

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTY-SIXTH DAY

(Wednesday, April 10, 2019)

The Senate met at 10:00 a.m. pursuant to adjournment and was called to order by President Pro Tempore Watson.

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Buckingham, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Absent-excused: Campbell.

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

The Reverend Michael Evans Sr., Bethlehem Baptist Church, Mansfield, was introduced by Senator Powell and offered the invocation as follows:

Gracious God, creator of all that is and all that will ever be, we thank You today for Your grace and Your mercy. We humbly ask that You will be present in this place, this the 10th day of April, 2019. Please remind the honorable men and women of this most esteemed body that each of them have been chosen for such a time as this. We come today, thanking You for the privilege of service. We thank You for calling together this diverse group of Texans, representing the kaleidoscope of diverse people groups that have made our state the greatest state in the nation. Make them to know that by divine providence, You have called them together to represent the interests of all of us: the strong and the powerless, the vociferous and the voiceless, the affluent and the indigent. O my God, please guide the tenor and the tone of the debate. Let this be a day for civil discourse, passionate discussion void of poisonous intent. And when this legislative day is done, let the people of this body depart with good conscience, moral integrity, and spiritual fortitude. We ask these blessings in the name of the creator, the ruler and sustainer of the universe, the only wise God. In that name I pray. Amen.

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

The motion prevailed without objection.

SENATE RESOLUTION 554

Senator Seliger, on behalf of Senator Campbell, offered the following resolution:

SR 554, Commending Andrew Roberts on his achievements as an author and a scholar.

The resolution was read and was adopted without objection.

GUEST PRESENTED

Senator Seliger, on behalf of Senator Campbell, was recognized and introduced to the Senate Andrew Roberts, author and scholar.

The Senate welcomed its guest.

(Senator Flores in Chair)

SENATE RESOLUTION 512

Senator Watson offered the following resolution:

SR 512, Recognizing the 2018-2019 Texas School for the Deaf girls' basketball team for their achievements.

The resolution was again read.

The resolution was previously adopted on Wednesday, March 27, 2019.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate the Texas School for the Deaf Lady Rangers basketball team including Janelle Coons, Isadora Egbert, Ashlene Etkie, Ashley Harlicker, Michaela Kelley, Kaci Ketchum, Brianna Leiker, Jewel Rocha, Sunita Schmidjorg, Precious Schwartz, Leila Sicoli, and Jayne Taylor, accompanied by Head Coach Brian Sipek and Assistant Coaches Ashley Elliott, Sean Moore, and Sheri Mize.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Birdwell was recognized and presented Dr. Jackson Griggs of Waco as the Physician of the Day.

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

(President Pro Tempore Watson in Chair)

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Campbell was granted leave of absence for today on account of important business.

SENATE RESOLUTION 556

Senator Rodríguez offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Grace Neve Valdez for spearheading the Gifts for Good project that provided thousands of gifts and cards for the children in the Tornillo Emergency Immigration Influx Shelter at Christmas of 2018; and

WHEREAS, Grace Valdez is a sixth-grade student and serves as the student body president at Russell Lee Elementary School in Austin; as part of her campaign platform, the young leader promised to reach out to the children in immigration detention facilities, and her efforts inspired citizens throughout the nation to join her cause; and

WHEREAS, With the help of her grandmother, Grace was able to enlist the support of local and state leaders and ultimately gain special permission for the children at the shelter to receive cards and soccer balls for the holiday season; she reached out to school administrators, her fellow students, and other school districts, and as word of her project spread, cards and gifts began to reach the facility from people across the nation; and

WHEREAS, As a result of Grace's efforts, more than 3,000 soccer balls and 5,000 personalized cards were distributed to the children at the Tornillo Emergency Immigration Influx Shelter on Christmas day; Grace's generous spirit has been a source of inspiration to thousands of individuals, and she is truly a shining example to all; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby recognize Grace Neve Valdez as a treasured citizen of the Lone Star State and commend her for leading the Gifts for Good drive on behalf of the vulnerable children in Tornillo; and, be it further

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

SR 556 was read and was adopted without objection.

GUESTS PRESENTED

Senator Rodríguez was recognized and introduced to the Senate Grace Neve Valdez, Russell Lee Elementary School Student Body President, accompanied by her parents Laura and Omar Valdez and grandmother Sharon Bonart.

The Senate welcomed its guests.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The President Pro Tempore announced the time had arrived to consider executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Buckingham.

Senator Buckingham moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The President Pro Tempore asked if there were requests to sever nominees.

There were no requests offered.

NOMINEES CONFIRMED

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 30, Nays 0.

Absent-excused: Campbell.

Commissioners, Board of Pilot Commissioners for Galveston County Ports: James Perry Bryan, Galveston County; Charles Frederick Kuebler, Galveston County.

Members, Board, Department of Information Resources: Christian Alexis Alvarado, Travis County; Michael Dean Bell, Harris County; James Perry Dyer, Travis County.

Member, Board of Trustees, Employees Retirement System of Texas: James Kee, Bexar County.

Members, Board of Directors, Guadalupe-Blanco River Authority: Robert E. Brockman, Comal County; Stephen Brent Ehrig, Gonzales County; Oscar H. Fogle, Caldwell County; Kenneth Alan Motl, Calhoun County.

Public Counsel, Office of Injured Employee Counsel: Jessica Corna Barta, Travis County.

Members, Product Development and Small Business Incubator Board: Jack J. Goehring, Travis County; Jimmie Ricardo Limon, Cameron County; Melinda Anne Moore, Angelina County; Manuel Salazar, Kleberg County; Colette Patrice Walls, San Patricio County.

Members, State Board of Dental Examiners: Lorie Lynette Jones, Montgomery County; Margo Yvette Melchor, Harris County.

Members, State Board of Veterinary Medical Examiners: Sue Talaina Allen, McLennan County; Samantha Johnson Mixon, Kendall County; Randall Lee Skaggs, Ochiltree County.

Member, State Cemetery Committee: Carolyn King Hodges, Harris County.

Members, Board of Directors, Sulphur River Basin Authority: Gary Wayne Cheatwood, Red River County; Bradley Kyle Drake, Lamar County; Wallace Eugene Kraft, Lamar County; Bret Alan McCoy, Morris County; Kelly Douglas Mitchell, Bowie County; Catherine A. Stedman, Titus County.

Member, Board of Trustees, Teacher Retirement System of Texas: James D. Nance, Lavaca County.

Members, Texas Board of Medical Radiologic Technology: Linda Faye Brown, Jefferson County; Jennifer Colleen Flanagan, Parker County; Faraz Adil Khan, Harris County; Regan Leigh Robinson Landreth, Williamson County; Melanie Lutz, Harris County; Carol Waddell, McLennan County.

Members, Texas Commission of Licensing and Regulation: Thomas Felton Butler, Harris County; Gary Franklin Wesson, Bastrop County.

Members, Texas Commission on Fire Protection: Arminda Garza, Hidalgo County; Michael Paul Jones, Johnson County; Bob Douglas Morgan, Tarrant County; Mala Sharma, Harris County; John Paul Steelman, Gregg County.

Members, Texas Diabetes Council: Felicia Fruia-Edge, Cameron County; John W. Griffin, Victoria County; Feyi Obamehinti, Tarrant County; Ardis Ann Reed, Smith County.

Member, Texas Facilities Commission: Rigoberto Villarreal, Hidalgo County.

Members, Texas Juvenile Justice Board: David S. Matthew, Williamson County; Mona Lisa Chambers, Harris County.

Member, Board of Regents, Texas Southern University: Ronald J. Price, Dallas County.

Members, Texas State Board of Public Accountancy: Manuel Cavazos, Travis County; Lisa A. Friel, Bexar County; Jamie De'Sean Grant, Tarrant County; James Drew Ingram, Brazos County; Debra Saldana Sharp, Harris County.

Member, Board of Regents, Texas Tech University System: Ginger Kerrick, Harris County.

Member, Board of Regents, The University of Texas System: Nolan E. Perez, Cameron County.

Members, Board of Directors, Upper Guadalupe River Authority: David Michael Hughes, Kerr County; William Raymond Rector, Kerr County; Margaret Brogan Snow, Kerr County.

CONCLUSION OF MORNING CALL

The President Pro Tempore at 10:25 a.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE SENATE BILL 531 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 531** at this time on its second reading:

CSSB 531, Relating to sources of funding for the Texas emissions reduction plan.

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

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

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 531 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 531** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

SENATE BILL 1017 ON SECOND READING

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1017** at this time on its second reading:

SB 1017, Relating to the creation of the advisory council on postsecondary education for persons with intellectual and developmental disabilities.

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

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

Absent-excused: Campbell.

SENATE BILL 1017 ON THIRD READING

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1017** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

SENATE BILL 1213 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1213** at this time on its second reading:

SB 1213, Relating to the exchange of certain state property in Orange County by the Public Safety Commission.

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

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

Absent-excused: Campbell.

SENATE BILL 1213 ON THIRD READING

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1213** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 384 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 384** at this time on its second reading:

CSSB 384, Relating to the reporting of health care-associated infections and preventable adverse events at health care facilities.

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

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

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 384 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 384** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 810 ON SECOND READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **CSSB 810** at this time on its second reading:

CSSB 810, Relating to the identification of breeder deer.

The motion prevailed.

Senators Creighton, Hall, Hinojosa, Menéndez, and Whitmire asked to be recorded as voting "Nay" on suspension of the regular order of business.

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

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

Nays: Creighton, Hall, Hinojosa, Menéndez, Whitmire.

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 810 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 810** be placed on its third reading and final passage.

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

Yeas: Alvarado, Bettencourt, Birdwell, Buckingham, Fallon, Flores, Hancock, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Zaffirini.

Nays: Creighton, Hall, Hinojosa, Menéndez, Whitmire.

Absent-excused: Campbell.

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

SENATE BILL 225 ON SECOND READING

On motion of Senator Flores and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 225** at this time on its second reading:

SB 225, Relating to the issuance of Army of Occupation Medal specialty license plates; providing an exemption from a fee.

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

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

Absent-excused: Campbell.

SENATE BILL 225 ON THIRD READING

Senator Flores moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 225** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate the 2019 Leadership Flower Mound class.

The Senate welcomed its guests.

SENATE BILL 709 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **SB 709** at this time on its second reading:

SB 709, Relating to the allocation and use of the annual constitutional appropriation to certain agencies and institutions of higher education.

The motion prevailed.

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

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

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

Nays: Hall.

Absent-excused: Campbell.

SENATE BILL 709 ON THIRD READING

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 709** be placed on its third reading and final passage.

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

Nays: Hall.

Absent-excused: Campbell.

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

SENATE BILL 1006 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1006** at this time on its second reading:

SB 1006, Relating to the exemption from ad valorem taxation of income-producing tangible personal property having a value of less than a certain amount.

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

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

Absent-excused: Campbell.

SENATE BILL 1006 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1006** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

**COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 24 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSJR 24** at this time on its second reading:

CSSJR 24, Proposing a constitutional amendment relating to the appropriation of the net revenue received from the imposition of state sales and use taxes on sporting goods.

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

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

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 24 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSJR 24** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 26 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 26** at this time on its second reading:

CSSB 26, Relating to the allocation to and use by the Parks and Wildlife Department and Texas Historical Commission of certain proceeds from the imposition of state sales and use taxes on sporting goods.

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

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

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 26 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 26** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

**(Senator Hancock in Chair)
COMMITTEE SUBSTITUTE
SENATE BILL 943 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **CSSB 943** at this time on its second reading:

CSSB 943, Relating to the disclosure of certain contracting information under the public information law.

The motion prevailed.

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

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 943** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 552.003(7), Government Code (page 2, line 41), strike "exchanged" and substitute "sent".

(2) In SECTION 2 of the bill, in added Section 552.0222(b)(1), Government Code (page 3, line 2), strike "subject to" and substitute "excluding any information that was properly redacted under".

(3) In SECTION 2 of the bill, in added Section 552.0222(b)(2), Government Code (page 3, line 4), strike "subject to" and substitute "excluding any information that was properly redacted under".

(4) In SECTION 9 of the bill, strike added Section 552.371(a), Government Code (page 5, lines 31-34), and substitute the following:

(a) This section applies to an entity that is not a governmental body that executes a contract with a governmental body that:

(1) has a stated expenditure of at least \$1 million in public funds for the purchase of goods or services by the governmental body; or

(2) results in the expenditure of at least \$1 million in public funds for the purchase of goods or services by the governmental body in a fiscal year of the governmental body.

(5) In SECTION 9 of the bill, in added Section 552.372(a)(2), Government Code (page 6, line 1), strike "produce" and substitute "provide to the governmental body".

(6) In SECTION 9 of the bill, in added Section 552.372(b), Government Code (page 6, line 11), strike "A" and substitute "Unless Section 552.374(c) applies, a".

(7) In SECTION 9 of the bill, in added Section 552.373(3), Government Code (page 6, line 33), between "(3)" and "advise", insert "unless Section 552.374(c) applies,".

(8) In SECTION 9 of the bill, in added Section 552.374(a), Government Code (page 6, line 39), strike "A" and substitute "Subject to Subsection (c), a".

(9) In SECTION 9 of the bill, at the end of added Section 552.374, Government Code (page 6, between lines 58 and 59), insert the following:

(c) A governmental body may not terminate a contract under this section if the contract is related to the purchase or underwriting of a public security, the contract is or may be used as collateral on a loan, or the contract's proceeds are used to pay debt service of a public security or loan.

(10) In SECTION 9 of the bill, between added Sections 552.374 and 552.375, Government Code (page 6, between lines 58 and 59), insert the following:

Sec. 552.375. OTHER CONTRACT PROVISIONS. Nothing in this subchapter prevents a governmental body from including and enforcing more stringent requirements in a contract to increase accountability or transparency.

(11) In SECTION 9 of the bill, in added Section 552.375, Government Code (page 6, line 59), strike "552.375" and substitute "552.376".

The amendment to **CSSB 943** 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:

Nays: Creighton.

Absent-excused: Campbell.

CSSB 943 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: Creighton.

Absent-excused: Campbell.

COMMITTEE SUBSTITUTE SENATE BILL 943 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 943** be placed on its third reading and final passage.

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

Nays: Creighton.

Absent-excused: Campbell.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 944 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **CSSB 944** at this time on its second reading:

CSSB 944, Relating to the public information law.

The motion prevailed.

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

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 944** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 552, Government Code, is amended by adding Section 552.159 to read as follows:

Sec. 552.159. EXCEPTION: CONFIDENTIALITY OF CERTAIN INFORMATION PROVIDED BY OUT-OF-STATE HEALTH CARE PROVIDER. Information obtained by a governmental body that was provided by an out-of-state health care provider in connection with a quality management, peer review, or best practices program that the out-of-state health care provider pays for is confidential and excepted from the requirements of Section 552.021.

The amendment to **CSSB 944** 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:

Nays: Creighton.

Absent-excused: Campbell.

CSSB 944 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: Creighton.

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 944 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 944** be placed on its third reading and final passage.

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

Nays: Creighton.

Absent-excused: Campbell.

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

(President Pro Tempore Watson in Chair)

SENATE RESOLUTION 559

Senator Hancock offered the following resolution:

WHEREAS, Friends of the Governor's Mansion is celebrating its 40th anniversary in 2019; and

WHEREAS, Established in 1979 by Governor William P. Clements Jr. and First Lady Rita Clements, the nonprofit organization is dedicated to maintaining the Texas Governor's Mansion and preserving its historical and cultural integrity; the group also works to educate the public about the building and its contents; and

WHEREAS, Friends of the Governor's Mansion raises funds to acquire museum-quality artwork as well as antique furnishings made in the United States that enhance the mansion and reflect its significance in the annals of Texas; it oversees the Mansion Collection of furnishings and state-owned artifacts, restoring and replacing items as needed; and

WHEREAS, Passersby can readily observe the organization's attention to the exterior of the mansion; Friends of the Governor's Mansion supports a garden fund that provides for seasonal plantings, and the group offers advice on significant landscaping projects; and

WHEREAS, Managed by a statewide board of directors, Friends of the Governor's Mansion performs its activities at the mansion through memoranda of agreement with the Texas Historical Commission and the State Preservation Board; the governor and first lady serve as advisory members of the board, which includes two current members of THC, as well as the executive directors of THC and SPB and the citizen member of SPB; and

WHEREAS, The dedicated stewardship of Friends of the Governor's Mansion ensures that this state treasure sets the highest standard of historical preservation while remaining a home that each governor's family endows with its own traditions; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby congratulate Friends of the Governor's Mansion on its 40th anniversary and commend all those associated with this noteworthy organization; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for the organization as an expression of high regard by the Texas Senate.

HANCOCK	HUFFMAN	POWELL
ALVARADO	HUGHES	RODRÍGUEZ
BETTENCOURT	JOHNSON	SCHWERTNER
BIRDWELL	KOLKHORST	SELIGER
BUCKINGHAM	LUCIO	TAYLOR
CAMPBELL	MENÉNDEZ	WATSON
CREIGHTON	MILES	WEST
FALLON	NELSON	WHITMIRE
FLORES	NICHOLS	ZAFFIRINI
HALL	PAXTON	
HINOJOSA	PERRY	

SR 559 was again read.

The resolution was previously adopted on Tuesday, April 9, 2019.

GUESTS PRESENTED

Senator Hancock was recognized and introduced to the Senate representatives of Friends of the Governor's Mansion including First Lady Cecilia Abbott, Mansion Administrator Katie Taylor, Executive Director Erika Herndon, and Board of Directors members Rebecca Davis and Penne Peacock.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate a Greater Waco Chamber of Commerce delegation.

The Senate welcomed its guests.

COMMITTEE SUBSTITUTE

SENATE BILL 295 ON SECOND READING

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSSB 295** at this time on its second reading:

CSSB 295, Relating to the unlawful restraint of a dog; creating a criminal offense.

The motion prevailed.

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

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

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

Nays: Creighton, Hall, Hughes.

Absent-excused: Campbell.

COMMITTEE SUBSTITUTE
SENATE BILL 295 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 295** be placed on its third reading and final passage.

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

Yeas: Alvarado, Bettencourt, Birdwell, Buckingham, Fallon, Flores, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Creighton, Hall, Hughes.

Absent-excused: Campbell.

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

SENATE BILL 436 ON SECOND READING

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 436** at this time on its second reading:

SB 436, Relating to statewide initiatives to improve maternal and newborn health for women with opioid use disorder.

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

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

Absent-excused: Campbell.

SENATE BILL 436 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 **SB 436** be placed on its third reading and final passage.

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

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

COMMITTEE SUBSTITUTE
SENATE BILL 1214 ON SECOND READING

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1214** at this time on its second reading:

CSSB 1214, Relating to the sales and use tax exemption for certain aircraft.

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

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

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 1214 ON THIRD READING**

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1214** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2137 ON SECOND READING**

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **CSSB 2137** at this time on its second reading:

CSSB 2137, Relating to the use of municipal hotel occupancy tax revenue by certain municipalities.

The motion prevailed.

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

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

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

Nays: Hall.

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 2137 ON THIRD READING**

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2137** be placed on its third reading and final passage.

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

Nays: Hall.

Absent-excused: Campbell.

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

GUESTS PRESENTED

Senator Fallon, joined by Senator Nelson, was recognized and introduced to the Senate the family of Julius "Dewey" Fambry including daughters Janet Forbess and Judi Wright and grandsons Jeremy McGar and Shane Dodson.

Senator Fallon also introduced to the Senate a delegation from The Colony including American Legion Holley-Riddle Post 21 Commander Richard Ensweiler, Chaplain Lee Lanham, Post member Roger Terry, Mayor Joe McCourry, and Councilmember Richard Boyer.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate a Kingsville Day delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 555

Senator Buckingham offered the following resolution:

WHEREAS, For nearly half a century, progressive country icon Gary P. Nunn has been a standard-bearer for Texas music; and

WHEREAS, Born in Okmulgee, Oklahoma, in 1945, Mr. Nunn moved to Brownfield with his family in the sixth grade and soon joined a garage band; later, while studying pharmacy at The University of Texas at Austin, he played keyboards in a local supergroup, the Lavender Hill Express; he became one of the progenitors of Austin's "cosmic cowboy" movement, playing bass, keyboards, and guitar with Willie Nelson, Michael Martin Murphey, and others; as a key member of Jerry Jeff Walker's Lost Gonzo Band, he recorded six albums in four years and contributed the hit "London Homesick Blues," an ode to Texas that became a progressive country anthem and served for nearly three decades as the theme song for the PBS show *Austin City Limits*; and

WHEREAS, Mr. Nunn and the Gonzos released three critically acclaimed albums on their own, and in 1980, he launched his solo career; a trailblazer for Austin's independent music scene, he established his own label and publishing company, and he and his wife, Ruth, managed his career as he toured Europe and appeared on *Austin City Limits*, *Nashville Now*, and other television programs; his large catalogue includes "What I Like About Texas," which became the inspiration for a Texas Travel Industry Association campaign, and over the years, many artists have recorded his songs; Rosanne Cash climbed the country singles chart with "Couldn't Do Nothing Right," while Willie Nelson scored a No. 2 hit with "Last Thing I Needed, First Thing This Morning," which resurfaced on the 2018 Grammy Album of the Year by Chris Stapleton; that same year, Mr. Nunn showcased state pride on *Friends for Life*, a collection of his duets with a cavalcade of stars, including Lyle Lovett and Robert Earl Keen; and

WHEREAS, Inducted into the Texas Hall of Fame in 2004, Mr. Nunn is also a member of the West Texas Walk of Fame; he was named Ambassador of Texas Music by Governor Rick Perry, and among numerous accolades, he received the Country

Music Association of Texas Living Legend Award; dubbed "a Texas institution" by the authoritative *All Music Guide*, he holds a special place in the state's musical firmament and in the hearts of countless fans around the world; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby honor Gary P. Nunn for his outstanding contributions to music and extend to him sincere best wishes for the future; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Mr. Nunn as an expression of high regard by the Texas Senate.

BUCKINGHAM	HUFFMAN	POWELL
ALVARADO	HUGHES	RODRÍGUEZ
BETTENCOURT	JOHNSON	SCHWERTNER
BIRDWELL	KOLKHORST	SELIGER
CAMPBELL	LUCIO	TAYLOR
CREIGHTON	MENÉNDEZ	WATSON
FALLON	MILES	WEST
FLORES	NELSON	WHITMIRE
HALL	NICHOLS	ZAFFIRINI
HANCOCK	PAXTON	
HINOJOSA	PERRY	

SR 555 was again read.

The resolution was previously adopted on Monday, April 8, 2019.

GUESTS PRESENTED

Senator Buckingham was recognized and introduced to the Senate Gary P. Nunn, wife Ruth Nunn, son Julian Nunn, D. Foster, and Alexandra Elliott.

Senator Buckingham also introduced to the Senate a delegation from Burnet County.

The Senate welcomed its guests.

**COMMITTEE SUBSTITUTE
SENATE BILL 1675 ON SECOND READING**

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1675** at this time on its second reading:

CSSB 1675, Relating to the administration of and certain procedures under the Title IV-D program for child support enforcement.

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

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

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 1675 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1675** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1676 ON SECOND READING**

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

CSSB 1676, Relating to suits affecting the parent-child relationship and the enforcement of child support.

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

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

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 1676 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1676** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 633 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 633** at this time on its second reading:

CSSB 633, Relating to an initiative to increase the capacity of local mental health authorities to provide access to mental health services in certain counties.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 633** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 531.0221(c), Government Code (page 1, lines 50 and 51), strike "using existing resources of the authorities".

(2) In SECTION 1 of the bill, in added Section 531.0221(f), Government Code (page 2, lines 35 and 36), strike "that uses existing resources of the authorities".

(3) In SECTION 1 of the bill, in added Section 531.0221(i), Government Code (page 2, line 60), strike "using existing resources".

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

SECTION _____. The Health and Human Services Commission is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the Health and Human Services Commission may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

(5) Renumber subsequent SECTIONS of the bill accordingly.

The amendment to **CSSB 633** 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: Campbell.

CSSB 633 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:

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 633 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 633** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2132 ON SECOND READING**

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2132** at this time on its second reading:

CSSB 2132, Relating to the provision of information to certain women enrolled in the Healthy Texas Women program.

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

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

Absent-excused: Campbell.

**COMMITTEE SUBSTITUTE
SENATE BILL 2132 ON THIRD READING**

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2132** be placed on its third reading and final passage.

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

Absent-excused: Campbell.

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

GUESTS PRESENTED

Senator Buckingham was recognized and introduced to the Senate a V.G. Young Institute of County Government delegation, celebrating its 50th anniversary.

The Senate welcomed its guests.

MESSAGES FROM THE GOVERNOR

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

April 10, 2019
Austin, Texas

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

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

To be members of the Texas Private Security Board for terms to expire January 31, 2025:

Doyle "Wade" Hayden
San Antonio, Texas

Debbra G. "Debi" Ulmer
Houston, Texas

The individuals listed above are being reappointed.

To be a member of the State Pension Review Board for a term to expire January 31, 2025:

Marcia A. Dush
Austin, Texas
(*Ms. Dush is being reappointed*)

Respectfully submitted,
/s/Greg Abbott
Governor

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

Senator Hughes submitted the following Motion In Writing:

Mr. President:

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

HUGHES

The Motion In Writing was read and prevailed without objection.

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Criminal Justice permission to meet while the Senate was meeting today.

SENATE RULES SUSPENDED
(Posting Rules)

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

SB 691, SCR 10, SB 1025, SB 1125, SB 1698, SB 1754, SB 1879, SB 2114, SB 2381.

CO-AUTHORS OF SENATE BILL 26

On motion of Senator Kolkhorst, Senators Creighton, Hinojosa, and Rodríguez will be shown as Co-authors of **SB 26**.

CO-AUTHORS OF SENATE BILL 37

On motion of Senator Zaffirini, Senators Buckingham and Flores will be shown as Co-authors of **SB 37**.

CO-AUTHORS OF SENATE BILL 436

On motion of Senator Nelson, Senators Hinojosa and Lucio will be shown as Co-authors of **SB 436**.

CO-AUTHORS OF SENATE BILL 591

On motion of Senator Watson, Senators Bettencourt, Hall, Lucio, Paxton, and Powell will be shown as Co-authors of **SB 591**.

CO-AUTHOR OF SENATE BILL 633

On motion of Senator Kolkhorst, Senator Lucio will be shown as Co-author of **SB 633**.

CO-AUTHOR OF SENATE BILL 649

On motion of Senator Zaffirini, Senator Rodriguez will be shown as Co-author of **SB 649**.

CO-AUTHOR OF SENATE BILL 753

On motion of Senator Huffman, Senator Hughes will be shown as Co-author of **SB 753**.

CO-AUTHOR OF SENATE BILL 944

On motion of Senator Watson, Senator Hinojosa will be shown as Co-author of **SB 944**.

CO-AUTHORS OF SENATE BILL 1017

On motion of Senator Powell, Senators Creighton, Hinojosa and Zaffirini will be shown as Co-authors of **SB 1017**.

CO-AUTHOR OF SENATE BILL 1230

On motion of Senator Bettencourt, Senator Kolkhorst will be shown as Co-author of **SB 1230**.

CO-AUTHORS OF SENATE BILL 2132

On motion of Senator Powell, Senators Hinojosa and Lucio will be shown as Co-authors of **SB 2132**.

CO-AUTHOR OF SENATE BILL 2160

On motion of Senator Paxton, Senator Seliger will be shown as Co-author of **SB 2160**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 24

On motion of Senator Kolkhorst, Senator Birdwell will be shown as Co-author of **SJR 24**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 561 by Zaffirini, In memory of Emily Marie Krebs.

Congratulatory Resolution

SR 565 by Schwertner, Recognizing the 125th anniversary of the Grimes County Courthouse.

Official Designation Resolution

SR 564 by Schwertner, Recognizing May 1, 2019, as Hutto Day.

RECESS AND MOTION TO RECESS

On motion of Senator Whitmire and by unanimous consent, the Senate at 11:58 a.m. agreed to recess until 8:00 a.m. tomorrow for the Local and Uncontested Calendar Session.

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

APPENDIX

COMMITTEE REPORTS

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

April 10, 2019

HEALTH AND HUMAN SERVICES — **SB 438**

STATE AFFAIRS — **CSSB 346**

BUSINESS AND COMMERCE — **CSSB 1414, CSSB 442, HB 41**

BILLS ENGROSSED

April 9, 2019

SB 21, SB 23, SB 31, SB 325, SB 627, SB 700, SB 733, SB 957, SB 1378, SB 1572, SB 1636, SB 1640, SB 1751, SB 1891

RESOLUTIONS ENROLLED

April 9, 2019

SR 545, SR 549, SR 557, SR 558, SR 559, SR 560

