment instrument security procedure established under Section 39.0301, including for the purpose of investigating or auditing a school district under that section;

(9) when a significant pattern of decreased academic performance has developed as a result of the promotion in the preceding two school years of students who did not perform satisfactorily as determined by the commissioner under Section 39.0241(a) on assessment instruments administered under Section 39.023(a), (c), or (l);

(10) when excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner;

(11) when resource allocation practices as evaluated under Section 39.0821 indicate a potential for significant improvement in resource allocation;

(12) when a disproportionate number of students of a particular demographic group is graduating with a particular endorsement under Section 28.025(c-1);

(13) when an excessive number of students is graduating with a particular endorsement under Section 28.025(c-1);

(14) in response to a complaint submitted to the agency with respect to alleged inaccurate data that is reported through the Public Education Information Management System (PEIMS) or through other reports required by state or federal law or rule or court order and that is used by the agency to make a determination relating to public school accountability, including accreditation, under this chapter; [✗]

(15) when a school district for any reason fails to produce, at the request of the agency, evidence or an investigation report relating to an educator who is under investigation by the State Board for Educator Certification; or

(16) as the commissioner otherwise determines necessary.

SECTION 13. The change in law made by this Act to Section 21.12, Penal Code, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

SECTION 14. This Act takes effect September 1, 2017.

Floor Amendment No. 1

Amend **CSSB 7** as follows:

(1) On page 5, line 12, strike "otherwise learns" and substitute "knew".

Floor Amendment No. 3

Amend **CSSB 7** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 21, Education Code, is amended by adding Section 21.0061 to read as follows:

Sec. 21.0061. NOTICE TO PARENT OR GUARDIAN ABOUT EDUCATOR MISCONDUCT. (a) The board of trustees or governing body of a school district, district of innovation, open-enrollment charter school, regional education service center, or shared services arrangement shall adopt a policy under which notice is provided to the parent or guardian of a student with whom an educator is alleged to have engaged in misconduct described by Section 21.006(b)(2)(A) or (A-1) informing the parent or guardian:

(1) that the alleged misconduct occurred;

(2) whether the educator was terminated following an investigation of the alleged misconduct or resigned before completion of the investigation; and

(3) whether a report was submitted to the State Board for Educator Certification concerning the alleged misconduct.

(b) The policy required by this section must require that information specified by Subsection (a)(1) be provided as soon as feasible after the employing entity becomes aware that alleged misconduct may have occurred.

Floor Amendment No. 4

Amend **CSSB 7** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:
SECTION _____. Subchapter A, Chapter 21, Education Code, is amended by adding Section 21.009 to read as follows:

Sec. 21.009. PRE-EMPLOYMENT AFFIDAVIT. (a) An applicant for a position described by Section 21.003(a) or (b) with a school district, district of innovation, open-enrollment charter school, regional education service center, or shared services arrangement must submit, using a form adopted by the agency, a pre-employment affidavit disclosing whether the applicant has ever been charged with, adjudicated for, or convicted of having an inappropriate relationship with a minor.

(b) An applicant who answers affirmatively concerning an inappropriate relationship with a minor must disclose in the affidavit all relevant facts pertaining to the charge, adjudication, or conviction, including, for a charge, whether the charge was determined to be true or false.

(c) An applicant is not precluded from being employed based on a disclosed charge if the employing entity determines based on the information disclosed in the affidavit that the charge was false.

(d) A determination that an employee failed to disclose information required to be disclosed by an applicant under this section is grounds for termination of employment.

(e) The State Board for Educator Certification may revoke the certificate of an administrator if the board determines it is reasonable to believe that the administrator employed an applicant for a position described by Section 21.003(a) or (b) despite being aware that the applicant had been adjudicated for or convicted of having an inappropriate relationship with a minor.

Floor Amendment No. 5

Amend **CSSB 7** (house committee report), on page 13, by striking lines 9 through 11 and substituting the following:

disciplinary proceeding against a teacher or administrator if the document may be admitted under rules of evidence

Floor Amendment No. 6

Amend **CSSB 7** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 42.01, Code of Criminal Procedure, is amended by adding Section 12 to read as follows:

Sec. 12. In addition to the information described by Section 1, the judgment should reflect affirmative findings entered pursuant to Article 42.0192.

SECTION _____. Chapter 42, Code of Criminal Procedure, is amended by adding Article 42.0192 to read as follows:

Art. 42.0192. FINDING REGARDING OFFENSE RELATED TO PERFORMANCE OF PUBLIC SERVICE. (a) In the trial of an offense described by Section 824.009, Government Code, the judge shall make an affirmative finding of fact and enter the affirmative finding in the judgment in the case if the judge determines that the offense committed was related to the defendant's employment described by Section 824.009(b), Government Code, while a member of the Teacher Retirement System of Texas.

(b) A judge who makes the affirmative finding described by this article shall make the determination and provide the notice required by Section 824.009(l), Government Code, as applicable.

SECTION ____ . Subchapter A, Chapter 824, Government Code, is amended by adding Section 824.009 to read as follows:

Sec. 824.009. CERTAIN EMPLOYEES AND ANNUITANTS INELIGIBLE FOR RETIREMENT ANNUITY; RESUMPTION OR RESTORATION OF ELIGIBILITY. (a) In this section, "qualifying felony" means an offense that is punishable as a felony under the following sections of the Penal Code:

- (1) Section 21.02 (continuous sexual abuse of young child or children);
- (2) Section 21.12 (improper relationship between educator and student); or
- (3) Section 22.011 (sexual assault) or Section 22.021 (aggravated sexual

assault).

(a-1) In this section, a "qualifying felony" includes any federal offense that contains elements that are substantially similar to the elements of a felony offense described in Subsection (a).

(b) This section applies only to a person who is a member or an annuitant of the retirement system and is or was an employee of the public school system.

(c) Except as provided by Subsection (e), a person is not eligible to receive a service retirement annuity from the retirement system if the person is convicted of a qualifying felony the victim of which is a student.

(d) The retirement system shall suspend payments of an annuity to a person who is not eligible to receive a service retirement annuity under Subsection (c), as determined by the retirement system, on receipt by the retirement system of:

- (1) notice of a conviction for a qualifying felony under Subsection (f) or (l);
- (2) notice of a conviction for a qualifying felony from a district court or district attorney; or

(3) any other information the retirement system determines by rule is sufficient to establish a conviction for a qualifying felony.

(e) A person whose conviction is overturned on appeal or who meets the requirements for innocence under Section 103.001(a)(2), Civil Practice and Remedies Code:

(1) is entitled to receive an amount equal to the accrued total of payments and interest earned on the payments withheld during the suspension period; and

(2) may resume receipt of annuity payments on payment to the retirement system of an amount equal to the contributions refunded to the person under Subsection (g).

(f) Not later than the 30th day after the date of a person's conviction for a qualifying felony, the school at which the person was employed shall provide written notice of the conviction to the retirement system. The notice must comply with rules adopted by the board of trustees under Subsection (k).

(g) A person who is not eligible to receive a service retirement annuity under Subsection (c) is entitled to a refund of the person's retirement annuity contributions, including interest earned on those contributions.

(h) Benefits payable to an alternate payee under Chapter 804 who is recognized by a domestic relations order established before September 1, 2017, are not affected by a person's ineligibility to receive a retirement annuity under Subsection (c).

(i) On conviction of a person for a qualifying felony, a court may, in the interest of justice and in the same manner as in a divorce proceeding, award half of the service retirement annuity forfeited by the person as the separate property of an innocent spouse if the annuity is partitioned or exchanged by written agreement of the spouses as provided by Subchapter B, Chapter 4, Family Code. The amount awarded to the innocent spouse may not be converted to community property.

(j) Ineligibility for a retirement annuity under this section does not impair a person's right to any other retirement benefit for which the person is eligible.

(k) The board of trustees of the retirement system shall adopt rules and procedures to implement this section.

(l) A court shall notify the retirement system of the terms of a person's conviction of a qualifying felony.

SECTION _____. Section 12, Article 42.01, Code of Criminal Procedure, and Article 42.0192, Code of Criminal Procedure, as added by this Act, apply only to a judgment of conviction entered on or after the effective date of this Act.

SECTION _____. Not later than December 31, 2017, the board of trustees of the Teacher Retirement System of Texas shall adopt the rules necessary to implement Section 824.009, Government Code, as added by this Act.

SECTION _____. Section 824.009, Government Code, as added by this Act, applies only to an offense committed on or after the effective date of rules adopted in accordance with that section. An offense committed before that date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of rules adopted in accordance with 824.009, Government Code, as added by this Act, if any element of the offense occurred before that date.

Floor Amendment No. 7

Amend Floor Amendment No. 6 to **CSSB 7** on page 3, line 21, by striking "award half" and substituting "award any portion or all".

The amendments were read.

Senator Bettencourt moved to concur in the House amendments to **SB 7**.

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

SENATE BILL 1561 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 1561** at this time on its second reading:

SB 1561, Relating to a study by the State Board of Education on the instructional day and academic year requirements necessary to complete the required curriculum in public schools.

The bill was read second time.

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

Committee Amendment No. 1

Amend **SB 1561** by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill appropriately:

SECTION 2. This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 85th Legislature.

The amendment to **SB 1561** was read and was adopted by a viva voce vote.

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

SB 1561 as amended was passed to engrossment by a viva voce vote.

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

SENATE BILL 1561 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 1561** be placed on its third reading and final passage.

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

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

SENATE BILL 252 WITH HOUSE AMENDMENT

Senator Taylor of Collin called **SB 252** 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.

Floor Amendment No. 1

Amend **SB 252** by adding the following appropriately numbered section to Subchapter F, Chapter 2252, Government Code, as added by the bill:

Sec. 2252. . EXCEPTION. Notwithstanding any other law, a company that the United States government affirmatively declares to be excluded from its federal sanctions regime relating to Sudan, its federal sanctions regime relating to Iran, or any federal sanctions regime relating to a foreign terrorist organization is not subject to contract prohibition under this subchapter.

The amendment was read.

Senator Taylor of Collin moved to concur in the House amendment to **SB 252**.

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

REMARKS ORDERED PRINTED

On motion of Senator Taylor of Collin and by unanimous consent, his remarks regarding **SB 252** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Thank you, Mr. President. Senate Bill 252 prohibits a state agency, city, county, school district, or special district from contracting with a business for goods or services if that business is engaged in business operations with the Sudanese or Iranian governments, or a foreign terrorist organization designated by the U.S. State Department. The Senate unanimously approved SB 252 by a vote of 31 to 0. The House offered one amendment to SB 252 that allows contracts with companies that the U.S. government declares exempt from certain federal sanctions regimes. Senate Bill 252 was then passed by the House by a vote of 143 to one. The one amendment added by the House is acceptable to the author, and I will move to accept the House amendment. Before doing do, however, I would like to make a few comments for the record relating to Senate Bill 252's intent. Senate Bill 252 broadly prohibits any contract between a governmental entity within the State of Texas, including the State, and a company doing business with the Iranian and Sudanese governments or a terrorist organization. This prohibition applies to professional services, such as accounting or engineering services, as well as contracts for general construction, improvements, supplies, materials, or equipment. As an example, this bill would prohibit a water district from contracting with an engineering firm providing services to the Sudanese government. As another example, SB 252 would prohibit cities or state agencies from contracting with an energy company that has partnered with the Iranian government to perform oilfield exploration and development. This means that Texas government could not purchase oil or gasoline from this company through a purchasing contract. This listed company would also be barred from contracting with a state agency to perform oilfield development on state lands. This bill is designed to force companies to make a choice: either do business with Sudan, Iran, or a foreign terrorist organization, or do business with Texas. If Texas' business and Texas' taxpayers' dollars are important enough, then these companies will make a decision that Senate Bill 252 is designed to guide. In closing, Senate Bill 252 is entirely about ensuring that Texas' taxpayers' dollars are not spent on companies partnering with nation states or terrorist groups that want to kill Americans.

(Note: Prepared text)

BILLS AND RESOLUTIONS SIGNED

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

HB 455, HB 630, HB 641, HB 777, HB 799, HB 1020, HB 1288, HCR 126, SB 16, SB 257, SB 276, SB 507, SB 1133, SB 1406, SB 1584, SJR 38.

SENATE BILLS ON FIRST READING

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

SB 2295 by Zaffirini

Relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 1; providing authority to impose an assessment.

To Committee on Intergovernmental Relations.

SB 2296 by Zaffirini

Relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 2; providing authority to impose an assessment.

To Committee on Intergovernmental Relations.

SB 2297 by Zaffirini

Relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 3; providing authority to impose an assessment.

To Committee on Intergovernmental Relations.

SB 2298 by Zaffirini

Relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 4; providing authority to impose an assessment.

To Committee on Intergovernmental Relations.

SB 2299 by Zaffirini

Relating to the temporary board of and financing of certain facilities and improvements by the LaSalle Municipal Utility District No. 5; providing authority to impose an assessment.

To Committee on Intergovernmental Relations.

HOUSE BILLS ON FIRST READING

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

HB 31 to Committee on Agriculture, Water, and Rural Affairs.

HB 661 to Committee on Health and Human Services.

HB 810 to Committee on Health and Human Services.

HB 913 to Committee on Criminal Justice.

HB 1151 to Committee on State Affairs.

HB 1372 to Committee on Transportation.

HB 1378 to Committee on State Affairs.

HB 1542 to Committee on Health and Human Services.

HB 1616 to Committee on Health and Human Services.

HB 1886 to Committee on Education.

HB 1975 to Committee on Business and Commerce.
HB 2305 to Committee on Business and Commerce.
HB 2319 to Committee on Transportation.
HB 2542 to Committee on Business and Commerce.
HB 2552 to Committee on State Affairs.
HB 2557 to Committee on Transportation.
HB 2687 to Committee on Administration.
HB 2691 to Committee on State Affairs.
HB 2703 to Committee on State Affairs.
HB 2755 to Committee on Criminal Justice.
HB 2757 to Committee on Business and Commerce.
HB 2782 to Committee on Education.
HB 2908 to Committee on Criminal Justice.
HB 3021 to Committee on Business and Commerce.
HB 3083 to Committee on Higher Education.
HB 3152 to Committee on State Affairs.
HB 3292 to Committee on Health and Human Services.
HB 3391 to Committee on State Affairs.
HB 3576 to Committee on Health and Human Services.
HB 3679 to Committee on Transportation.
HB 3735 to Committee on Agriculture, Water, and Rural Affairs.
HB 3765 to Committee on Finance.
HB 3771 to Committee on Health and Human Services.
HB 4182 to Committee on Administration.

SENATE BILL 527 WITH HOUSE AMENDMENT

Senator Birdwell called **SB 527** 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.

Floor Amendment No. 1

Amend **SB 527** (house committee report) on page 2, line 6, by striking "not".

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 527** 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; Whitmire, Uresti, Huffman, and Burton.

REPORT OF COMMITTEE ON NOMINATIONS

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

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed:

Presiding Officer, Cameron County Regional Mobility Authority: Frank Parker, Cameron County.

Presiding Officer, Camino Real Regional Mobility Authority: Susan Alta Melendez, El Paso County.

Members, Governing Board, Department of Information Resources: Stuart Aaron Bernstein, Travis County; Benjamin Ethan Gatzke, Tarrant County; Linda Ibach Shaunessy, Travis County; Jeffrey William Tayon, Harris County; Rigoberto Villarreal, Hidalgo County; Sonya Elissa Medina Williams, Bexar County.

Presiding Officer, Hidalgo County Regional Mobility Authority: Samuel Deanda, Hidalgo County.

Commissioner, Interstate Commission for Adult Offender Supervision: Elizabeth Camp Elliott, Travis County.

Presiding Officer, North East Texas Regional Mobility Authority: Linda Ryan Thomas, Gregg County.

Counsellor, Office of Public Utility Counsel: Tonya Rae Baer, Travis County.

Members, Risk Management Board, State Office of Risk Management: Rosemary A. Gammon, Collin County; Gerald Fontaine Ladner, Travis County.

Member, Sabine River Compact Administration: Jerry Franklin Gipson, Gregg County.

Member, School Land Board: Gilbert Burciaga, Travis County.

Members, State Bar of Texas: Estrella Escobar, El Paso County; Ricky G. Gonzalez, Bexar County; August W. Harris, Travis County.

Chief Administrative Law Judge, State Office of Administrative Hearings: Lesli Gwen Ginn, Travis County.

Member, State Preservation Board: Iris Hudson Moore, Tarrant County.

Member, State Securities Board: Miguel Romano, Travis County.

Member, Board of Regents, Stephen F. Austin State University: Nelda Luce Blair, Montgomery County.

Members, Texas Appraiser Licensing and Certification Board: Clayton Price Black, Martin County; Ray Bolton, Travis County; James Jefferson Jeffries, Williamson County; Martha Gayle Lynch, El Paso County; Tony F. Peña, Lubbock County; Alejandro Sostre-Odio, Bexar County; Jamie Lou Sanders Wickliffe, Ellis County; Joyce Ann Yannuzzi, Comal County.

Members, Texas Board of Criminal Justice: Emilio Fernando DeAyala, Harris County; Tommy Gene Fordyce, Live Oak County; Larry Don Miles, Randall County; Patrick Lewis O'Daniel, Travis County; Derrelynn Perryman, Tarrant County; Jesse W. Wainwright, Travis County.

Members, Texas Board of Professional Land Surveying: James Henry Cheatham, Parker County; William David Edwards, Wise County; Andrew Wayne Paxton, Lubbock County.

Members, Texas Crime Stoppers Council: Gregory F. New, Ellis County; Jeffrey Byron Smith, Angelina County; Steven Wade Squier, San Jacinto County.

Members, Texas Facilities Commission: Patti C. Jones, Lubbock County; Robert Dartanian Thomas, Travis County.

Members, Board of Directors, Texas Health Services Authority: David Allen, Bexar County; Paula Ellen Anthony-McMann, Smith County; Frederick Joel Buckwold, Harris County; Shannon Kay Sowder Calhoun, Goliad County; Brandon C. Charles, Dallas County; David Clark Fleeger, Travis County; Matthew J. Hamlin, Denton County; Mark Steven Lane, Burnet County; Andrew Lombardo, Cameron County; Deborah Gray Marino, Bexar County; William A. Phillips, Bexar County; Stephen Yurco, Travis County.

Members, Board of Trustees, Texas Municipal Retirement System: James Paul Jeffers, Nacogdoches County; David A. Landis, Ochiltree County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Birdwell gave notice that he would tomorrow submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator 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 at his desk and consider the following bills today: **SB 2295, SB 2296, SB 2297, SB 2298, SB 2299.**

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 **HB 1500** tomorrow.

CO-AUTHORS OF SENATE BILL 1151

On motion of Senator Buckingham, Senators Bettencourt, Campbell, Kolkhorst, and Taylor of Galveston will be shown as Co-authors of **SB 1151.**

CO-AUTHOR OF SENATE BILL 1553

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

CO-AUTHOR OF SENATE BILL 1561

On motion of Senator Taylor of Collin, Senator Kolkhorst will be shown as Co-author of **SB 1561**.

CO-AUTHORS OF SENATE BILL 1609

On motion of Senator Bettencourt, Senators Campbell, Garcia, Huffines, Lucio, and Taylor of Collin will be shown as Co-authors of **SB 1609**.

CO-SPONSOR OF HOUSE BILL 16

On motion of Senator Watson, Senator West will be shown as Co-sponsor of **HB 16**.

CO-SPONSOR OF HOUSE BILL 91

On motion of Senator Huffman, Senator Campbell will be shown as Co-sponsor of **HB 91**.

CO-SPONSOR OF HOUSE BILL 263

On motion of Senator Zaffirini, Senator Campbell will be shown as Co-sponsor of **HB 263**.

CO-SPONSORS OF HOUSE BILL 1449

On motion of Senator Nelson, Senators Campbell and Nichols will be shown as Co-sponsors of **HB 1449**.

CO-SPONSOR OF HOUSE BILL 2025

On motion of Senator Schwertner, Senator Kolkhorst will be shown as Co-sponsor of **HB 2025**.

CO-SPONSOR OF HOUSE BILL 3481

On motion of Senator Huffman, Senator Garcia will be shown as Co-sponsor of **HB 3481**.

CO-SPONSOR OF HOUSE BILL 3921

On motion of Senator Hancock, Senator West will be shown as Co-sponsor of **HB 3921**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 782 by Nelson, In memory of Marjory Kent Vickery.

SR 787 by Hinojosa, In memory of Rebecca Molina.

Congratulatory Resolutions

SR 772 by Lucio, Recognizing Conrado Lucio for his public service.

SR 773 by Garcia, Recognizing Joe Fred Russell on the occasion of his 20th anniversary as pastor of Greater Jerusalem Missionary Baptist Church.

SR 774 by Schwertner, Commending Alejandro Nunes for achieving the rank of Eagle Scout.

SR 775 by Schwertner, Commending Cohen Ward for achieving the rank of Eagle Scout.

SR 776 by Schwertner, Commending Jacob Barker for achieving the rank of Eagle Scout.

SR 777 by Schwertner, Recognizing Hutto Lutheran Church on the occasion of its 125th anniversary.

SR 778 by Schwertner, Recognizing Barbara and Jess Barrier on the occasion of their 60th wedding anniversary.

SR 779 by Watson, Recognizing Élan Southpark Meadows on the occasion of Older Americans Month.

SR 780 by Creighton, Recognizing The Red Brick Tavern for winning the Best Burger in Town contest.

SR 785 by Rodríguez, Recognizing the El Paso DWI/Drug Court Intervention and Treatment Program for its contributions to the community.

SR 786 by Hinojosa, Recognizing Martha May Tevis on the occasion of her retirement.

SR 789 by West, Commending Donovan Dwayne Bryant for achieving the rank of Eagle Scout.

SR 790 by Watson, Recognizing Samuel P. Perry for his contributions to Baylor University.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 5:04 p.m. adjourned, in memory of Bertha Cuellar Gonzalez, 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 15, 2017

VETERAN AFFAIRS AND BORDER SECURITY — **HB 1646, HCR 122, HB 493, HB 257, HB 1606, HB 1630, HCR 45**

HEALTH AND HUMAN SERVICES — **CSHB 5**

VETERAN AFFAIRS AND BORDER SECURITY — **HCR 56**

TRANSPORTATION — **HB 938, HB 1249, HB 1303, HB 3283, HB 3917**

CRIMINAL JUSTICE — **CSSB 1822, CSHB 1178**

TRANSPORTATION — **CSHB 2700**

INTERGOVERNMENTAL RELATIONS — **CSHB 1512**

BUSINESS AND COMMERCE — **CSHB 2098, CSHB 1449, CSHB 1859, CSHB 2413, HB 2928, HB 3018, HB 3049, HB 3275, HB 3276, HB 3803, HB 2615, HB 3257, HB 2097, HB 919, HB 1187, HB 1571, HB 2019, HB 2040, HB 2095, HB 2501, HB 2647, HB 2783**

EDUCATION — **SB 1173, CSSB 2051**

FINANCE — **HB 2067, HB 2277, HB 2475, HB 3232, HB 3389, HB 3537, HB 4038**

HIGHER EDUCATION — **CSHB 961, HB 2223, HB 3808, CSHB 2432**

STATE AFFAIRS — **HB 3903, HB 53, HB 4032, HB 2324, HB 1930, HB 1217, HB 1106, HB 998, HB 3492, HB 1463, HB 1410, HB 431, HB 1103**

VETERAN AFFAIRS AND BORDER SECURITY — **CSHB 2761**

BILLS ENGROSSED

May 12, 2017

SB 506, SB 1322, SB 1790, SB 1838, SB 2084, SB 2168, SB 2283, SB 2284, SB 2285, SB 2286, SB 2287

BILLS ENROLLED

May 12, 2017

SB 257, SB 276, SB 1133

SENT TO GOVERNOR

May 15, 2017

SB 16, SB 257, SB 276, SB 507, SB 1133, SB 1406, SB 1584

In Memory
of
Bertha Cuellar Gonzalez
Senate Resolution 788

WHEREAS, A full and generous life drew to a close with the passing of Bertha Cuellar Gonzalez of San Antonio on January 16, 2017, at the age of 99; and

WHEREAS, The daughter of Lino Edward Cuellar and Francisca Flores Cuellar, the former Bertha Cuellar was born in Floresville on November 21, 1917; she moved with her family to San Antonio as a young girl and went on to graduate from Brackenridge High School; and

WHEREAS, She married Henry B. Gonzalez in 1940, and the couple became the proud parents of four sons, Henry, Charles, Stephen, and Frank, and four daughters, Rose Mary, Bertha, Genevieve, and Anna; when her children were young, Mrs. Gonzalez was active in the PTA and served as a Cub Scout den mother; and

WHEREAS, While raising her family, Mrs. Gonzalez also shone as "campaigner in chief" for her husband, who became the state's first Mexican American congressman; she shared his deep commitment to social justice and played a crucial role in his long career in public service, providing wise counsel as well as tireless support; he often referred to her as his "secret weapon"; and

WHEREAS, Mrs. Gonzalez was happiest with a house full of people, especially youngsters, and she rejoiced in a large family that grew to include 21 grandchildren and 29 great-grandchildren; following the death of Congressman Gonzalez in November 2000, Mrs. Gonzalez demonstrated tremendous grace and resilience, and she continued to form many new friendships as a resident of a senior community; and

WHEREAS, Although she never sought the spotlight, Bertha Gonzalez made a lasting, positive difference in her community and beyond, and those who were fortunate enough to share in the richness of her life will forever cherish their memories of her warmth, her selfless dedication to her family, and her wonderful sense of humor; now, therefore, be it

RESOLVED, That the Senate of the 85th Texas Legislature hereby pay tribute to the memory of Bertha Cuellar Gonzalez and extend sincere condolences to all those who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Bertha Gonzalez.

MENÉNDEZ
CAMPBELL

URESTI
ZAFFIRINI

