

# SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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FIFTY-NINTH DAY

(Thursday, May 18, 2017)

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

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

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

The Reverend Christopher D. Girata, Saint Michael and All Angels Episcopal Church, Dallas, was introduced by Senator Taylor of Collin and offered the invocation as follows:

Almighty and merciful God, You have made all the peoples of the Earth for Your glory, to serve You in freedom and in peace. Give to the people of Texas a zeal for justice and the strength of forbearance, that we may use our liberty in accordance with Your gracious will. Gracious Lord, be present with Your people where they work, and give to us all a pride in what we do and a just return for our labor. O Creator, Your hand is open wide to satisfy the needs of every living creature. Make us always thankful for Your loving providence, and grant that we may be faithful stewards of Your good gifts. Kindle, we pray, in every heart the true love of peace, and we ask an abundance of Your wisdom for the Members of this body. May we be grateful for all our many blessings, and grant us grace fearlessly to contend against evil and to make no peace with oppression. All this we offer to the glory of Your holy name, one God now and forever. 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.

**(Senator Hancock in Chair)**

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Thursday, May 18, 2017 - 1

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**HCR 133** Frullo  
Honoring artist G. Harvey of Fredericksburg.

**HCR 134** Craddick  
Honoring Joseph I. O'Neill III of Midland for his achievements as a business and civic leader.

**SB 12** West Sponsor: King, Phil  
Relating to the creation of a grant program to assist law enforcement agencies with the purchase of bulletproof vests and body armor.

**SB 42** Zaffirini Sponsor: Smithee  
Relating to the security of courts and judges in the state; establishing a fee.  
(Committee Substitute)

**SB 74** Nelson Sponsor: Price  
Relating to the provision of certain behavioral health services to children, adolescents, and their families under a contract with a managed care organization.  
(Amended)

**SB 203** West Sponsor: Davis, Sarah  
Relating to removing the deadline for the Department of Family and Protective Services to enter into permanency care assistance agreements.

**SB 291** Whitmire Sponsor: Alvarado  
Relating to the issuance of a writ of attachment for certain witnesses.  
(Amended)

**SB 312** Nichols Sponsor: Gonzales, Larry  
Relating to the continuation and functions of the Texas Department of Transportation; authorizing an increase in rates charged for the use of state aircraft to provide for the acquisition of replacement aircraft.  
(Committee Substitute/Amended)

**SB 511** Rodríguez Sponsor: Wray  
Relating to a written declaration to designate a guardian before the need for a guardian arises.

- SB 533** Nelson Sponsor: Geren  
Relating to state agency contracting and procurement.  
(Amended)
- SB 667** Zaffirini Sponsor: Smithee  
Relating to establishing a guardianship compliance program.
- SB 735** Hancock Sponsor: Cook  
Relating to periodic rate adjustment by and to certain transactions involving electric utilities.
- SB 752** Campbell Sponsor: Cortez  
Relating to the overseas military e-mail ballot program.
- SB 826** Taylor, Larry Sponsor: Huberty  
Relating to the sequencing of required English language arts courses and mathematics courses in schools and conforming changes.  
(Committee Substitute)
- SB 877** Hancock Sponsor: Oliveira  
Relating to liability of certain political subdivisions in certain workers' compensation actions.
- SB 1305** Nichols Sponsor: Darby  
Relating to the grant program using money from the transportation infrastructure fund.
- SB 1367** Menéndez Sponsor: Howard  
Relating to policies and training regarding the use of epinephrine auto-injectors by public institutions of higher education; providing immunity.
- SB 1895** Taylor, Larry Sponsor: Oliveira  
Relating to the assessment of administrative penalties under the Texas Workers' Compensation Act.
- SB 1954** Hughes Sponsor: Lozano  
Relating to participation in and contributions to the optional retirement program for certain employees of institutions of higher education.
- SB 2082** Taylor, Larry Sponsor: Clardy  
Relating to the work-study student mentorship program administered by the Texas Higher Education Coordinating Board.
- SB 2087** Hancock Sponsor: Phillips  
Relating to the creation of a temporary health insurance risk pool.  
(Amended)

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

### PHYSICIAN OF THE DAY

Senator Campbell was recognized and presented Dr. Jennefer Sutton of San Antonio as the Physician of the Day.

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

**SENATE RESOLUTION 768**

Senator Huffines offered the following resolution:

WHEREAS, An inspiring couple whose lives have been enhanced by a great and enduring love, Patrick and Fay Cosgrove of Dallas are celebrating their 70th wedding anniversary on May 27, 2017; and

WHEREAS, Patrick Calvin Cosgrove of Great Bend, Kansas, and the former Fay Evelyn Buckbee of Eastland exchanged the vows of matrimony in a private home ceremony on that memorable day in 1947; over the course of their marriage, they have had the pleasure of watching their family grow to include their four children, eight grandchildren, and seven great-grandchildren; and

WHEREAS, Longtime residents of Dallas, Mr. Cosgrove served his country as a member of the U.S. Navy during World War II and earned a Purple Heart for his valor, and Mrs. Cosgrove enjoyed a notable tenure in the Army and Air Force Exchange Service; and

WHEREAS, While much has changed in the world over the past seven decades, this devoted husband and wife have remained constant in their commitment to each other, and the strength of their love has enabled them to meet life's challenges and opportunities with grace and optimism; now, therefore, be it

RESOLVED, That the Senate of the 85th Texas Legislature hereby congratulate Patrick and Fay Cosgrove on their 70th wedding anniversary and extend to them sincere best wishes for continued happiness; and, be it further

RESOLVED, That an official copy of this resolution be prepared for Mr. and Mrs. Cosgrove as an expression of high regard by the Texas Senate.

**SR 768** was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Huffines was recognized and introduced to the Senate Patrick and Fay Cosgrove.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Schwertner was recognized and introduced to the Senate the Varner family, Zack and Jessica Varner and their son, Bo.

The Senate welcomed its guests.

**SENATE RESOLUTION 791**

Senator Lucio offered the following resolution:

**SR 791**, Recognizing the inaugural class of the Rio Grande Valley Legislative Internship Program.

LUCIO  
HINOJOSA  
ZAFFIRINI

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Lucio, joined by Senators Hinojosa, Zaffirini, and Birdwell, was recognized and introduced to the Senate participants in The University of Texas Rio Grande Valley Legislative Internship Program.

The Senate welcomed its guests.

**SENATE RESOLUTION 784**

Senator Campbell offered the following resolution:

**SR 784**, Recognizing Sharon Pierce on the occasion of her retirement.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Campbell was recognized and introduced to the Senate Texas Association of Family, Career and Community Leaders of America and Texas Education Agency delegations, accompanied by Sharon Pierce; her husband, Charlie, and son, Colin; Jennifer Sams; Christy Reynolds; Dottie Bossley; Kim Davis; Adan Wehmeyer; Paula Meyer; Renee Jackson; Ron Whitson; John Ellis; Dale Fowler; and Tom Maynard.

The Senate welcomed its guests.

**SENATE RESOLUTION 743**

Senator Hughes offered the following resolution:

**SR 743**, Recognizing May 18, 2017, as American Heritage Girls Day.

The resolution was again read.

The resolution was previously adopted on Monday, May 8, 2017.

**GUESTS PRESENTED**

Senator Hughes was recognized and introduced to the Senate an American Heritage Girls Day delegation, accompanied by Adrienne Cantor.

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.

**GUESTS PRESENTED**

Senator Menéndez was recognized and introduced to the Senate the Texas State Artists for 2017 and 2018.

The Senate welcomed its guests.

**CONCLUSION OF MORNING CALL**

The Presiding Officer at 11:54 a.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1449 ON SECOND READING**

Senator Nelson moved to suspend the regular order of business to take up for consideration **CSHB 1449** at this time on its second reading:

**CSHB 1449**, Relating to prohibiting local governments from imposing certain fees on new construction.

The motion prevailed.

Senators Menéndez, Miles, 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 Nelson offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 1449** (senate committee report) as follows:

(1) On page 1, strike lines 47 through 60 and substitute the following:

(c) This section does not apply to:

(1) an affordable housing and property tax abatement program:

(A) adopted under Chapter 378 or Chapter 312, Tax Code, by a municipality with a population of more than 700,000; and

(B) for which eligibility is maintained as required under Chapter 312, Tax Code, as applicable; or

(2) an ordinance, order, or other similar measure that permits the voluntary payment of a fee in lieu of other consideration to a political subdivision in connection with the issuance of a zoning waiver related to new construction that allows a multifamily residential or commercial structure to exceed height or square footage limitations.

The amendment to **CSHB 1449** 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.

**CSHB 1449** 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: Menéndez, Miles, Watson, Zaffirini.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1449 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1449** be placed on its third reading and final passage.

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

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

Nays: Menéndez, Miles, Watson, Zaffirini.

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

### SENATE BILL 2149 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2149** at this time on its second reading:

**SB 2149**, Relating to early in-person voting by voters who reside at a residential care facility.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **SB 2149** (senate committee report) as follows:

(1) In SECTION 3 of the bill, in added Section 107.001, Election Code (page 2, line 8), strike "hospital".

(2) In SECTION 3 of the bill, in added Section 107.002, Election Code (page 2, lines 15 through 16), strike "241, 242, 246, 247, or 248, Health and Safety Code, or Chapter 105, Human Resources Code" and substitute "242 or 247, Health and Safety Code, with more than 10 beds".

(3) In SECTION 3 of the bill, in added Section 107.004, Election Code (page 2, line 22), between the underlined period and "A", insert "(a)".

(4) In SECTION 3 of the bill, in added Section 107.004, Election Code (page 2, between lines 28 and 29), insert the following:

(b) If a residential care facility has fewer than five residents qualified to vote under this chapter on January 1 of each calendar year, the secretary of state may exempt a residential care facility from the requirements of this chapter. For this exemption to apply, the Department of State Health Services and the facility director must provide written confirmation that the exemption applies to the residential care facility. The secretary of state shall adopt rules to implement this subsection.

(5) In SECTION 3 of the bill, in added Section 107.005(a), Election Code (page 2, line 30), strike "Election" and substitute "Additional election".

(6) In SECTION 3 of the bill, in added Section 107.005(a), Election Code (page 2, line 32), between "appearance" and the underlined period, insert the following:

under Chapter 32. The county chair of a political party shall indicate on the list of names of persons whether a person is willing to serve as an election judge under this chapter

(7) In SECTION 3 of the bill, in added Section 107.005(c), Election Code (page 2, line 39), strike the underlined colon.

(8) In SECTION 3 of the bill, in added Section 107.005(c), Election Code, strike page 2 lines 40 through 47 and substitute "at any time during the two years preceding the election, the person has been employed at a residential care facility in the county where the person seeks to serve as an election judge.".

(9) In SECTION 3 of the bill, in added Section 107.005, Election Code (page 2, between lines 66 and 67), insert the following:

(e) The secretary of state shall provide training for an election judge serving under this section.

(10) In SECTION 3 of the bill, in added Section 107.007(b), Election Code (page 3, line 17), strike "fourth Monday" and substitute "29th day".

(11) In SECTION 3 of the bill, in added Section 107.007(b), Election Code (page 3, line 18), strike "Monday" and substitute "fourth day".

(12) In SECTION 3 of the bill, in added Section 107.007(c), Election Code (page 3, lines 19 through 21), strike "An election judge for a residential care facility shall post notice of the time or times for conducting the election at the facility" and substitute "Notice of the time or times for conducting the election shall be posted at the residential care facility by the election judge and on the appropriate county's Internet website".

(13) In SECTION 3 of the bill, in added Section 107.007, Election Code (page 3, between lines 34 and 35), insert the following:

(e) The secretary of state with the assistance of the Department of State Health Services shall create a list of all residential care facilities eligible under this chapter on January 1 of each calendar year in an early voting clerk's jurisdiction. The secretary of state shall provide the list to the early voting clerk.

(f) At any time during the year and regardless of whether five or more voters at a residential care facility have requested ballots to be voted by mail, the early voting clerk may post notice of the dates on which voting will be conducted at the facility under this chapter for each election. If the early voting clerk posts notice under this subsection, the names of the election judges and the hours during which voting will be conducted must be posted at least 48 hours before voting is conducted at the facility, notwithstanding Subsection (c).

(14) In SECTION 3 of the bill, in added Section 107.009(a), Election Code (page 3, line 57), between "reside" and "at", insert "and are registered to vote".

(15) In SECTION 3 of the bill, in added Section 107.009, Election Code (page 4, between lines 9 and 10), insert the following:

(e) An election judge at the residential care facility may assist and witness a ballot received by a voter who resides at the facility and is not registered to vote at the facility while the election judge is present at the facility.

(f) The secretary of state may prescribe an application for a voter to request a ballot under Subsection (b).

(16) In SECTION 3 of the bill, in added Section 107.012, Election Code, strike Subsection (b) (page 4, lines 36 through 40) and substitute the following:

(b) A voter may receive assistance in the same manner as provided by Subchapter B, Chapter 64.

(17) In SECTION 3 of the bill, in added Section 107.014, Election Code (page 4, line 55), before "If", insert "(a)".

(18) In SECTION 3 of the bill, in added Section 107.014, Election Code (page 4, line 59), between "clerk" and the underlined period, insert "not later than the fourth day before election day".

(19) In SECTION 3 of the bill, in added Section 107.014, Election Code (page 4, between lines 60 and 61), insert the following:

(b) Any registered voter who did not cast a ballot at the residential care facility may cast a ballot by:

(1) voting in person on election day; or

(2) voting by mail.

(c) An election judge shall leave a ballot package for a voter who:

(1) requested a ballot to be voted by mail and was not present during the scheduled time for early voting at the residential care facility; and

(2) is expected to return to the residential care facility before the deadline for returning a ballot by mail.

(d) If a voter who requested a ballot to be voted by mail under this chapter is temporarily located at another location, including by hospitalization:

(1) the early voting clerk may mail the ballot to the voter's temporary address, if known; or

(2) the election judge may personally deliver the ballot package to the voter's temporary address, if known.

(e) If an election judge personally delivers a ballot package under Subsection (d), the election judge may:

(1) allow the ballot to be returned by mail; or

(2) accept the marked ballot personally.

(20) In SECTION 3 of the bill, in added Section 107.015, Election Code (page 5, between lines 8 and 9), insert the following:

(e) A watcher has access to the same areas of the residential care facility as an election judge.

(21) Strike SECTION 4 of the bill (page 5, lines 23 through 27).

(22) Strike SECTION 6 of the bill (page 5, lines 33 through 37).

(23) Strike SECTIONS 8 and 9 of the bill (page 5, lines 43 through 52).

(24) In SECTION 10 of the bill (page 5, lines 53 through 54), strike "241.0071, 242.0181, 247.008, and 248.004" and substitute "242.0181 and 247.008".

(25) Renumber the SECTIONS of the bill accordingly.

The amendment to **SB 2149** 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 2149** 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 2149 ON THIRD READING

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2149** 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.

### LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Kolkhorst was granted leave of absence on account of important business.

### COMMITTEE SUBSTITUTE HOUSE BILL 1512 ON SECOND READING

Senator Watson moved to suspend the regular order of business to take up for consideration **CSHB 1512** at this time on its second reading:

**CSHB 1512**, Relating to the administration of the owner-builder loan program.

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

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

Nays: Burton, Hall, Huffines, Nichols, Schwertner, Taylor of Collin.

Absent-excused: Kolkhorst.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **CSHB 1512** (senate committee printing) as follows:

(1) Strike SECTION 2 of the bill, amending Section 2306.7581(b), Government Code (page 1, lines 30-40).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber the SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . Section 2306.758, Government Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) The department may also make loans under this subchapter from:

(1) available funds in the housing trust fund established under Section 2306.201; and

(2) federal block grants that may be used for the purposes of this subchapter  
[; and

~~[(3) the owner builder revolving loan fund established under Section 2306.7581].~~

(d) All money received by the department as part of the owner-builder loan program under this subchapter, including any amount received by the department for payment of the principal of or interest on a loan made under this subchapter, shall be deposited in the housing trust fund established under Section 2306.201 to be used to carry out the purposes of this subchapter. If the money to be received by the department for a state fiscal year for payment of the principal of or interest on a loan made under this subchapter is less than \$3 million for a state fiscal year, the department shall use any available source of money in the housing trust fund to ensure that not less than \$3 million is used for the owner-builder loan program each state fiscal year.

SECTION \_\_\_. Section 2306.7581, Government Code, is repealed.

The amendment to **CSHB 1512** 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: Kolkhorst.

**CSHB 1512** 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: Burton, Hall, Huffines, Nichols, Schwertner, Taylor of Collin.

Absent-excused: Kolkhorst.

### **COMMITTEE SUBSTITUTE HOUSE BILL 1512 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 **CSHB 1512** be placed on its third reading and final passage.

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

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

Nays: Burton, Hall, Huffines, Nichols, Schwertner, Taylor of Collin.

Absent-excused: Kolkhorst.

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

**(President in Chair)**

### **HOUSE BILL 25 ON THIRD READING**

Senator Hancock moved to suspend the regular order of business to take up for consideration **HB 25** at this time on its third reading and final passage:

**HB 25**, Relating to the elimination of straight-party voting.

The motion prevailed by the following vote: Yeas 19, Nays 11.

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

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

Absent-excused: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 11. (Same as previous roll call)

### STATEMENT REGARDING HOUSE BILL 25

Senator Zaffirini submitted the following statement regarding **HB 25**:

Based on a lifetime of political experience dating back to childhood, I understand the popularity of straight-ticket voting among Texas voters and, consequently, oppose House Bill 25.

Straight-ticket voting saves valuable time, especially when the ballot is long and includes competing candidates who are totally unknown to most voters. It also allows voters to exercise their choice of party affiliation as the number one motivator in deciding for whom to vote. This practice affords the voter a basis—party affiliation—for making decisions in obscure races, whether statewide or down-ballot.

Voters appreciate having choices—whether to vote straight-ticket; whether to vote straight-ticket with exceptions; or whether to vote race-by-race, perhaps ignoring those in which strangers compete.

If HB 25 becomes law, voters could continue to vote straight-party—although they would not be allowed to do so with one punch or one mark and would have to vote the entire ballot and make decisions on a race-by-race basis. The bill would not change voters' preferences or cause voters to make better-informed decisions; it merely would inconvenience them by causing longer lines and more time spent at the polls—factors that diminish voter participation.

Eliminating voters' right to use the more time-saving "one-punch" or "one mark" option unfairly would penalize thousands of Texas voters who utilize this option to get in and out of the voting booth as quickly as possible.

Long waits at polling places already are huge problems in some parts of Texas, especially in urban areas where many voters line-up to vote for many races on the ballot. On the first day of early voting for the November, 2016, election, for example, long waits—sometimes hours—were reported in Bexar, Harris, Nueces, and Denton counties. In Harris County, which has one of the longest ballots in the nation, voters often must sort through more than 80 races featuring more than 200 candidates on a single ballot.

Lines and ballot fatigue can exhaust voters' patience, and eliminating the straight-party option would only make things worse and cause many either to skip down-ballot races altogether or not go to the polls at all. The effect would be to suppress voting and voter turnout.

At a time when banks and delivery services are focusing on convenience and time-saving alternatives for Texans, this bill would accomplish the opposite: It would reinforce inconvenience and cause wasted time.

I agree with the bill's proponents that voters should pay more attention to down-ballot races. HB 25, however, would not solve that problem. It would not require any additional information to be provided to voters about down-ballot candidates, and it would not fund voter education efforts about these races. Instead, it simply would inconvenience voters by lengthening the time it takes to vote. Especially concerning, it likely would result in fewer Texans voting in down-ballot races. Accordingly, I respectfully oppose HB 25 and voted against it.

ZAFFIRINI

**COMMITTEE SUBSTITUTE  
HOUSE BILL 804 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 **CSHB 804** at this time on its second reading:

**CSHB 804**, 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.

The bill was read second time.

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

**Floor Amendment No. 1**

Amend **CSHB 804** (senate committee report) in SECTION 1 of the bill as follows:

(1) In the recital to the SECTION (page 1, line 32), strike "(e) and (f)" and substitute "(e), (f), and (g)".

(2) Following added Section 41.413(f), Tax Code (page 2, between lines 2 and 3), insert the following:

(g) A person leasing property under a contract described by this section may designate another person to act as the agent of the lessee for any purpose under this title. The lessee must make the designation in the manner provided by Section 1.111. An agent designated under this subsection has the same authority and is subject to the same limitations as an agent designated by a property owner under Section 1.111.

The amendment to **CSHB 804** 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:

Present-not voting: Bettencourt.

Absent-excused: Kolkhorst.

**CSHB 804** 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:

Absent-excused: Kolkhorst.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 804 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 **CSHB 804** be placed on its third reading and final passage.

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

Absent-excused: Kolkhorst.

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

**HOUSE BILL 2126 ON SECOND READING**

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2126** at this time on its second reading:

**HB 2126**, Relating to the franchise tax rate applicable to certain taxable entities that sell telephone prepaid calling cards.

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: Kolkhorst.

**HOUSE BILL 2126 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 **HB 2126** be placed on its third reading and final passage.

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

Absent-excused: Kolkhorst.

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

**HOUSE BILL 1606 ON SECOND READING**

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1606** at this time on its second reading:

**HB 1606**, Relating to the authority of the Texas Military Department to purchase food and beverages.

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: Kolkhorst.

**HOUSE BILL 1606 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 **HB 1606** be placed on its third reading and final passage.

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

Absent-excused: Kolkhorst.

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

**BILLS SIGNED**

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

**SB 28, SB 286, SB 586, SB 587, HB 100, HB 216, HB 256, HB 263, HB 1116, HB 1428, HB 1432, HB 1433, HB 1456, HB 1555, HB 1584, HB 1655, HB 1701, HB 2060, HB 2061, HB 2065, HB 2113, HB 2299, HB 2579, HB 2582, HB 2823.**

**COMMITTEE SUBSTITUTE****SENATE BILL 2196 ON SECOND READING**

Senator Buckingham moved to suspend the regular order of business to take up for consideration **CSSB 2196** at this time on its second reading:

**CSSB 2196**, Relating to the requirements for annexation by a municipality of certain municipal utility districts.

The motion prevailed.

Senators Garcia, Menéndez, 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 5.

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

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

Absent-excused: Kolkhorst.

**COMMITTEE SUBSTITUTE****SENATE BILL 2196 ON THIRD READING**

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2196** 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, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Lucio, Miles, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, West, Whitmire.

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

Absent-excused: Kolkhorst.

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

**SENATE RULE 5.14(a) SUSPENDED  
(Intent Calendar)  
(Motion In Writing)**

Senator Hancock submitted the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 5.14 so that we may move the Intent Calendar deadline to 6:30 p.m. today.

HANCOCK

The Motion In Writing was read and prevailed without objection.

**HOUSE BILL ON FIRST READING**

The following bill received from the House was read first time and referred to the committee indicated:

**HB 34** to Committee on Criminal Justice.

**SENATE RULES SUSPENDED  
(Posting Rules)**

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Criminal Justice might meet upon recess and consider the following bills today:

**HB 104, HB 240, HB 298, HB 683, HB 1503, HB 1999, HB 2059, HB 2306, HB 2529, HB 2619, HB 2911, HB 3147, HB 3872, HB 1884, HB 162, HB 591, HB 2755, HB 3594, HB 4117, HB 34.**

**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 Friday, May 19, 2017, at 9:30 a.m.

**SENATE RULES SUSPENDED  
(Posting Rules)**

On motion of Senator Perry and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Agriculture, Water, and Rural Affairs might meet upon recess today.



- SB 304** Taylor, Van Sponsor: Raymond  
Relating to the continuation and functions of the Texas Board of Chiropractic Examiners; authorizing a reduction in fees.  
(Amended)
- SB 313** Schwertner Sponsor: Burkett  
Relating to the continuation and functions of the State Board of Dental Examiners; imposing fees.  
(Amended)
- SB 319** Watson Sponsor: Raymond  
Relating to the continuation and functions of the State Board of Veterinary Medical Examiners; authorizing a reduction in fees; providing penalties.  
(Amended)
- SB 416** Watson Sponsor: Smithee  
Relating to the composition of the board of directors of the State Bar of Texas.  
(Amended)
- SB 944** Hughes Sponsor: Clardy  
Relating to the adoption of the Uniform Foreign-Country Money Judgments Recognition Act.  
(Committee Substitute/Amended)
- SB 999** West Sponsor: Giddings  
Relating to procedures for taking possession of a child and for certain hearings in a suit affecting the parent-child relationship involving the Department of Family and Protective Services.  
(Amended)
- SB 1004** Hancock Sponsor: Geren  
Relating to the deployment of network nodes in public right-of-way; authorizing fees.  
(Committee Substitute)
- SB 1300** Perry Sponsor: Darby  
Relating to the designation of the San Angelo State Supported Living Center as a forensic state supported living center.
- SB 1343** Hughes Sponsor: Parker  
Relating to the prosecution of criminal offenses regarding unauthorized recordings.  
(Amended)
- SB 1476** Seliger Sponsor: King, Ken  
Relating to eligibility for support from the universal service fund.
- SB 1488** West Sponsor: Landgraf  
Relating to nonsubstantive additions to, revisions of, and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 84th Legislature to other Acts of that legislature.

**SB 1758** Zaffirini Sponsor: Turner  
Relating to requirements for the court in permanency hearings for children in the conservatorship of the Department of Family and Protective Services who are receiving transitional living services.  
(Amended)

**SB 2027** Rodríguez Sponsor: Moody  
Relating to a study to evaluate by region training and employment opportunities in this state for individuals with an intellectual disability.

**SB 2053** West Sponsor: Murr  
Relating to the distribution of the consolidated court cost.

THE HOUSE HAS TAKEN THE FOLLOWING OTHER ACTION:

**HB 2328**

Pursuant to Rule 13, Section 5A of the Rules of the Texas House, 85th Legislature, the house hereby returns house bill 2328 to the senate for further consideration due to non germane amendments.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2999 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2999** at this time on its second reading:

**CSHB 2999**, Relating to the exemption from ad valorem taxation of property owned by certain medical centers in certain counties.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 2999** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in amended Section 11.23(j-1), Tax Code (page 1, line 58), immediately following the period, add the following:

This subsection may not be construed to exempt from taxation any interest in real or personal property, including a leasehold or other possessory interest, of a for-profit lessee of property for which a nonprofit corporation is entitled to an exemption from taxation under this subsection.

(2) Strike SECTION 2 of the bill (page 1, line 59, through page 2, line 4) and renumber SECTIONS of the bill accordingly.

The amendment to **CSHB 2999** 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: Kolkhorst.

**CSHB 2999** 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:

Absent-excused: Kolkhorst.

#### **COMMITTEE SUBSTITUTE HOUSE BILL 2999 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2999** be placed on its third reading and final passage.

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

Absent-excused: Kolkhorst.

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

#### **HOUSE BILL 1257 ON SECOND READING**

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1257** at this time on its second reading:

**HB 1257**, Relating to the prosecution of and punishment for the offense of criminal mischief involving property used for flood control purposes or a dam.

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: Kolkhorst.

#### **HOUSE BILL 1257 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 **HB 1257** be placed on its third reading and final passage.

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

Absent-excused: Kolkhorst.

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

#### **HOUSE BILL 2783 ON SECOND READING**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2783** at this time on its second reading:

**HB 2783**, Relating to the assessment of litigation costs and attorney fees in certain lawsuits under the public information law.

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: Kolkhorst.

### **HOUSE BILL 2783 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 **HB 2783** be placed on its third reading and final passage.

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

Absent-excused: Kolkhorst.

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

### **HOUSE BILL 1106 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 1106** at this time on its second reading:

**HB 1106**, Relating to the membership of the Texas Racing Commission.

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

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

Nays: Birdwell, Burton, Hancock, Huffines, Nichols, Taylor of Collin.

Absent-excused: Kolkhorst.

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

### **HOUSE BILL 1106 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 1106** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Burton, Hancock, Nichols, Taylor of Collin.

Absent-excused: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 6.

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

Nays: Birdwell, Burton, Hancock, Huffines, Nichols, Taylor of Collin.

Absent-excused: Kolkhorst.

### **HOUSE BILL 3481 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3481** at this time on its second reading:

**HB 3481**, Relating to the terms of district courts in Harris County.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

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

Amend **HB 3481** (senate committee report) in SECTION 4 of the bill, in the effective date language (page 1, line 43), by striking "January 1, 2018" and substituting "September 1, 2017".

The amendment to **HB 3481** 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: Kolkhorst.

**HB 3481** 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:

Absent-excused: Kolkhorst.

### **HOUSE BILL 3481 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3481** be placed on its third reading and final passage.

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

Absent-excused: Kolkhorst.

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

### **HOUSE BILL 1648 ON SECOND READING**

Senator Seliger moved to suspend the regular order of business to take up for consideration **HB 1648** at this time on its second reading:

**HB 1648**, Relating to the designation of a water conservation coordinator by a retail public water utility to implement a water conservation plan.

The motion prevailed.

Senators Bettencourt, Burton, Huffines, and Taylor of Collin asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to 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: Bettencourt, Burton, Huffines, Taylor of Collin.

Absent-excused: Kolkhorst.

### **HOUSE BILL 1648 ON THIRD READING**

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1648** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

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

Nays: Bettencourt, Burton, Huffines, Taylor of Collin.

Absent-excused: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 4. (Same as previous roll call)

### **HOUSE BILL 2989 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 2989** at this time on its second reading:

**HB 2989**, Relating to payment of an ad valorem tax refund in the event of a tax roll correction that decreases a property owner's tax liability.

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: Kolkhorst.

### **HOUSE BILL 2989 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 2989** be placed on its third reading and final passage.

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

Absent-excused: Kolkhorst.

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

### **HOUSE BILL 257 ON SECOND READING**

Senator Buckingham moved to suspend the regular order of business to take up for consideration **HB 257** at this time on its second reading:

**HB 257**, Relating to a report by the Texas Workforce Commission regarding the transition from military service to employment.

The motion prevailed.

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

The bill was read second time and was passed to 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: Taylor of Collin.

Absent-excused: Kolkhorst.

### **HOUSE BILL 257 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 **HB 257** be placed on its third reading and final passage.

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

Nays: Taylor of Collin.

Absent-excused: Kolkhorst.

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

### **HOUSE BILL 1571 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 1571** at this time on its second reading:

**HB 1571**, Relating to energy savings performance contracts.

The motion prevailed.

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

The bill was read second time and was passed to 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: Burton, Hall, Huffines.

Absent-excused: Kolkhorst.

**HOUSE BILL 1571 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 1571** be placed on its third reading and final passage.

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

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

Nays: Burton, Hall, Huffines.

Absent-excused: Kolkhorst.

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

**SENATE BILL 1107 WITH HOUSE AMENDMENT**

Senator Schwertner called **SB 1107** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

**Amendment**

Amend **SB 1107** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED  
AN ACT

relating to telemedicine and telehealth services.

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

SECTION 1. Section 111.001, Occupations Code, is amended by amending Subdivision (2) and adding Subdivisions (3) and (4) to read as follows:

(2) "Store and forward technology" means technology that stores and transmits or grants access to a person's clinical information for review by a health professional at a different physical location than the person.

(3) "Telehealth service" means a health service, other than a telemedicine medical service, delivered by a health professional licensed, certified, or otherwise entitled to practice in this state and acting within the scope of the health professional's license, certification, or entitlement to a patient at a different physical location than the health professional using telecommunications or information technology.

(4) "Telemedicine [~~and "telemedicine"~~] medical service" means a health care service delivered by a physician licensed in this state, or a health professional acting under the delegation and supervision of a physician licensed in this state, and acting within the scope of the physician's or health professional's license to a patient at a different physical location than the physician or health professional using telecommunications or information technology [~~have the meanings assigned by Section 57.042, Utilities Code~~].

SECTION 2. Section 111.004, Occupations Code, is amended to read as follows:

Sec. 111.004. RULES. The Texas ~~[State Board of]~~ Medical Board ~~[Examiners]~~, in consultation with the commissioner of insurance, as appropriate, may adopt rules necessary to:

(1) ensure that patients using telemedicine medical services receive appropriate, quality care;

(2) prevent abuse and fraud in the use of telemedicine medical services, including rules relating to the filing of claims and records required to be maintained in connection with telemedicine medical services;

(3) ensure adequate supervision of health professionals who are not physicians and who provide telemedicine medical services; and

(4) establish the maximum number of health professionals who are not physicians that a physician may supervise through a telemedicine medical service[; and

~~[(5) require a face to face consultation between a patient and a physician providing a telemedicine medical service within a certain number of days following an initial telemedicine medical service only if the physician has never seen the patient].~~

SECTION 3. Chapter 111, Occupations Code, is amended by adding Sections 111.005 through 111.008 to read as follows:

Sec. 111.005. PRACTITIONER-PATIENT RELATIONSHIP FOR TELEMEDICINE MEDICAL SERVICES. (a) For purposes of Section 562.056, a valid practitioner-patient relationship is present between a practitioner providing a telemedicine medical service and a patient receiving the telemedicine medical service as long as the practitioner complies with the standard of care described in Section 111.007 and the practitioner:

(1) has a preexisting practitioner-patient relationship with the patient established in accordance with rules adopted under Section 111.006;

(2) communicates, regardless of the method of communication, with the patient pursuant to a call coverage agreement established in accordance with Texas Medical Board rules with a physician requesting coverage of medical care for the patient; or

(3) provides the telemedicine medical services through the use of one of the following methods, as long as the practitioner complies with the follow-up requirements in Subsection (b), and the method allows the practitioner to have access to, and the practitioner uses, the relevant clinical information that would be required in accordance with the standard of care described in Section 111.007:

(A) synchronous audiovisual interaction between the practitioner and the patient in another location;

(B) asynchronous store and forward technology, including asynchronous store and forward technology in conjunction with synchronous audio interaction between the practitioner and the patient in another location, as long as the practitioner uses clinical information from:

(i) clinically relevant photographic or video images, including diagnostic images; or

(ii) the patient's relevant medical records, such as the relevant medical history, laboratory and pathology results, and prescriptive histories; or

(C) another form of audiovisual telecommunication technology that allows the practitioner to comply with the standard of care described in Section 111.007.

(b) A practitioner who provides telemedicine medical services to a patient as described in Subsection (a)(3) shall:

(1) provide the patient with guidance on appropriate follow-up care; and

(2) if the patient consents and the patient has a primary care physician, provide to the patient's primary care physician within 72 hours after the practitioner provides the services to the patient a medical record or other report containing an explanation of the treatment provided by the practitioner to the patient and the practitioner's evaluation, analysis, or diagnosis, as appropriate, of the patient's condition.

(c) Notwithstanding any other provision of this section, a practitioner-patient relationship is not present if a practitioner prescribes an abortifacient or any other drug or device that terminates a pregnancy.

Sec. 111.006. COORDINATION TO ADOPT RULES THAT DETERMINE VALID PRESCRIPTION. (a) The Texas Medical Board, the Texas Board of Nursing, the Texas Physician Assistant Board, and the Texas State Board of Pharmacy shall jointly adopt rules that establish the determination of a valid prescription in accordance with Section 111.005. Rules adopted under this section must allow for the establishment of a practitioner-patient relationship by a telemedicine medical service provided by a practitioner to a patient in a manner that complies with Section 111.005(a)(3).

(b) The Texas Medical Board, the Texas Board of Nursing, the Texas Physician Assistant Board, and the Texas State Board of Pharmacy shall jointly develop and publish on each respective board's Internet website responses to frequently asked questions relating to the determination of a valid prescription issued in the course of the provision of telemedicine medical services.

Sec. 111.007. STANDARD OF CARE FOR TELEMEDICINE MEDICAL SERVICES AND TELEHEALTH SERVICES. (a) A health professional providing a health care service or procedure as a telemedicine medical service or a telehealth service is subject to the standard of care that would apply to the provision of the same health care service or procedure in an in-person setting.

(b) An agency with regulatory authority over a health professional may not adopt rules pertaining to telemedicine medical services or telehealth services that would impose a higher standard of care than the standard described in Subsection (a).

Sec. 111.008. MENTAL HEALTH SERVICES EXCLUDED. This chapter does not apply to mental health services.

SECTION 4. Section 562.056, Occupations Code, is amended by adding Subsection (c) to read as follows:

(c) For purposes of this section, a valid practitioner-patient relationship is present between a practitioner providing telemedicine medical services and the patient receiving the telemedicine medical services if the practitioner has complied with the requirements for establishing such a relationship in accordance with Section 111.005.

SECTION 5. Section 1455.001(3), Insurance Code, is amended to read as follows:

(3) "Telehealth service" and "telemedicine medical service" have the meanings assigned by Section 111.001 [~~57.042~~], Occupations [~~Utilities~~] Code.

SECTION 6. Section 1455.004, Insurance Code, is amended to read as follows:

Sec. 1455.004. COVERAGE FOR TELEMEDICINE MEDICAL SERVICES AND TELEHEALTH SERVICES. (a) A health benefit plan may not exclude from coverage a covered health care service or procedure delivered by a preferred or contracted health professional to a covered patient as a telemedicine medical service or a telehealth service [~~from coverage under the plan~~] solely because the covered health care service or procedure is not provided through an in-person [~~a face-to-face~~] consultation.

(b) A health benefit plan may require a deductible, a copayment, or coinsurance for a covered health care service or procedure delivered by a preferred or contracted health professional to a covered patient as a telemedicine medical service or a telehealth service. The amount of the deductible, copayment, or coinsurance may not exceed the amount of the deductible, copayment, or coinsurance required for the covered health care [~~a comparable medical~~] service or procedure provided through an in-person [~~a face-to-face~~] consultation.

(c) Notwithstanding Subsection (a), a health benefit plan is not required to provide coverage for a telemedicine medical service or a telehealth service provided by only synchronous or asynchronous audio interaction, including:

- (1) an audio-only telephone consultation;
- (2) a text-only e-mail message; or
- (3) a facsimile transmission.

SECTION 7. Chapter 1455, Insurance Code, is amended by adding Section 1455.006 to read as follows:

Sec. 1455.006. TELEMEDICINE MEDICAL SERVICES AND TELEHEALTH SERVICES STATEMENT. (a) Each issuer of a health benefit plan shall adopt and display in a conspicuous manner on the health benefit plan issuer's Internet website the issuer's policies and payment practices for telemedicine medical services and telehealth services.

(b) This section does not require an issuer of a health benefit plan to display negotiated contract payment rates for health professionals who contract with the issuer to provide telemedicine medical services or telehealth services.

SECTION 8. Sections 531.001(7) and (8), Government Code, are amended to read as follows:

(7) "Telehealth service" has the meaning assigned by Section 111.001, Occupations Code [~~means a health service, other than a telemedicine medical service, that is delivered by a licensed or certified health professional acting within the scope of the health professional's license or certification who does not perform a telemedicine medical service and that requires the use of advanced telecommunications technology, other than telephone or facsimile technology, including:~~

~~[(A) compressed digital interactive video, audio, or data transmission;~~

~~[(B) clinical data transmission using computer imaging by way of still image capture and store and forward; and~~

~~[(C) other technology that facilitates access to health care services or medical specialty expertise].~~

(8) "Telemedicine medical service" has the meaning assigned by Section 111.001, Occupations Code ~~[means a health care service that is initiated by a physician or provided by a health professional acting under physician delegation and supervision, that is provided for purposes of patient assessment by a health professional, diagnosis or consultation by a physician, or treatment, or for the transfer of medical data, and that requires the use of advanced telecommunications technology, other than telephone or facsimile technology, including:~~

~~[(A) compressed digital interactive video, audio, or data transmission;~~

~~[(B) clinical data transmission using computer imaging by way of still image capture and store and forward; and~~

~~[(C) other technology that facilitates access to health care services or medical specialty expertise].~~

SECTION 9. Section 531.0216(b), Government Code, is amended to read as follows:

(b) In developing the system, the executive commissioner by rule shall:

(1) review programs and pilot projects in other states to determine the most effective method for reimbursement;

(2) establish billing codes and a fee schedule for services;

(3) ~~[provide for an approval process before a provider can receive reimbursement for services;~~

~~[(4)]~~ consult with the Department of State Health Services to establish procedures to:

(A) identify clinical evidence supporting delivery of health care services using a telecommunications system; and

(B) annually review health care services, considering new clinical findings, to determine whether reimbursement for particular services should be denied or authorized;

~~(4) [(5)]~~ establish a separate provider identifier for telemedicine medical services providers, telehealth services providers, and home telemonitoring services providers; and

~~(5) [(6)]~~ establish a separate modifier for telemedicine medical services, telehealth services, and home telemonitoring services eligible for reimbursement.

SECTION 10. Sections 531.0217(c-1) and (i), Government Code, are amended to read as follows:

(c-1) Notwithstanding Subsection (b) or (c), the commission shall provide for reimbursement under Medicaid for an office visit provided through telemedicine by a physician who is assessing and evaluating the patient from a distant site if [±

~~[(1) a health professional acting under the delegation and supervision of that physician is present with the patient at the time of the visit; and~~

~~[(2)]~~ the medical condition, illness, or injury for which the patient is receiving the service is not likely, within a reasonable degree of medical certainty, to undergo material deterioration within the 30-day period following the date of the visit.

(i) The Texas Medical Board, in consultation with the commission, as appropriate, may adopt rules as necessary to:

(1) ensure that appropriate care, including quality of care, is provided to patients who receive telemedicine medical services; and

(2) prevent abuse and fraud through the use of telemedicine medical services, including rules relating to filing of claims and records required to be maintained in connection with telemedicine[; and

~~[(3) define those situations when a face-to-face consultation with a physician is required after a telemedicine medical service].~~

SECTION 11. Section 771.151(7), Health and Safety Code, is amended to read as follows:

(7) "Telemedicine medical service" has the meaning assigned by Section 111.001, Occupations Code ~~[means a health care service that is initiated by a physician or provided by a health professional acting under physician delegation and supervision, that is provided for purposes of patient assessment by a health professional, diagnosis or consultation by a physician, or treatment, or for the transfer of medical data, and that requires the use of advanced telecommunications technology, other than telephone or facsimile technology, including:~~

~~[(A) compressed digital interactive video, audio, or data transmission;~~

~~[(B) clinical data transmission using computer imaging by way of still image capture and store and forward; and~~

~~[(C) other technology that facilitates access to health care services or medical specialty expertise].~~

SECTION 12. Sections 531.02163 and 531.0217(i-1), Government Code, are repealed.

SECTION 13. (a) Except as provided by Subsection (b) of this section, 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.

(b) Sections 1455.001(3) and 1455.004, Insurance Code, as amended by this Act, and Section 1455.006, Insurance Code, as added by this Act, take effect January 1, 2018.

The amendment was read.

Senator Schwertner moved to concur in the House amendment to **SB 1107**.

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

Absent-excused: Kolkhorst.

### **HOUSE BILL 4032 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 4032** at this time on its second reading:

**HB 4032**, Relating to annual limitations on the reimbursement of expenses incurred by district court reporters.

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: Kolkhorst.

### **HOUSE BILL 4032 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 4032** be placed on its third reading and final passage.

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

Absent-excused: Kolkhorst.

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

**(Senator Watson in Chair)**

### **HOUSE BILL 3276 ON SECOND READING**

Senator Taylor of Galveston moved to suspend the regular order of business to take up for consideration **HB 3276** at this time on its second reading:

**HB 3276**, Relating to notice of health benefit plan provider network status provided by certain freestanding emergency medical care facilities.

The motion prevailed.

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

The bill was read second time and was passed to 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: Burton, Huffines, Taylor of Collin.

Absent-excused: Kolkhorst.

### **HOUSE BILL 3276 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 3276** be placed on its third reading and final passage.

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

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

Nays: Burton, Huffines, Taylor of Collin.

Absent-excused: Kolkhorst.

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

### **HOUSE BILL 2615 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 2615** at this time on its second reading:

**HB 2615**, Relating to the licensing of towing operators and vehicle storage facility employees by the Texas Department of Licensing and Regulation.

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: Kolkhorst.

### **HOUSE BILL 2615 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 2615** be placed on its third reading and final passage.

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

Absent-excused: Kolkhorst.

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

### **HOUSE BILL 3257 ON SECOND READING**

Senator Hancock moved to suspend the regular order of business to take up for consideration **HB 3257** at this time on its second reading:

**HB 3257**, Relating to the regulation and inspection of boilers.

The motion prevailed.

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

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

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

Amend **HB 3257** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . Chapter 755, Health and Safety Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. REGULATION OF BOILERS AND FUEL GAS SYSTEMS

Sec. 755.071. RESTRICTION ON REGULATION. Notwithstanding any other law, a state agency or political subdivision may not restrict the use or installation of a specific fuel gas pipe product that is approved for use and installation by the International Fuel Gas Code.

Sec. 755.072. CONFLICT OF LAW. To the extent of a conflict between this subchapter and another law, this subchapter controls.

The amendment to **HB 3257** 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: Kolkhorst.

**HB 3257** 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: Birdwell.

Absent-excused: Kolkhorst.

**HOUSE BILL 3257 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 3257** be placed on its third reading and final passage.

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

Nays: Birdwell.

Absent-excused: Kolkhorst.

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

**(Senator Hancock in Chair)**

**HOUSE BILL 2097 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **HB 2097** at this time on its second reading:

**HB 2097**, Relating to the sale of malt liquor, ale, and beer by the holder of a brewpub license.

The motion prevailed.

Senators Bettencourt and Perry 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 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: Bettencourt, Perry.

Absent-excused: Kolkhorst.

### **HOUSE BILL 2097 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 **HB 2097** 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, Lucio, Menéndez, Miles, Nelson, Nichols, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Perry.

Absent-excused: Kolkhorst.

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

### **SENATOR ANNOUNCED PRESENT**

Senator Kolkhorst, who had previously been recorded as "Absent-excused," was announced "Present."

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

### **HOUSE BILL 2324 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2324** at this time on its second reading:

**HB 2324**, Relating to the deadline for volunteer deputy registrars to submit voter registration applications.

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 2324 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 **HB 2324** 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 2933 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 2933** at this time on its second reading:

**HB 2933**, Relating to the licensing and regulation of military optometrists and therapeutic optometrists who provide voluntary charity care.

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 2933 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 2933** 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 RESOLUTION ON FIRST READING**

The following resolution was introduced, read first time, and referred to the committee indicated:

**SCR 54** by Miles

Expressing support for the creation of the Sam Houston Republic of Texas Presidential Library at Sam Houston State University.

To Committee on Administration.

**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 296** to Committee on Business and Commerce.

**HB 477** to Committee on Business and Commerce.

**HB 557** to Committee on Administration.

**HB 578** to Committee on Business and Commerce.

**HB 744** to Committee on State Affairs.

**HB 849** to Committee on Business and Commerce.

**HB 986** to Committee on Health and Human Services.

**HB 1062** to Committee on Higher Education.

**HB 1258** to Committee on State Affairs.

**HB 1290** to Committee on Business and Commerce.

**HB 1414** to Committee on State Affairs.

**HB 1480** to Committee on Administration.

**HB 1605** to Committee on Business and Commerce.

**HB 1649** to Committee on Business and Commerce.

**HB 1856** to Committee on Business and Commerce.

**HB 2057** to Committee on Business and Commerce.  
**HB 2122** to Committee on State Affairs.  
**HB 2484** to Committee on Agriculture, Water, and Rural Affairs.  
**HB 2750** to Committee on Business and Commerce.  
**HB 2766** to Committee on Health and Human Services.  
**HB 3071** to Committee on Intergovernmental Relations.  
**HB 3226** to Committee on Business and Commerce.  
**HB 3281** to Committee on Intergovernmental Relations.  
**HB 3702** to Committee on Business and Commerce.  
**HB 3969** to Committee on Business and Commerce.  
**HCR 106** to Committee on Administration.  
**HJR 73** to Committee on Business and Commerce.

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

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

**HB 28, HB 423, HB 855, HB 2790.**

**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 2121, HB 2703, HB 3649, HB 2465.**

**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 2937** at Senator Hancock's desk tomorrow.

**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 **HB 2119** tomorrow.

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

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

**HB 922, HB 1510, HB 2009, HB 2358, HB 3188, HB 3582, HB 3535, HB 3781.**

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

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Criminal Justice might meet at his desk and consider **HB 865** today.

**CO-AUTHORS OF SENATE BILL 2149**

On motion of Senator Huffman, Senators Bettencourt, Lucio, and Perry will be shown as Co-authors of **SB 2149**.

**CO-SPONSOR OF HOUSE BILL 29**

On motion of Senator Huffman, Senator Nelson will be shown as Co-sponsor of **HB 29**.

**CO-SPONSOR OF HOUSE BILL 518**

On motion of Senator Watson, Senator Zaffirini will be shown as Co-sponsor of **HB 518**.

**CO-SPONSOR OF HOUSE BILL 1291**

On motion of Senator Campbell, Senator Schwertner will be shown as Co-sponsor of **HB 1291**.

**CO-SPONSOR OF HOUSE BILL 1657**

On motion of Senator West, Senator Nichols will be shown as Co-sponsor of **HB 1657**.

**CO-SPONSOR OF HOUSE BILL 2817**

On motion of Senator Perry, Senator Schwertner will be shown as Co-sponsor of **HB 2817**.

**CO-SPONSOR OF HOUSE BILL 2849**

On motion of Senator Perry, Senator Schwertner will be shown as Co-sponsor of **HB 2849**.

**CO-SPONSOR OF HOUSE BILL 3433**

On motion of Senator Perry, Senator Kolkhorst will be shown as Co-sponsor of **HB 3433**.

**CO-SPONSOR OF HOUSE BILL 3859**

On motion of Senator Perry, Senator Campbell will be shown as Co-sponsor of **HB 3859**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolution**

**SR 808** by Uresti, In memory of Douglas Sterling Cain.

### Congratulatory Resolutions

**SR 804** by Watson, Recognizing Jesús Garza on the occasion of his retirement.

**SR 805** by Uresti, Recognizing Carl Keller on the occasion of his retirement.

**SR 806** by Taylor of Collin, Recognizing Chris Girata for his service to the Texas Senate.

**SR 807** by Uresti, Recognizing the members of the Crockett Middle School drama club for their Shakespeare quote-a-thon.

**SR 809** by Zaffirini and Campbell, Recognizing James Jennings Ulbrich on the occasion of his 90th birthday.

**SR 810** by Birdwell, Recognizing Earl Gillum for his career in law enforcement.

**SR 811** by Birdwell, Recognizing D. L. Wilson for receiving a Lifesaving Award.

**SR 812** by Birdwell, Recognizing Chase Miller for saving the life of a young Texan.

**HCR 133** (Buckingham), Honoring artist G. Harvey of Fredericksburg.

**HCR 134** (Seliger), Honoring Joseph I. O'Neill III of Midland for his achievements as a business and civic leader.

**HCR 144** (Seliger), Commemorating the 50th anniversary of the Texas Cattle Feeders Association.

### ADJOURNMENT

On motion of Senator Whitmire, the Senate at 6:56 p.m. adjourned until 11:00 a.m. tomorrow.

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### APPENDIX

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### COMMITTEE REPORTS

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

May 18, 2017

**TRANSPORTATION — CSSB 1939**

**NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — CSHB 129, HB 1494, CSHB 1816, HB 2321, HB 2445, CSHB 3177, HB 3181, HB 3294, CSHB 3484, HB 3488, CSHB 2533**

**HEALTH AND HUMAN SERVICES — HB 970, HB 2466, CSHB 2891, CSHB 3078**

**INTERGOVERNMENTAL RELATIONS — HB 594, HB 1238, HB 714, HB 1455, HB 2220, HB 2214, HB 2762, HB 2725**

**VETERAN AFFAIRS AND BORDER SECURITY — HJR 21, HB 1644, HB 150, HB 1905, HB 2008, HB 2115, HB 2486, HB 3066, HB 3521, HB 3567, HB 377**

TRANSPORTATION — **CSHB 3254, CSHB 2774**

HEALTH AND HUMAN SERVICES — **HB 3442**

STATE AFFAIRS — **HB 2552, HB 2612, HB 3152, HB 45, HCR 101, HJR 10, HB 3125, HB 3056, HB 2578, HB 2559, HB 2410, HB 2323, HB 2157, HB 1066, HB 995, HB 669, HB 590, HB 555, HB 505, HB 435, HB 332, HB 273, HB 14, HB 3784, HB 3423, HJR 100**

INTERGOVERNMENTAL RELATIONS — **HB 1009**

AGRICULTURE, WATER, AND RURAL AFFAIRS — **HB 1260, HB 3025, HB 1724, HB 2369, HB 2377, HB 3987**

HEALTH AND HUMAN SERVICES — **CSHB 2848**

**BILLS ENGROSSED**

May 17, 2017

**SB 370, SB 1609, SB 1682, SB 1964, SB 2291**

**BILLS AND RESOLUTIONS ENROLLED**

May 17, 2017

**SB 28, SB 286, SB 586, SB 587, SR 798, SR 799, SR 800, SR 801, SR 802, SR 803**

**SENT TO GOVERNOR**

May 18, 2017

**SB 28, SB 286, SB 586, SB 587**

**SIGNED BY GOVERNOR**

May 18, 2017

**SB 128, SB 259, SB 594, SB 706, SB 758, SB 763, SB 881, SB 929, SB 1003, SB 1086, SB 1145, SB 1176, SB 1390, SB 1576**

