

# SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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THIRTY-SIXTH DAY

(Continued)

(Thursday, April 11, 2019)

AFTER RECESS

The Senate met at 8:46 a.m. and was called to order by Senator Hughes.

**SENATOR ANNOUNCED PRESENT**

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

**SESSION HELD FOR  
LOCAL AND UNCONTESTED CALENDAR**

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar. Notice of consideration of the local calendar was given by Senator Hughes yesterday.

Pursuant to Senate Rule 9.03(d), the following bills and resolutions were laid before the Senate in the order listed, read second time, amended where applicable, passed to engrossment or third reading, read third time, and passed. The votes on passage to engrossment or third reading, suspension of the Constitutional Three-day Rule, and final passage are indicated after each caption. All Members are deemed to have voted "Yea" on viva voce votes unless otherwise indicated.

**HB 1101** (Seliger)

Relating to the name of the Southwest Collegiate Institute for the Deaf.

(viva voce vote) (31-0) (31-0)

**SB 68** (Nelson)

Relating to strategic fiscal reviews of state agencies and programs.

(viva voce vote) (31-0) (31-0)

**CSSB 73** (Nelson)

Relating to personal information that may be omitted from certain records and licenses.

(viva voce vote) (31-0) (31-0)

**SB 81** (Hall)

Relating to the naming of a reservoir by certain water districts.

(viva voce vote) (31-0) (31-0)

**CSSB 175** (Perry)

Relating to eminent domain reporting requirements for certain entities.

(viva voce vote) (31-0) (31-0)

**SB 192** (Perry)

Relating to the transfer of certain probate proceedings to the county in which the executor or administrator of a decedent's estate resides.

(viva voce vote) (31-0) (31-0)

**CSSB 195** (Perry)

Relating to collecting and reporting by the Department of Family and Protective Services and the Health and Human Services Commission of certain information relating to certain alcohol and controlled substance use and treatment.

(viva voce vote) (31-0) (31-0)

**CSSB 213** (Seliger)

Relating to the use of individual graduation committees and other alternative methods to satisfy certain public high school graduation requirements.

(viva voce vote) (30-1) "Nay" Nelson (30-1) "Nay" Nelson

**SB 228** (Hinojosa)

Relating to the designation of a portion of U.S. Highway 281 as the Corporal Roel Garcia Memorial Highway.

(viva voce vote) (31-0) (31-0)

**SB 234** (Nelson)

Relating to the right to vacate and avoid residential lease liability following the occurrence of family violence.

(viva voce vote) (31-0) (31-0)

**SB 237** (Nelson)

Relating to the criteria for review by the Sunset Advisory Commission of an agency that licenses an occupation.

(viva voce vote) (31-0) (31-0)

**SB 240** (Nelson)

Relating to the issuance of F-35 fighter jet specialty license plates.

(viva voce vote) (31-0) (31-0)

**CSSB 241** (Nelson)

Relating to certain required reports received or prepared by state agencies and other governmental entities.

(viva voce vote) (31-0) (31-0)

**SB 284** (Hinojosa)

Relating to disciplinary proceedings applicable to a licensed forensic analyst.

(viva voce vote) (31-0) (31-0)

**SB 286** (Miles)

Relating to the power of certain counties to enact park use rules.

(viva voce vote) (30-1) "Nay" Creighton (30-1) "Nay" Creighton

**CSSB 317** (Hughes)

Relating to the taking of feral hogs without a hunting license.

(viva voce vote) (31-0) (31-0)

**CSSB 323** (Huffman)

Relating to the review of ballot proposition language for certain political subdivision elections.

(viva voce vote) (30-1) "Nay" Watson (30-1) "Nay" Watson

**SB 324** (Huffman)

Relating to the disposition of a firearm seized from certain persons with mental illness.

(viva voce vote) (31-0) (31-0)

**SB 341** (Huffman)

Relating to the appointment of an attorney pro tem for certain criminal proceedings.

(viva voce vote) (31-0) (31-0)

**CSSB 364** (Watson)

Relating to policies on the recess period in public schools.

(viva voce vote) (31-0) (31-0)

**SB 372** (Campbell)

Relating to the authority of an open-enrollment charter school to employ security personnel, commission peace officers, and have school resource officers.

(viva voce vote) (31-0) (31-0)

**SB 385** (Nelson)

Relating to a common characteristic or use project in a public improvement district in certain municipalities.

(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**SB 386** (Nelson)

Relating to a common characteristic or use project in a public improvement district in certain municipalities.

(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**CSSB 407** (Birdwell)

Relating to the presiding officers of the boards of directors of river authorities.

(viva voce vote) (31-0) (31-0)

**SB 415** (Huffman)

Relating to the entry of a plea by defendants charged with certain misdemeanors involving family violence.

(viva voce vote) (31-0) (31-0)

**SB 416** (Huffman)

Relating to legal counsel provided by the attorney general to a political subdivision subject to a declared state of disaster.

(viva voce vote) (31-0) (31-0)

**SB 435** (Nelson)

Relating to recommendations by local school health advisory councils regarding opioid addiction and abuse education in public schools.

(viva voce vote) (31-0) (31-0)

**SB 439** (Perry)

Relating to the application of certain insurance regulations to certain small employer health reimbursement arrangements.

(viva voce vote) (31-0) (31-0)

**CSSB 443** (Hancock)

Relating to the period for which a property owner may receive a residence homestead exemption from ad valorem taxation for property that is rendered uninhabitable or unusable as a result of a disaster.

(viva voce vote) (30-1) "Nay" Schwertner (30-1) "Nay" Schwertner

**CSSB 479** (Watson)

Relating to the inclusion in the definition of a medical and dental unit of the Dell Medical School at The University of Texas at Austin and the School of Medicine at The University of Texas Rio Grande Valley and the participation of those schools in certain programs and funding.

(viva voce vote) (31-0) (31-0)

**SB 496** (Perry)

Relating to factors the Texas Historical Commission considers in reviewing an application for a grant or loan through the historic courthouse preservation program.

(viva voce vote) (31-0) (31-0)

**CSSB 498** (Huffman, Alvarado)

Relating to a commercial landlord's or tenant's remedies regarding certain unlawful activities in a multiunit commercial property.

(viva voce vote) (31-0) (31-0)

**SB 557** (Kolkhorst)

Relating to use of the electronic funds transfer system operated by the comptroller.

(viva voce vote) (31-0) (31-0)

**SB 575** (Perry)

Relating to the designation of a portion of U.S. Highway 84 in Lubbock County as the Trooper Jerry Don Davis Memorial Highway.

(viva voce vote) (31-0) (31-0)

**CSSB 590** (Watson)

Relating to the cancellation and nonrenewal of certain liability and commercial property insurance policies.

(viva voce vote) (31-0) (31-0)

**SB 642** (Johnson)

Relating to a common characteristic or use project in a public improvement district in certain municipalities.

(viva voce vote) (29-2) "Nays" Hall, Hughes (29-2) "Nays" Hall, Hughes

**SB 658** (Zaffirini)

Relating to making permanent the former temporary increases in records archive fees and records management and preservation fees charged by district and county clerks.  
(viva voce vote) (30-1) "Nay" Hancock (30-1) "Nay" Hancock

**CSSB 669** (Buckingham)

Relating to the date for the confirmation election for the Southwestern Travis County Groundwater Conservation District.  
(viva voce vote) (31-0) (31-0)

**CSSB 677** (Hall)

Relating to the regulation of beekeeping; imposing fees and authorizing other fees; expanding the applicability of an occupational permit.  
(viva voce vote) (31-0) (31-0)

**SB 687** (Perry)

Relating to the use of information obtained by a person from the comptroller that relates to a taxpayer subject to an audit by the comptroller.  
(viva voce vote) (31-0) (31-0)

**SB 747** (Kolkhorst)

Relating to required notice of the cost and health benefit plan coverage of newborn screening tests.  
(viva voce vote) (31-0) (31-0)

**SB 814** (Seliger)

Relating to the performance of equine dentistry by students of equine dental provider certification programs.  
(viva voce vote) (31-0) (31-0)

**CSSB 821** (Nelson)

Relating to children's advocacy centers.  
(viva voce vote) (31-0) (31-0)

**SB 827** (Huffman)

Relating to the transfer of civil cases by the judicial panel on multidistrict litigation.  
(viva voce vote) (31-0) (31-0)

**SB 828** (Seliger)

Relating to the name of the Southwest Collegiate Institute for the Deaf.  
(viva voce vote) (31-0) (31-0)

**SB 872** (Perry)

Relating to the composition of the board of directors of the Gateway Groundwater Conservation District.  
(viva voce vote) (31-0) (31-0)

**SB 874** (Huffman)

Relating to forms for creating or revoking a transfer on death deed.  
(viva voce vote) (31-0) (31-0)

**CSSB 881** (Campbell)

Relating to withdrawals of water from the Edwards Aquifer to supply a military installation.

(viva voce vote) (31-0) (31-0)

**CSSB 892** (Menéndez)

Relating to the exhaust emission systems of certain diesel-powered motor vehicles.

(viva voce vote) (31-0) (31-0)

**SB 893** (Menéndez)

Relating to the requirement that the comptroller of public accounts receive copies of orders adopted in connection with the administration of elections.

(viva voce vote) (31-0) (31-0)

**SB 928** (Hancock)

Relating to the importation and use for manufacturing purposes of malt beverages by the holder of a brewer's permit or manufacturer's license.

(viva voce vote) (30-1) "Nay" Perry (30-1) "Nay" Perry

**SB 961** (Bettencourt, Flores)

Relating to the issuance of a citation for a criminal trespass offense punishable as a Class B misdemeanor.

(viva voce vote) (31-0) (31-0)

**CSSB 976** (Hughes)

Relating to the notification of a peace officer through an indication associated with vehicle registration that a person has a health condition or disability that may impede effective communication.

(viva voce vote) (31-0) (31-0)

**SB 979** (Hughes)

Relating to including cuttings as a form of propagation for citrus budwood and citrus nursery stock certification programs.

(viva voce vote) (31-0) (31-0)

**CSSB 981** (Kolkhorst)

Relating to the disaster supplemental nutrition assistance program.

(viva voce vote) (31-0) (31-0)

**SB 1040** (Taylor)

Relating to the use of money in the ship channel improvement revolving fund.

(viva voce vote) (31-0) (31-0)

**SB 1063** (Hancock)

Relating to the operation of the Texas Property and Casualty Insurance Guaranty Association.

(viva voce vote) (31-0) (31-0)

**CSSB 1066** (Nelson)

Relating to certain coordinated county transportation authorities.

(viva voce vote) (31-0) (31-0)

**CSSB 1091** (Nichols)

Relating to vehicles eligible for veteran toll discount programs.

(viva voce vote) (31-0) (31-0)

**SB 1092** (Nichols)

Relating to certain contracts requiring competitive bidding by the Texas Department of Transportation.

(viva voce vote) (31-0) (31-0)

**SB 1142** (Watson)

Relating to authority of the Travis County Healthcare District to appoint, contract for, or employ physicians.

(viva voce vote) (31-0) (31-0)

**SB 1151** (Huffman)

Relating to the comptroller's access to criminal history record information of wrongfully imprisoned persons.

(viva voce vote) (31-0) (31-0)

**SB 1153** (Hancock)

Relating to the Texas Life and Health Insurance Guaranty Association.

(viva voce vote) (31-0) (31-0)

**CSSB 1211** (Hancock)

Relating to regulation of mergers and consolidations of power generation companies.

(viva voce vote) (31-0) (31-0)

**CSSB 1219** (Alvarado)

Relating to human trafficking signs at certain transportation hubs.

(viva voce vote) (31-0) (31-0)

**SB 1221** (Campbell)

Relating to the designation of a portion of Ranch-to-Market Road 150 in Hays County as the William B. Travis Heritage Trail.

(viva voce vote) (31-0) (31-0)

**CSSB 1232** (Creighton)

Relating to the delivery of alcoholic beverages by the holder of a wine and beer retailer's permit.

(viva voce vote) (30-1) "Nay" Perry (30-1) "Nay" Perry

**CSSB 1234** (Buckingham)

Relating to the provision of food service, laundry service, and lawn care to certain mental health facilities and state supported living centers.

(viva voce vote) (31-0) (31-0)

**CSSB 1253** (Kolkhorst)

Relating to a public database maintained by the comptroller of information about certain political subdivisions.

(viva voce vote) (31-0) (31-0)

**SB 1271** (Watson)

Relating to the issuance of Keep Austin Weird specialty license plates.  
(viva voce vote) (31-0) (31-0)

**SB 1303** (Bettencourt, Campbell, Hall)

Relating to maps of the actual or proposed boundaries and extraterritorial jurisdiction of a municipality and certain notices related to expanding the boundaries.  
(viva voce vote) (31-0) (31-0)

**SB 1304** (Bettencourt, Flores)

Relating to notice of proposed changes to municipal zoning classifications.  
(viva voce vote) (31-0) (31-0)

**SB 1311** (Bettencourt)

Relating to the electronic transmission of an invoice or notice of toll nonpayment by a toll project entity.  
(viva voce vote) (31-0) (31-0)

**CSSB 1337** (Huffman)

Relating to credit in, benefits from, and administration of the Texas Municipal Retirement System.  
(viva voce vote) (31-0) (31-0)

**SB 1358** (Hancock)

Relating to procedures for imposing certain administrative penalties or disgorgement orders by the Public Utility Commission of Texas.  
(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**CSSB 1438** (Taylor)

Relating to prohibitions on the disposition of property interests by navigation districts for certain purposes.  
(viva voce vote) (30-1) "Nay" Creighton (30-1) "Nay" Creighton

**SB 1443** (Campbell)

Relating to the Texas Military Preparedness Commission.  
(viva voce vote) (31-0) (31-0)

**SB 1476** (Bettencourt)

Relating to the requirement for certain administrators of certain educational entities to report certain educator misconduct to the State Board for Educator Certification.  
(viva voce vote) (31-0) (31-0)

**SB 1480** (Hinojosa)

Relating to term limits for the board of hospital managers of the Nueces County Hospital District.  
(viva voce vote) (31-0) (31-0)

**CSSB 1497** (Zaffirini)

Relating to the registration and regulation of brokers by the Public Utility Commission of Texas.  
(viva voce vote) (31-0) (31-0)



**CSSB 1510** (Schwertner)

Relating to the apportionment of infrastructure costs in regard to certain property development projects.

(viva voce vote) (31-0) (31-0)

**CSSB 1531** (Hancock)

Relating to the eligibility for certain occupational licenses and the use of a person's criminal history as grounds for certain actions related to the license.

(viva voce vote) (31-0) (31-0)

**CSSB 1535** (Menéndez)

Relating to a complaint made by a foster child or youth.

(viva voce vote) (31-0) (31-0)

**CSSB 1545** (Menéndez)

Relating to the creation and operations of a health care provider participation program by the Bexar County Hospital District.

(viva voce vote) (31-0) (31-0)

**CSSB 1557** (Lucio)

Relating to military-connected students, including providing a designation for certain school district campuses that take actions to assist those students.

(viva voce vote) (31-0) (31-0)

**SB 1571** (Campbell)

Relating to recovery audits of payments made by state agencies to vendors.

(viva voce vote) (31-0) (31-0)

**SB 1582** (Lucio)

Relating to benefits for peace officers relating to certain diseases or illnesses.

(viva voce vote) (31-0) (31-0)

**SB 1587** (Hughes)

Relating to the delegation to the Railroad Commission of Texas of purchasing functions regarding the reclamation of certain abandoned mines.

(viva voce vote) (31-0) (31-0)

**CSSB 1621** (Kolkhorst)

Relating to creating a license for certain rural medical facilities; requiring a license; authorizing fees.

(viva voce vote) (31-0) (31-0)

**CSSB 1622** (Kolkhorst)

Relating to rural hospitals and similar facilities; requiring a license; authorizing fees.

(viva voce vote) (31-0) (31-0)

**SB 1764** (Zaffirini)

Relating to emergency contact and medical information maintained by the Department of Public Safety.

(viva voce vote) (31-0) (31-0)

**SB 1804** (Kolkhorst)

Relating to the entry into the Texas Crime Information Center of certain information regarding conditions of bond imposed in criminal cases involving family violence.

(viva voce vote) (31-0) (31-0)

**SB 1821** (Campbell)

Relating to enforcement of the regulation of perpetual care cemeteries.

(viva voce vote) (31-0) (31-0)

**SB 1822** (Campbell)

Relating to prepaid funeral benefits.

(viva voce vote) (31-0) (31-0)

**SB 1823** (Campbell)

Relating to the regulation of state banks, state trust companies, and third-party service providers of state banks and state trust companies.

(viva voce vote) (31-0) (31-0)

**CSSB 1887** (Huffman)

Relating to jurisdiction over certain child protection and juvenile matters involving juvenile offenders.

(viva voce vote) (31-0) (31-0)

**CSSB 1939** (Hancock, Perry)

Relating to the storage of grapes in a public warehouse.

(viva voce vote) (31-0) (31-0)

**CSSB 1947** (Watson)

Relating to the regulation of the prescribing and dispensing of controlled substances by veterinarians.

(viva voce vote) (31-0) (31-0)

**CSSB 2037** (Hall)

Relating to a study regarding the feasibility of implementing a central filing system for the filing of financing statements for security interests in farm products.

(viva voce vote) (31-0) (31-0)

**CSSB 2150** (Kolkhorst)

Relating to the reporting of certain information on maternal mortality to the Department of State Health Services and the confidentiality of that information.

(viva voce vote) (31-0) (31-0)

**CSSB 2151** (Kolkhorst)

Relating to the Texas Diabetes Council and the state plan for diabetes and obesity treatment and education.

(viva voce vote) (31-0) (31-0)

**SB 2168** (Watson)

Relating to relief from local matching funds requirements for certain counties.

(viva voce vote) (31-0) (31-0)

**SB 2224** (Huffman)

Relating to requiring a public retirement system to adopt a written funding policy.  
(viva voce vote) (31-0) (31-0)

**BILLS REMOVED FROM  
LOCAL AND UNCONTESTED CALENDAR**

Senator Hughes and Senator Kolkhorst requested in writing that **SB 19** be removed from the Local and Uncontested Calendar.

Senator Bettencourt and Senator Hughes requested in writing that **SB 1273** be removed from the Local and Uncontested Calendar.

**SESSION CONCLUDED FOR  
LOCAL AND UNCONTESTED CALENDAR**

Senator Hughes announced that the session to consider bills and resolutions placed on the Local and Uncontested Calendar was concluded.

**RECESS**

Pursuant to a previously adopted motion, the Senate at 9:33 a.m. recessed until 11:00 a.m. today.

**AFTER RECESS**

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

The Reverend Maryalice Billingsley, retired Presbyterian pastor, Ingram, was introduced by Senator Buckingham and offered the invocation as follows:

Dear Lord, creator of the universe, of life, and the author of all freedom and truth, we come today with grateful hearts for the beauty of this day and for the many blessings bestowed on the great State of Texas. May Your spirit be present in this Chamber today and for all in authority so their hearts and minds may be open to truth, seeking always Your will. May Your spirit guide them toward unity where there is discourse, compassion where there is indifference, love where there is hatred, serenity where there is anger, and courage where there is strife. May Your spirit bless and guide all who work diligently for the State of Texas, so that they may build a safer and more perfect union for all the citizens of Texas. Grant them wisdom to discern Your will for the direction of our state. May they continue to sustain the heritage of Texas as a beacon of hospitality and generosity. May Your spirit empower each Member of the Senate to seek Your will and not the world's, so that they may share Your love and walk in Your truth and grace. In the name of Jesus Christ, I pray. Amen.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Thursday, April 11, 2019 - 1

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**HB 65** Johnson, Eric  
Relating to reporting information regarding public school disciplinary actions.

**HB 71** Martinez  
Relating to the creation of regional transit authorities; granting the power of eminent domain; providing authority to issue bonds and charge fees; creating a criminal offense.

**HB 93** Canales  
Relating to the inclusion of a magistrate's name on certain signed orders.

**HB 102** Bernal  
Relating to a school district assigning a mentor teacher to a new classroom teacher.

**HB 114** White  
Relating to providing public high school students information regarding the availability of college credit awarded for military experience, education, and training obtained during military service.

**HB 121** Swanson  
Relating to a defense to prosecution for the offense of trespass by certain persons carrying handguns.

**HB 226** Krause  
Relating to the creation of a commission to review certain penal laws of this state and to make certain recommendations regarding those laws, to criminal offenses previously compiled in statutes outside the Penal Code, to repealing certain of those offenses, and to conforming punishments for certain of those offenses to the penalty structure provided in the Penal Code; increasing the punishment for the criminal offenses of sedition, sabotage, and capital sabotage; imposing a civil penalty.

**HB 260** Blanco  
Relating to the creation of a cross-border motor vehicle traffic congestion web portal.

**HB 304** Paul  
Relating to the governance and operation of municipal management districts.

**HB 347** King, Phil  
Relating to consent annexation requirements.

**HB 359** Moody  
Relating to the employment of certain peace officers, detention officers, county jailers, or firefighters who are injured in the course and scope of duty.

**HB 360** Murphy  
Relating to the extension of the expiration date of the Property Redevelopment and Tax Abatement Act.

**HB 410** White  
Relating to the regulation of certain low-volume livestock processing establishments.

**HB 444**

Meyer

Relating to increasing the criminal penalties for insider trading and other misuse of official information by public servants.

**HB 446**

Moody

Relating to the criminal consequences of engaging in certain conduct with respect to certain instruments designed, made, or adapted for use in striking a person.

**HB 463**

Springer

Relating to reciprocity agreements between air ambulance companies operating a subscription program.

**HB 476**

Howard

Relating to certain duties of public institutions of higher education and the Department of State Health Services regarding policies on the use of epinephrine auto-injectors by public institutions of higher education.

**HB 477**

Murphy

Relating to the notice required before the issuance of certain debt obligations by political subdivisions.

**HB 559**

Thompson, Senfronia

Relating to written agreements incident to divorce or annulment.

**HB 596**

Hernandez

Relating to the composition of the board of trustees of the Employees Retirement System of Texas.

**HB 598**

Price

Relating to the use of funds appropriated for the continuing legal education of certain appointed masters, magistrates, referees, and associate judges.

**HB 601**

Price

Relating to procedures and reporting requirements regarding criminal defendants who are or may be persons with a mental illness or an intellectual disability.

**HB 613**

Springer

Relating to the date of the election for trustees of an independent school district.

**HB 650**

White

Relating to inmates of the Texas Department of Criminal Justice.

**HB 651**

Springer

Relating to the creation and operations of health care provider participation programs in counties not served by a hospital district or a public hospital.

**HB 692**

White

Relating to the suspension of a student who is homeless from public school.

**HB 721**

Larson

Relating to the duty of the Texas Water Development Board to conduct studies of and prepare and submit reports on aquifer storage and recovery and aquifer recharge projects.

**HB 723**

Larson

Relating to a requirement that the Texas Commission on Environmental Quality obtain or develop updated water availability models for certain river basins.

**HB 759**

Wu

Relating to the availability of personal information of a child protective services caseworker, adult protective services caseworker, or investigator.

**HB 770**

Davis, Sarah

Relating to the establishment of an electronic database for settlement agreements for certain suits involving minors or incapacitated persons; authorizing a fee.

**HB 809**

Thierry

Relating to measures to assist students enrolled at public institutions of higher education who are homeless or who were formerly in foster care.

**HB 811**

White

Relating to determining appropriate disciplinary action to be taken against a public school student who is in foster care or who is homeless.

**HB 812**

White

Relating to the amount of the health care services fee paid by certain inmates.

**HB 869**

Hefner

Relating to the prosecution of organized criminal activity involving the interception, use, or disclosure of certain communications.

**HB 1030**

Moody

Relating to certain sentencing procedures in a capital case.

**HB 1048**

Guillen

Relating to the use of a county early voting polling place by a political subdivision.

**HB 1136**

Price

Relating to territory included in a common characteristic or use project in a public improvement district established by a municipality.

**HB 1180**

Guillen

Relating to the agreement requirements for receiving a scholarship under the Texas Armed Services Scholarship Program.

**HB 1188**

Hefner

Relating to the appraisal of land for ad valorem tax purposes as qualified open-space land following a transfer between family members.

**HB 1300**

Hunter

Relating to cultivated oyster mariculture; authorizing fees; requiring a permit; creating a criminal offense.

**HB 1386**

Thompson, Senfronia

Relating to training and development activities for persons who may interact with an individual with autism or other pervasive developmental disorder.

**HB 1388**

VanDeaver

Relating to indicators of achievement under the public school accountability system.

- HB 1409** Ashby  
Relating to the qualification of land for appraisal for ad valorem tax purposes as timber land or restricted-use timber land.
- HB 1483** Frank  
Relating to a pilot program for assisting certain recipients of public benefits to gain permanent self-sufficiency.
- HB 1501** Nevárez  
Relating to the creation of the Texas Behavioral Health Executive Council and to the continuation and transfer of the regulation of psychologists, marriage and family therapists, professional counselors, and social workers to the Texas Behavioral Health Executive Council; providing civil and administrative penalties; authorizing a fee.
- HB 1506** Perez  
Relating to authorizing a regulatory authority to establish reduced water and sewer utility rates funded by donations for the benefit of certain low-income customers.
- HB 1523** Nevárez  
Relating to the continuation of the regulation of land surveyors and the transfer of the regulation to the Texas Board of Professional Engineers and Land Surveyors, following the recommendations of the Sunset Advisory Commission; changing fees.
- HB 1556** VanDeaver  
Relating to school district purchasing of and contracting for goods and services.
- HB 1579** Cain  
Relating to the definition of first responder for immunization purposes.
- HB 1592** Smithee  
Relating to health care professional liability coverage for certain public institutions of higher education.
- HB 1597** Lambert  
Relating to establishing residency for purposes of admission into public schools.
- HB 1612** Murphy  
Relating to the authority of the Teacher Retirement System of Texas to invest in certain hedge funds.
- HB 1651** González, Mary  
Relating to the care of pregnant women confined in county jail.
- HB 1689** Deshotel  
Relating to disclosure regarding the existence of a gestational agreement in a suit for the dissolution of a marriage and standing of an intended parent under a gestational agreement to file a suit affecting the parent-child relationship.
- HB 1709** González, Mary  
Relating to the appointment of a surrogate parent for certain children in the conservatorship of the Department of Family and Protective Services.
- HB 1962** Lambert  
Relating to the continuation and functions of the Texas State Library and Archives Commission.

- HB 2129** Murphy  
Relating to the extension of the expiration of certain parts of the Texas Economic Development Act.
- HB 2196** Harris  
Relating to the sale of alcoholic beverages on certain property owned by the Texas State Railroad Authority.
- HB 2255** Darby  
Relating to newborn and infant hearing screening results and the provision of information following a screening.
- HB 2261** Walle  
Relating to the physician education loan repayment program.
- HB 2263** Paddie  
Relating to the sale of electric power to certain public customers.
- HB 2326** Meyer  
Relating to the continuation of a health care provider participation program by the Dallas County Hospital District.
- HB 2338** Noble  
Relating to the exemption from the taxes imposed on the sale, use, or rental of a motor vehicle for certain motor vehicles used for religious purposes.
- HB 2714** Bailes  
Relating to the registration of liquefied petroleum gas container manufacturers and the regulation of liquefied petroleum gas licensees; authorizing fees.
- HB 2820** Flynn  
Relating to the registration and certification of certain investment products made available to public school employees.
- HB 2846** Larson  
Relating to the sale of the Allens Creek Reservoir project.
- HB 3086** Cole  
Relating to the sales and use tax exemption for property used in the production of motion picture, video, or audio recordings and broadcasts.
- HB 3226** Geren  
Relating to the terms of dissolution of an oil or gas pooled unit.
- HJR 4** Phelan  
Proposing a constitutional amendment providing for the creation of the flood infrastructure fund to assist in the financing of drainage, flood mitigation, and flood control projects.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**SENATE RESOLUTION 551**

Senator Hall offered the following resolution:



**SR 551**, Recognizing April 11, 2019, as Sunnyvale Day.

The resolution was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Hall was recognized and introduced to the Senate a Sunnyvale Day delegation including Mayor Saji George and councilmembers Ryan Finch, Kevin Clark, Mark Egan, Jim Wade, and Larry Allen.

The Senate welcomed its guests.

#### **GUESTS PRESENTED**

Senator Menéndez was recognized and introduced to the Senate representatives of the Neighborhood Leadership Academy of San Antonio from Senate District 26 including leaders from the following neighborhood associations: Alta Vista, Camelot, Palm Heights, Rainbow Hills, Loma Park, Beacon Hill, Memorial Heights, and Dignowity Hill.

The Senate welcomed its guests.

#### **(Senator Hancock in Chair)**

#### **GUESTS PRESENTED**

Senator Johnson was recognized and introduced to the Senate faculty and staff from the Coppell Independent School District including Angie Applegate, Diana Sircar, Amanda Simpson, Greg Axelson, Janelle Bence, Brad Hunt, Tracy Fisher, Leigh Walker, Nichole Bentley, Deana Dynis, Cooper Hilton, and Eric Hanson.

The Senate welcomed its guests.

#### **GUESTS PRESENTED**

Senator Lucio was recognized and introduced to the Senate Krystal Contreras, recipient of the Milken Educator Award, accompanied by Dr. C. M. Cash Elementary School Principal Dilia Cornett and Nate Carman.

The Senate welcomed its guests.

#### **GUESTS PRESENTED**

Senator Fallon was recognized and introduced to the Senate Jill McMillan and Jen Reid.

The Senate welcomed its guests.

#### **PHYSICIAN OF THE DAY**

Senator Creighton was recognized and presented Dr. Marian Allen of Spring as the Physician of the Day.

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

### GUESTS PRESENTED

Senator Watson, joined by Senators Zaffirini, Lucio, Seliger, and West, was recognized and introduced to the Senate family and friends of William Powers including his son, Reid Powers; Gwen Grigsby; and Mary Knight.

The Senate welcomed its guests and extended its sympathy.

### SENATE RESOLUTION 567

Senator Buckingham offered the following resolution:

**SR 567**, In memory of Johnny "Lam" Jones.

The resolution was read.

On motion of Senator Buckingham, the resolution was adopted by a rising vote of the Senate.

In honor of the memory of Johnny "Lam" Jones, the text of **SR 567** is printed at the end of today's *Senate Journal*.

Senator Buckingham was recognized and introduced to the Senate friends of Johnny "Lam" Jones including Gary Milligan and wife, Sherry Milligan, and David Gonzales and wife, Deloris Gonzales.

The Senate welcomed its guests and extended its sympathy.

### RESOLUTIONS SIGNED

The Presiding Officer announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 139**, **HCR 146**.

### CONCLUSION OF MORNING CALL

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

### COMMITTEE SUBSTITUTE SENATE BILL 1451 ON SECOND READING

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1451** at this time on its second reading:

**CSSB 1451**, Relating to the ability of public school teachers to maintain student discipline without being subjected to adverse employment consequences.

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

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

### COMMITTEE SUBSTITUTE SENATE BILL 1451 ON THIRD READING

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1451** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 362 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 362** at this time on its second reading:

**CSSB 362**, Relating to court-ordered mental health services.

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

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

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 362 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 362** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 1827 ON SECOND READING**

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1827** at this time on its second reading:

**CSSB 1827**, Relating to the possession and emergency administration of an epinephrine auto-injector by law enforcement agencies and peace officers.

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

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

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 1827 ON THIRD READING**

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1827** be placed on its third reading and final passage.

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

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

**SENATE BILL 1276 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 1276** at this time on its second reading:

**SB 1276**, Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.

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

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

**SENATE BILL 1276 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 1276** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 2119 ON SECOND READING**

Senator Alvarado moved to suspend the regular order of business to take up for consideration **CSSB 2119** at this time on its second reading:

**CSSB 2119**, Relating to the transfer of the regulation of motor fuel metering and motor fuel quality from the Department of Agriculture to the Texas Department of Licensing and Regulation; providing civil and administrative penalties; creating criminal offenses; requiring occupational licenses; authorizing fees.

The motion prevailed.

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

The bill was read second time.

Senator Hall offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 2119** (senate committee report), in SECTION 1 of the bill, by striking added Section 2310.107, Occupations Code (page 5, line 30, through page 6, line 13), and substituting the following:

Sec. 2310.107. INSPECTION OF STANDARDS USED TO PERFORM DEVICE MAINTENANCE ACTIVITIES. (a) The commission may adopt rules to regulate the frequency and place of inspection and correction of the standards for motor fuel used by an individual or business licensed by the department to perform device maintenance activities under Subchapter D or an individual or business licensed under Subchapter I, Chapter 13, Agriculture Code.

(b) The department may inspect any standard for motor fuel used by an individual or business licensed by the department to perform device maintenance activities described by Subchapter D or an individual or business licensed under Subchapter I, Chapter 13, Agriculture Code, if the department has reason to believe a standard is no longer in compliance with this chapter.

(c) The department shall keep a record of the inspection and character of standards for motor fuel inspected under this section.

The amendment to **CSSB 2119** was read and was adopted by a viva voce vote.

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

**CSSB 2119** 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: Fallon, Hughes, Paxton, Perry.

#### **COMMITTEE SUBSTITUTE SENATE BILL 2119 ON THIRD READING**

Senator Alvarado moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2119** be placed on its third reading and final passage.

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

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

Nays: Fallon, Hughes, Paxton, Perry.

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

#### **SENATE BILL 801 ON SECOND READING**

Senator Rodríguez moved to suspend the regular order of business to take up for consideration **SB 801** at this time on its second reading:

**SB 801**, Relating to protective orders.

The motion prevailed.

Senators Campbell, Creighton, and 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: Campbell, Creighton, Hall.

**SENATE BILL 801 ON THIRD READING**

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 801** be placed on its third reading and final passage.

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

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

Nays: Campbell, Creighton, Hall.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

**SENATE BILL 1048 ON SECOND READING**

Senator Fallon moved to suspend the regular order of business to take up for consideration **SB 1048** at this time on its second reading:

**SB 1048**, Relating to an independent school district holding elections on the November uniform election date.

The motion prevailed.

Senators Alvarado, Lucio, Powell, and Seliger asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Fallon offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **SB 1048** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter D, Chapter 52, Election Code, is amended by adding Section 52.096 to read as follows:

Sec. 52.096. INDEPENDENT SCHOOL DISTRICT OFFICES AND PROPOSITIONS. Notwithstanding a conflicting provision of this code, for an election at which an office of or proposition for an independent school district appears on the ballot, an office of or proposition for an independent school district must be placed on the ballot before all other offices or propositions.

The amendment to **SB 1048** 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 1048** 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: Alvarado, Lucio, Powell, Seliger.

**SENATE BILL 1048 ON THIRD READING**

Senator Fallon moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1048** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Rodríguez, Schwertner, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Alvarado, Lucio, Powell, Seliger.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 30 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 30** at this time on its second reading:

**CSSB 30**, Relating to ballot language requirements for a proposition seeking voter approval for the issuance of bonds.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 30 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 30** be placed on its third reading and final passage.

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

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

**SENATE BILL 1397 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 1397** at this time on its second reading:

**SB 1397**, Relating to exempting certain honorably retired peace officers from continuing education requirements.

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

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

### SENATE BILL 1397 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 1397** be placed on its third reading and final passage.

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

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

### SENATE BILL 604 ON SECOND READING

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 604** at this time on its second reading:

**SB 604**, Relating to the continuation and functions of the Texas Department of Motor Vehicles and to the operations of certain other entities performing functions associated with the department.

The bill was read second time.

Senator Buckingham offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **SB 604** (senate committee printing) as follows:

(1) In SECTION 1.02 of the bill, strike amended Section 1001.030(b)(4), Transportation Code (page 1, line 47 through page 2, line 2), and substitute the following:

(4) the types of board rules, interpretations, and enforcement actions that may implicate federal antitrust law by limiting competition or impacting prices charged by persons engaged in a profession or business the board regulates, including any rule, interpretation, or enforcement action that:

(A) regulates the scope of practice of persons in a profession or business the board regulates;

(B) restricts advertising by persons in a profession or business the board regulates;

(C) affects the price of goods or services provided by persons in a profession or business the board regulates; or

(D) restricts participation in a profession or business the board regulates [rules of the department with an emphasis on the rules that relate to disciplinary and investigatory authority];

(2) In SECTION 1.02 of the bill, strike added Section 1001.030(d), Transportation Code (page 2, lines 25-31), and substitute the following:

(d) The executive director shall create a training manual that includes the information required by Subsection (b). The executive director shall distribute a copy of the training manual annually to each member of the board. Each member of the board shall sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.



(3) Add the following appropriately numbered SECTIONS to ARTICLE 1 of the bill and renumber subsequent SECTIONS of the ARTICLE accordingly:

SECTION 1. \_\_\_\_\_. Section 1001.023(a), Transportation Code, is amended to read as follows:

(a) The governor shall appoint one of the public members of the board to serve as [board's members] chair of the board. The chair serves at the pleasure of the governor. The board shall elect one of its members vice chair of the board. The vice chair serves at the pleasure of the board.

SECTION 1. \_\_\_\_\_. If the chair of the board of the Texas Department of Motor Vehicles is not a public member as required by Section 1001.023(a), Transportation Code, as amended by this Act, the governor shall designate a public member of that board to serve as chair not later than December 1, 2019.

(4) In SECTION 2.06 of the bill, strike amended Section 2301.358(c), Occupations Code (page 4, lines 64-69), and substitute the following:

(c) This section does not prohibit the sale of a towable recreational vehicle, motor home, ambulance, fire-fighting vehicle, or tow truck at a show or exhibition if:

(1) the [show or exhibition is approved by the] department receives written notice of the show or exhibition before the date the show or exhibition opens; and

(2) the sale is not otherwise prohibited by law.

(5) In SECTION 2.09 of the bill, strike added Sections 2302.101(b)(1) and (2), Occupations Code (page 5, lines 40-45), and substitute the following:

(1) buying salvage motor vehicles and nonrepairable motor vehicles or selling salvage motor vehicles and nonrepairable motor vehicles that have been issued a salvage vehicle title or nonrepairable vehicle title, as appropriate;

(6) In SECTION 2.09 of the bill, renumber subsequent subdivisions of added Section 2302.101(b), Occupations Code, accordingly.

(7) In SECTION 3.03 of the bill, strike added Section 520.0075(a), Transportation Code (page 7, lines 22-24), and substitute the following:

(a) In this section, "deputy" means a deputy classified as a full service deputy by a board rule adopted under Section 520.0071.

(8) Strike SECTION 3.05 of the bill (page 8, lines 21-25) and substitute the following appropriately numbered SECTION:

SECTION 3. \_\_\_\_\_. (a) Each county tax assessor-collector who has, before the effective date of this Act, entered into a contract described by Section 520.0075, Transportation Code, as added by this Act, shall rebid the contract using the contracting standards provided under that section not later than March 31, 2020.

(b) In order to assist a county tax assessor-collector in the rebidding of contracts under Subsection (a) of this section, the Texas Department of Motor Vehicles shall provide guidance and recommendations on contracting practices to the county tax assessor-collector.

(9) In SECTION 3.07 of the bill, adding transition language (page 8, lines 38-39), strike "deputy as defined by 520.0075(a), Transportation Code, as added by this Act" and substitute "person deputized under Section 520.0071, Transportation Code".

(10) In SECTION 4.10 of the bill, strike added Section 1006.057(d), Transportation Code (page 11, lines 43-49), and substitute the following:

(d) The executive director shall create a training manual that includes the information required by Subsection (b). The executive director shall distribute a copy of the training manual annually to each member of the authority. Each member of the authority shall sign and submit to the executive director a statement acknowledging that the member received and has reviewed the training manual.

(11) In SECTION 4.29(b) of the bill, in the transition language (page 16, line 43), strike "board".

(12) In SECTION 4.29(b) of the bill, in the transition language (page 16, line 45), strike "board" and substitute "authority".

The amendment to **SB 604** was read and was adopted by a viva voce vote.

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

Senator Nichols offered the following amendment to the bill:

### **Floor Amendment No. 2**

Amend **SB 604** (senate committee printing) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of the ARTICLE accordingly:

SECTION 2. \_\_\_\_. Section 503.029, Transportation Code, is amended by adding Subsection (d) to read as follows:

(d) The department by rule shall:

(1) establish education and training requirements, to be provided by an education and training program approved by the department, for an applicant for an original or renewal general distinguishing number who proposes to be an independent motor vehicle dealer; and

(2) require the applicant under Subdivision (1) to establish that the applicant completed the education and training required under that subdivision.

The amendment to **SB 604** was read and was adopted by a viva voce vote.

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

Senator Schwertner offered the following amendment to the bill:

### **Floor Amendment No. 3**

Amend **SB 604** (senate committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES and SECTIONS of the bill accordingly:

ARTICLE \_\_. STUDY ON IMPOSING FEES ON ALTERNATIVELY FUELED VEHICLES

SECTION \_\_.01. DEFINITIONS. In this article:

(1) "Alternatively fueled vehicle" has the meaning assigned by Section 502.004, Transportation Code.

(2) "Conventional vehicle" means a vehicle, as defined by Section 502.001, Transportation Code, that is exclusively powered by gasoline or diesel fuel.

(3) "Motor fuel taxes" means the motor fuel taxes imposed under Chapter 162, Tax Code.

(4) "Vehicle miles traveled" means the number of miles traveled by a vehicle.

SECTION \_02. STUDY AND REPORT. (a) Using existing funds, the Texas Department of Motor Vehicles and the Texas Department of Transportation shall jointly contract with a third-party contractor to conduct a study and create a report on the feasibility and advisability of a program to establish a fee for alternatively fueled vehicles similar to the motor fuel taxes imposed on conventional vehicles.

(b) The study must:

(1) review other state or federal laws regarding fees and taxes for alternatively fueled vehicles and whether those laws reduced tax revenue generated from motor fuels, including:

(A) whether other states measure the vehicle miles traveled of alternatively fueled vehicles to calculate any fees or taxes; and

(B) the methods used to calculate the vehicle miles traveled under Paragraph (A);

(2) calculate the revenue generated from motor fuel taxes for each mile traveled by a vehicle in this state;

(3) calculate the total amount of vehicle fees and taxes that drivers of alternatively fueled vehicles pay compared with the total amount of vehicle fees and taxes drivers of conventional vehicles pay, and calculate the net revenue generated by each;

(4) determine whether a correlation exists between the market penetration of alternatively fueled vehicles and the decrease in revenue from motor fuel taxes;

(5) compile and analyze all available sources of data related to the vehicle miles traveled for alternatively fueled vehicles in this state;

(6) determine whether the Department of Public Safety of the State of Texas should collect information on the vehicle miles traveled for an alternatively fueled vehicle during the vehicle's annual inspection under Chapter 548, Transportation Code;

(7) determine a method, in measuring vehicle miles traveled, to distinguish between different types of alternatively fueled vehicles, including hybrid vehicles, as defined by Section 382.003, Health and Safety Code, and conventional vehicles at annual inspections under Chapter 548, Transportation Code;

(8) determine the feasibility of implementing a program that imposes a fee based on vehicle miles traveled by alternatively fueled vehicles to be deposited to the state highway fund, including:

(A) the cost of implementing the program to drivers of alternatively fueled vehicles and to the state;

(B) whether the vehicle miles traveled measured by the program should include miles traveled outside this state;

(C) whether vehicle weight should be a factor in calculating the fee;

(D) the appropriate state agency to administer the program; and

(E) the appropriate methods of and schedule for payment for the fee imposed under the program; and

(9) calculate the feasibility and determine the consequences of abolishing motor fuel taxes and replacing those taxes with a fee based on vehicle miles traveled for all vehicles, including:

(A) calculating the total amount in fees the average driver would be required to pay to ensure that the state does not lose the revenue it derives from motor fuel taxes; and

(B) comparing any potential negative effects from imposing a fee based on vehicle miles traveled for all vehicles and any current negative effects from imposing motor fuel taxes.

(c) Not later than December 1, 2020, the Texas Department of Motor Vehicles and the Texas Department of Transportation shall jointly submit to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature the report created under Subsection (a) of this section that includes a summary of the results of the study conducted under that subsection and any legislative recommendations based on the study.

SECTION \_03. EXPIRATION DATE. This article expires September 1, 2021.

SCHWERTNER  
CAMPBELL  
KOLKHORST  
NELSON  
POWELL  
WATSON

The amendment to **SB 604** was read and was adopted by the following vote: Yeas 28, Nays 3.

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

Nays: Birdwell, Flores, Hall.

Senator Menéndez offered the following amendment to the bill:

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

Amend **SB 604** (introduced version) as follows:

(1) Strike SECTION 3.02 of the bill, amending Section 520.005, Transportation Code (page 15, line 24 through page 16, line 3) and substitute the following:

SECTION 3.02. Section 520.005, Transportation Code, is amended by amending Subsection (d) and adding Subsection (e) to read as follows:

(d) Each county assessor-collector may ~~shall~~ process a registration renewal through an online system designated by the department. In this subsection, processing a registration renewal application includes receiving, reviewing, and approval of the application and mailing to the applicant the registration renewal receipt and insignia.

(e) Each county assessor-collector shall make available to motor vehicle dealers the electronic system designed by the department that allows a motor vehicle dealer to submit a title and registration application online in the name of the purchaser of a motor vehicle.

(2) In the recital to SECTION 3.03 of the bill (page 16, line 5), strike "and 520.011" and substitute "520.011, and 520.012".

(3) In SECTION 3.03 of the bill, immediately following added Section 520.011, Transportation Code (page 18, between lines 3 and 4), insert the following:

Sec. 520.012. DEPARTMENT CONTRACT FOR REGISTRATION RENEWAL MAILING. The department may contract with a third-party vendor for mailing of registration renewal notifications.

The amendment to **SB 604** was read and failed of adoption by the following vote: Yeas 11, Nays 20.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor, Watson.

**SB 604** 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 604 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 **SB 604** be placed on its third reading and final passage.

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

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

**(President in Chair)**

**RECESS**

On motion of Senator Whitmire, the Senate at 1:04 p.m. recessed until 1:45 p.m. today.

**AFTER RECESS**

The Senate met at 2:30 p.m. and was called to order by the President.

#### **MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on Nominations:

April 11, 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 Advisory Committee to the Texas Board of Criminal Justice on Offenders with Medical or Mental Impairments for terms to expire as indicated:

To Expire February 1, 2021

Sanjay G. Adhia, M.D.

Missouri City, Texas

*(replacing Kathryn J. Kotrla M.D. of Leander whose term expired)*

Denise Oncken

Houston, Texas

*(Ms. Oncken is being reappointed)*

Rogelio C. "Roger" Rodriguez

El Paso, Texas

*(replacing Eulon Ross Taylor, M.D. of Austin whose term expired)*

To Expire February 1, 2023:

Yolanda N. Waters, Ph.D.

La Marque, Texas

*(replacing Robert Dean Morgan of Lubbock whose term expired)*

To Expire February 1, 2025:

Robb D. Catalano

Fort Worth, Texas

*(Judge Catalano is being reappointed)*

James B. "Brian" Eby

Wichita Falls, Texas

*(replacing Kathy C. Flanagan, M.D. whose term expired)*

Trenton R. "Trent" Marshall

Burleson, Texas

*(Mr. Marshall is being reappointed)*

Respectfully submitted,

/s/Greg Abbott

Governor

**(Senator Schwertner in Chair)**

**COMMITTEE SUBSTITUTE**

**SENATE BILL 1189 ON SECOND READING**

Senator Buckingham moved to suspend the regular order of business to take up for consideration **CSSB 1189** at this time on its second reading:

**CSSB 1189**, Relating to certain deceptive advertising of legal services.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor, Zaffirini.

Nays: Alvarado, Hinojosa, Johnson, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire.

The bill was read second time.

Senator Johnson offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 1189** as follows:

1. In added Sec. 81.155, on page 2, between lines 37-38, insert the following:

"(c) Notwithstanding subsection (a), a violation of this subchapter shall not be actionable under this subchapter if the advertisement for legal services was:

(1) truthful;

(2) reviewed and approved by the Advertising Review Committee of the State Bar according to the Texas Disciplinary Rules of Professional Conduct; or

(3) removed from the public media after notice by the attorney general."

The amendment to **CSSB 1189** was read and failed of adoption by the following vote: Yeas 11, Nays 20.

Yeas: Alvarado, Hinojosa, Johnson, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

**CSSB 1189** was passed to engrossment by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor, Zaffirini.

Nays: Alvarado, Hinojosa, Johnson, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Thursday, April 11, 2019 - 2

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**SB 450**

Powell

Sponsor: Metcalf

Relating to the deadline for certain economic development corporations to file a certain report with the comptroller.

**SB 726**

Zaffirini

Sponsor: Lambert

Relating to investments by state banks to promote community development.

**SB 999**

Campbell

Sponsor: Zerwas

Relating to a state plan for education on and treatment of Alzheimer's disease and related disorders.

THE HOUSE HAS REFUSED TO CONCUR IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

**HB 1** (non-record vote)

House Conferees: Zerwas - Chair/Bonnen, Greg/Davis, Sarah/Longoria/Walle

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**SENATE RULE 5.14(a) SUSPENDED  
(Intent Calendar)**

On motion of Senator Hughes and by unanimous consent, Senate Rule 5.14(a), requiring bills to be posted on the Intent Calendar by 3:00 p.m., was suspended and the time was extended to 6:00 p.m. today for the Intent Calendar.

**GUEST PRESENTED**

Senator Huffman was recognized and introduced to the Senate Eve Wiley of Dallas.

The Senate welcomed its guest.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1259 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1259** at this time on its second reading:

**CSSB 1259**, Relating to the prosecution of the offense of sexual assault.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1259 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1259** be placed on its third reading and final passage.



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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 38 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 38** at this time on its second reading:

**CSSB 38**, Relating to the offense of hazing.

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

Yeas: Alvarado, Birdwell, Campbell, Fallon, Flores, Hall, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nichols, Perry, Powell, Rodríguez, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Buckingham, Creighton, Hancock, Hughes, Nelson, Paxton, Schwertner.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 38** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in amended Section 37.151(6), Education Code (page 1, lines 45 through 58), strike Paragraphs (D) and (E) and substitute the following:

~~(D) is [any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subdivision; and~~

~~[(E)] any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code; or~~

(2) In SECTION 1 of the bill, in amended Section 37.151(6), Education Code (page 1, line 59), strike "(F)" and substitute "(E)".

(3) Strike SECTION 2 of the bill, amending Section 37.152(a), Education Code (page 2, lines 2 through 23), and renumber subsequent SECTIONS of the bill accordingly.

The amendment to **CSSB 38** was read and was adopted by a viva voce vote.

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

**CSSB 38** as amended was passed to engrossment by the following vote: Yeas 26, Nays 5.

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

Nays: Creighton, Hancock, Hughes, Nelson, Schwertner.

**COMMITTEE SUBSTITUTE  
SENATE BILL 38 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 38** be placed on its third reading and final passage.

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

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

Nays: Creighton, Hancock, Hughes, Nelson, Schwertner.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

**REMARKS ORDERED PRINTED**

On motion of Senator Lucio and by unanimous consent, the remarks by Senators Zaffirini and Huffman regarding Floor Amendment No. 1 to **CSSB 38** were ordered reduced to writing and printed in the *Senate Journal* as follows:

**Senator Huffman:** Thank you, Mr. President. Thank you, Senator Zaffirini, for this very important bill and for being a champion of this issue. It was, been delightful to work with you on this, so, thank you for letting me participate in this and, and assist where I could. As you and I have discussed, it's important for this bill that we get it right when it comes to how we're going to define hazing and work on those who hurt some of our college kids. Members, this amendment tightens the current statutory definition of hazing and removes some language from the committee substitute. I will note that the statutory definition of hazing has not been updated since it was first put into statute in 1995. What this amendment seeks to do is clean up some of this long term, time statutory language to make the prosecution of this crime more effective. Actually the, the prosecutions of hazing have proven to be extremely rare. In fact, according to county and district prosecutors, what are most common are prosecutions on assaultive offenses and maybe some alcohol-related incidents, but it's been very difficult for the prosecutors to actually proceed on the way that the, the statute has been crafted. As a reminder, in the hazing statute, in order to prosecute a hazing offense a prosecutor must prove that the act is intentional, knowing, or reckless, and it's got to be committed by one person or a group, but it must be directed against a student at an educational institution, must endanger the mental or physical health or safety of the student, and that endangerment must be for the purpose of pledging, being initiated to, affiliated with holding office in, or maintaining membership in an organization. So, the prosecutors have to prove these elements and now, under the way that we are amending this, they'd also have to prove, then, one of the listed elements which are either going to be physical brutality, some of these very risky

behaviors like sleep deprivation, exposure to the element, but they have to subject the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student. And then very importantly, and I think it's one of the most important aspects of the bill, is that Senator Zaffirini is adding the coercion of, forcing a person or student to consume an alcoholic beverage, liquor, or drug. That is some of the testimony that we've heard in committee over the years, and we have heard this for several sessions, and it's heartbreaking to hear from these parents who come and then, what's so sad to me is that we're two years later still trying to do it. And then, there's always another set of parents, isn't there, Senator Zaffirini, whose child has died in that two-year period? And that's what's so heartbreaking to me. And I realize that we're not going to, we're not going to stop all behavior. We, we realize that, and I know you do as well, and I've heard you in your layout in committee say, you know, we're not going to stop college kids from drinking, we're not going to, you know, the fraternities and the sororities are going to have their fun and do what needs to do, they're going to, what they want to do to a certain extent, but there must be some deterrents and there must be some consequences for engaging in this behavior that's causing serious injury and death to some of our students. And I know that we discussed this, and we heard the testimony, and I know you've agreed to take out, and this amendment takes out the portion about removing a phone from an individual. And you and I've discussed this, and I know how strongly you felt about that, and I don't disagree, it just, I thought it was going to be very difficult to prove in it. So, I would hope, and I hope the universities are listening, that that is something that they look at through their policies and so forth, about this idea of removing a person's ability to communicate with others as part of the activity. So, would you agree with me that that's something that the universities should talk about?

**Senator Zaffirini:** Certainly, Senator Huffman. And I thank you for your sharing your experience and your leadership and your insight, not only as Chair of the State Affairs Committee, but especially as a former prosecutor and a former judge, because we certainly have benefit from it in improving this bill. I agree with your perspective that we should differentiate between what is criminal and what is simply wrong. To begin with, by reducing the scope of what we define as criminal hazing to specific conduct such as coercing students to drink alcoholic beverages, your amendment certainly clarifies the kind of hazing we are prohibiting, specific behaviors. Your amendment also removes the prohibition of confiscating personal communication devices, but we are expressing our strong legislative intent that institutions include that prohibition in their anti-hazing policies. This is important especially in light of the moving testimony we heard. The father of a student who died after being hazed told us how his son could have used his cell phone to document or to report hazing, to call for a ride out of an abusive situation, or even as a lifeline. Had he had that cell phone he might be alive today. Equally important, your amendment is consistent with our commitment to promote a culture of accountability, transparency, trust, and safety and to do our best so that no more students will die needlessly. Thank you, Senator Huffman, your amendment is acceptable.

**SENATE BILL 926 ON SECOND READING**

Senator Hall moved to suspend the regular order of business to take up for consideration **SB 926** at this time on its second reading:

**SB 926**, Relating to the operation of a public school transportation system.

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

Yeas: Alvarado, Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Paxton, Perry, Powell, Schwertner, Taylor, Watson.

Nays: Hinojosa, Johnson, Lucio, Menéndez, Miles, Nichols, Rodríguez, Seliger, West, Whitmire, Zaffirini.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 962 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 962** at this time on its second reading:

**CSSB 962**, Relating to the determination of the sufficient balance of the economic stabilization fund for the purpose of allocating general revenue to that fund and the state highway fund.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 962 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 962** 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 JOINT RESOLUTION 27 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business to take up for consideration **SJR 27** at this time on its second reading:

**SJR 27**, Proposing a constitutional amendment prohibiting the use of state funds to pay for the obligations of a local public retirement system.

The motion prevailed by the following vote: Yeas 20, Nays 10, Present-not voting 1.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

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

Present-not voting: Alvarado.

The resolution was read second time and was passed to engrossment by the following vote: Yeas 20, Nays 10, Present-not voting 1. (Same as previous roll call)

### **SENATE BILL 2432 ON SECOND READING**

Senator Taylor moved to suspend the regular order of business to take up for consideration **SB 2432** at this time on its second reading:

**SB 2432**, Relating to the mandatory removal of a public school student from the classroom following certain conduct.

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

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

Nays: Johnson, Schwertner, Zaffirini.

The bill was read second time.

Senator Taylor offered the following amendment to the bill:

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

Amend **SB 2432** (senate committee printing) as follows:

- (1) In the caption to the bill (page 1, line 21), strike "mandatory".
- (2) In SECTION 1 of the bill, in amended Section 37.006(a), Education Code (page 1, line 59), strike "Section 42.07," and substitute "Section 42.07(a)(1), (2), (3), or (7),".

The amendment to **SB 2432** 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 2432** as amended was passed to engrossment by the following vote: Yeas 31, Nays 0.

### **SENATE BILL 2432 ON THIRD READING**

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2432** 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.

**REMARKS ORDERED PRINTED**

On motion of Senator West and by unanimous consent, the remarks between Senators Menéndez and Taylor and Senators West and Taylor regarding **SB 2432** were ordered reduced to writing and printed in the *Senate Journal* as follows:

**Senator Menéndez:** I just have a question, Chairman Taylor. My concern, my only concern is, well, and I think you're, I know you're not trying to create any kind of school-to-jail pipeline, I know that. But the question that I have a concern about is, is there, is there any way to sort of, do you take into account students with disabilities in this bill where maybe there's a lack of understanding or there is a, I'm just curious?

**Senator Taylor:** Yes, if I could, the Education Code already requires the campus behavior coordinator to consider mitigating factors including self-defense, intent, the student's disciplinary history, and any disability of the student—

**Senator Menéndez:** Okay.

**Senator Taylor:** —is already included in current code.

**Senator Menéndez:** Okay. So, will there be any training or guidance? I, I mean I want our, all teachers to feel safe in the classroom. I just don't want us to pass some policy or a law that makes it easier for, say, someone to take a, let's say a, a difficult student or a troubled student that's maybe just not a, he's a discipline issue but not someone that maybe should be thrown out of the classroom.

**Senator Taylor:** Well, and you may already be aware, but the, the schools have a, a campus behavior coordinator that's in charge of doing these types of things, that's who the teachers refer them to so, I would, I would hope that the campus coordinator would know how to handle these situations in that regard.

**Senator Menéndez:** Alright, so you've already taken into account these concerns that I've got, that I, I don't want to create anything that we make it easier for someone to be targeted for whatever reason, to be, you know, thrown out of the school.

**Senator Taylor:** Yeah, you're correct, and I won't take credit for having done that, because it was already in current code, which is why that the word mandatory was kind of a little bit out of line, because it was already in code that it wasn't mandatory, so that's why we had that word removed from the caption. It does allow leeway for districts to take all those things into account before they do this.

**Senator Menéndez:** Appreciate your looking into that and, and taking all these considerations into account. Just want to make sure we do everything we can to a, you know, I understand some students can be a little more difficult than others.

**Senator Taylor:** Sure.

**Senator Menéndez:** But maybe they don't, we don't, it would be better to have them in a school than, than not have them in school at all.

**Senator Taylor:** Sure, and I appreciate your concern, Senator Menéndez.

**Senator Menéndez:** Thank you, Chairman Taylor. Thank you, Mr. President.

**Presiding Officer:** Thank you, Senator. For what purpose does the Senator from Dallas County rise?

**Senator West:** Question of the author?

**Presiding Officer:** Do you yield?

**Senator Taylor:** I yield.

**Presiding Officer:** Senator, you are recognized.

**Senator West:** Thank you very much, Senator Taylor. Here to before, in the past we've had problems with kids in, like, the first, second, and third grade, and when Senator Menéndez was asking you questions, that kind of gave me pause for concern about this being applied to first, second, and third graders. Would this bill be applicable to those students?

**Senator Taylor:** Well, once again, this is just adding an option for threats. When you're talking about first, second, and third grades, obviously there's room for a lot of latitude, common sense, is that a credible threat, those types of things. This is, once again, we're not making this mandatory, it's just allowing that the idea of a threat. Now, you may very well have a third grader who, who can make a legitimate threat, and they'll go through that process and decide that that child probably needs to be taken out of that particular classroom. Yeah, these are little kids, that's what I'm saying, so—

**Senator West:** That's what I'm saying also.

**Senator Taylor:** —but depending on what the threat is, I mean, there may be some, and I, I don't want to say, you know, we don't want to pass laws that try to cover every possible situation. All we're doing here is adding the option to consider that for threats. They haven't actually inflicted harm, but if they're making such a threat on a family, you know, the teacher's family or something. Once again, with a first, second, and third grade that's getting on out there, but you may very well have some child, I don't, I don't know, that might happen.

**Senator West:** Well, see, what has happened in the past is that we've seen a disproportionate number of minority kids kicked out of classrooms in the first, second, and third grade. And frankly, I should have raised this in committee and I didn't. And that gives me cause for concern. And then, I thought that some laws were passed either this session, last session, or session before last that kind of shuttered that down in terms of taking kids in, in those grades and putting them in alternative education programs. And so, this is what I'd ask you, because I've, I've, and I've known you a long time and know where your heart is. What, what I'd ask you to do is allow me to continue to work with you on that issue as the bill goes through the legislative process because just like Senator Menéndez, I've got some issues that, dealing with from school-to-prison pipelines.

**Senator Taylor:** Sure, and like you say, I understand that concern, and I'm more than happy to work with you. You know, it is hard to imagine, but we have had some incidents where some very young kids can make some very credible threats, and all this is doing is allowing the option to do the alternative education placement in those, I would imagine pretty rare, circumstance for first through third grade. And frankly,

you know, where do you draw the line? Is it no longer about fourth grade, fifth grade? So I, I, I appreciate your concern. Be happy to talk with you about it, see what we could do on that particular concern.

**Senator West:** And I think that we probably should get some data, from, we probably need to get some data from the Texas Education Agency on that issue, because I'm pretty certain that it's in the PEIM system.

**Senator Taylor:** So, are you asking we hold this up at, at third, before we do third reading?

**Senator West:** No, you know, I know, I know that you will work with me along the way on this.

**Senator Taylor:** Sure.

**Senator West:** And so, I, and I, it's getting late in the day, late in the process, and I know the bill needs to get over to the House, but I want to work with you on it to make certain that we address that concern as best possible.

**Senator Taylor:** Absolutely, Senator West, thank you.

**Senator West:** Thank you.

#### SENATE BILL 422 ON SECOND READING

Senator Campbell moved to suspend the regular order of business to take up for consideration **SB 422** at this time on its second reading:

**SB 422**, Relating to the authority of a municipality to impose a fine or fee in certain areas in the municipality's extraterritorial jurisdiction.

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

Yeas: Bettencourt, Buckingham, Campbell, Creighton, Fallon, Hall, Hancock, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire.

Nays: Alvarado, Birdwell, Flores, Hinojosa, Johnson, Menéndez, Miles, Powell, Zaffirini.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **SB 422** (senate committee printing) in SECTION 1 of the bill, in added Section 42.9025, Local Government Code, as follows:

(1) In Subsection (b) (page 1, line 32), between "law" and the underlined comma, insert "and except as provided by Subsection (c)".

(2) Immediately after Subsection (b) (page 1, between lines 38 and 39), insert the following:

(c) This section does not apply to an area for which an election was held under Section 43.0117.

The amendment to **SB 422** was read and failed of adoption by the following vote: Yeas 14, Nays 17.



Yeas: Alvarado, Birdwell, Flores, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Buckingham, Campbell, Creighton, Fallon, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Campbell offered the following amendment to the bill:

### **Floor Amendment No. 2**

Amend **SB 422** (senate committee printing) in SECTION 1 of the bill, immediately after added Section 42.9025(b), Local Government Code (page 1, between lines 38 and 39), by inserting the following:

(c) This section does not apply to a regulation or compatible development standard adopted by a regional military sustainability commission under Chapter 397A.

The amendment to **SB 422** was read and was adopted by a viva voce vote.

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

**SB 422** as amended was passed to engrossment by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Buckingham, Campbell, Creighton, Fallon, Hall, Hancock, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire.

Nays: Alvarado, Birdwell, Flores, Hinojosa, Johnson, Menéndez, Miles, Powell, Zaffirini.

### **COMMITTEE SUBSTITUTE SENATE BILL 942 RECOMMENDED**

Senator Watson moved that **CSSB 942** be recommitted to the Committee on Water and Rural Affairs.

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

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Alvarado, Fallon, Flores, Johnson, Paxton, Perry, Powell.

### **COMMITTEE SUBSTITUTE SENATE BILL 1230 ON SECOND READING**

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1230** at this time on its second reading:

**CSSB 1230**, Relating to the reporting of private school educator misconduct.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1230 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 **CSSB 1230** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 952 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **CSSB 952** at this time on its second reading:

**CSSB 952**, Relating to standards for nutrition, physical activity, and screen time for certain child-care facilities and homes.

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

Yeas: Alvarado, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Powell, Rodríguez, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Hughes, Paxton, Schwertner.

The bill was read second time and was passed to engrossment by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 952 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 952** be placed on its third reading and final passage.

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

Yeas: Alvarado, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Powell, Rodríguez, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Hughes, Paxton, Schwertner.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

**SENATE BILL 422 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 422** be placed on its third reading and final passage:

**SB 422**, Relating to the authority of a municipality to impose a fine or fee in certain areas in the municipality's extraterritorial jurisdiction.

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

Yeas: Alvarado, Bettencourt, Buckingham, Campbell, Creighton, Fallon, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Flores, Johnson, Menéndez, Miles, Powell.

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

Yeas: Bettencourt, Buckingham, Campbell, Creighton, Fallon, Hall, Hancock, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire.

Nays: Alvarado, Birdwell, Flores, Hinojosa, Johnson, Menéndez, Miles, Powell, Zaffirini.

**VOTE RECONSIDERED ON  
COMMITTEE SUBSTITUTE  
SENATE BILL 942**

On motion of Senator Perry and by unanimous consent, the vote by which **CSSB 942** was recommitted to the Committee on Water and Rural Affairs was reconsidered.

Senator Watson withdrew the motion by which **CSSB 942** was recommitted.

**COMMITTEE SUBSTITUTE  
SENATE BILL 942 ON SECOND READING**

Senator Johnson moved to suspend the regular order of business to take up for consideration **CSSB 942** at this time on its second reading:

**CSSB 942**, Relating to the use of money in the state water pollution control revolving fund.

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

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 942 ON THIRD READING**

Senator Johnson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 942** be placed on its third reading and final passage.

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

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

**SENATE BILL 2305 ON SECOND READING**

Senator Taylor moved to suspend the regular order of business to take up for consideration **SB 2305** at this time on its second reading:

**SB 2305**, Relating to the certification of certain improvements by the Texas Department of Insurance in connection with the issuance of insurance by the Texas Windstorm Insurance Association; authorizing a penalty.

The motion prevailed.

Senator Lucio 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: Lucio.

**SENATE BILL 2305 ON THIRD READING**

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2305** be placed on its third reading and final passage.

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

Nays: Lucio.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1511 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1511** at this time on its second reading:

**CSSB 1511**, Relating to the operation of the Battleship "Texas."

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1511 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1511** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 755 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 755** at this time on its second reading:

**CSSB 755**, Relating to the administration, powers, and duties of certain navigation districts.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 755** (senate committee printing) by striking SECTION 8 of the bill, amending Section 62.122(a), Water Code (page 2, lines 22 through 31), and renumbering subsequent SECTIONS of the bill accordingly.

The amendment to **CSSB 755** was read and was adopted by a viva voce vote.

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

Senator Lucio offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSSB 755** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 63, Water Code, is amended by adding Section 63.1045 to read as follows:

Sec. 63.1045. EXECUTIVE DIRECTOR. (a) The district may employ an executive director of the district. If the district employs an executive director, the district must prescribe the duties and compensation of the executive director.

(b) The duties of an executive director may be performed by a general manager, port director, or chief executive officer.

SECTION \_\_\_\_\_. Section 63.105, Water Code, is amended to read as follows:

Sec. 63.105. ENGINEER. The district [~~commission~~] may employ a competent engineer whose term of office and compensation shall be determined by the district [~~commission~~].

SECTION \_\_\_\_\_. Section 63.107, Water Code, is amended to read as follows:

Sec. 63.107. DISTRICT EMPLOYEES. (a) The district:

(1) [~~commission~~] may employ assistant engineers and other persons as it considers necessary for the construction, maintenance, operation, and development of the district and and[~~;~~] its business and facilities;;[~~;~~] and

(2) shall determine their term of office and duties~~;~~ and fix their compensation.

(b) All employees may be removed by the district [~~commission~~].

SECTION \_\_\_\_\_. Section 63.109, Water Code, is amended to read as follows:

Sec. 63.109. PAYMENT OF COMPENSATION AND EXPENSES. The district [~~commission~~] may draw warrants, issue checks, or use a payment method adopted under Section 60.271 to pay for:

- (1) [~~legal~~] services;
- (2) [~~, for~~] the compensation [~~salaries~~] of [~~the engineer, his assistant, or any other~~] employees; and
- (3) [~~, and for~~] all expenses incident and relating to the district.

SECTION \_\_\_\_\_. The heading to Section 63.175, Water Code, is amended to read as follows:

Sec. 63.175. SUPERVISION OF WORK [~~BY ENGINEER~~].

SECTION \_\_\_\_\_. Section 63.175(a), Water Code, is amended to read as follows:

(a) Unless done under the supervision of the United States, all work contracted for by the district [~~commission~~] shall be done under the supervision of a representative of the district [~~engineer~~].

SECTION \_\_\_\_\_. Sections 63.176(a) and (b), Water Code, are amended to read as follows:

(a) A representative of the district [~~The commission~~] shall inspect the work being done during its progress, and on completion of the contract, the district [~~commission~~] shall draw a warrant on the district depository or issue a check in favor of the contractor or the contractor's [~~his~~] assignee for the amount of the contract price. The warrant or check shall be paid from the construction and maintenance or operating fund.

(b) If the district [~~commission~~] considers it advisable, it may contract to pay for the work in partial payments as the work progresses. Partial [~~, but the partial~~] payments may not be more in the aggregate than the amount allowed under applicable laws [~~90 percent of the contract price of the total amount of work done under the contract~~]. The amount of the work shall be shown by a certificate of a representative of the district [~~engineer~~].

SECTION \_\_\_\_\_. Section 63.175(b), Water Code, is repealed.

The amendment to **CSSB 755** was read and was adopted by a viva voce vote.

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

**CSSB 755** as amended was passed to engrossment by a viva voce vote.

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

### COMMITTEE SUBSTITUTE SENATE BILL 755 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 755** be placed on its third reading and final passage.

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

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

**(President in Chair)**

**ACKNOWLEDGMENT**

The President acknowledged the presence of Attorney General Ken Paxton.

The Senate welcomed its guest.

**SENATE BILL 1494 ON SECOND READING**

Senator Paxton moved to suspend the regular order of business to take up for consideration **SB 1494** at this time on its second reading:

**SB 1494**, Relating to the confidentiality of personal information of certain employees and contractors of the Department of Family and Protective Services.

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

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

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

**SENATE BILL 1494 ON THIRD READING**

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1494** 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 for the remainder of the day on account of important business.

**(Senator Bettencourt in Chair)**

**(President in Chair)**

**COMMITTEE SUBSTITUTE**

**SENATE BILL 2485 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 2485** at this time on its second reading:

**CSSB 2485**, Relating to a prohibition against certain local regulation of certain employment benefits provided by private employers.

The motion prevailed by the following vote: Yeas 18, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Absent-excused: Kolkhorst.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 2485** (committee printing) in SECTION 1 of the bill, immediately following added Section 83.002, Labor Code (page 1, between lines 44 and 45), by inserting the following:

Sec. 83.003. EFFECT OF CHAPTER. This chapter does not affect an ordinance, order, rule, regulation, or policy that prohibits employment discrimination, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2019.

The amendment to **CSSB 2485** was read.

**POINT OF ORDER**

Senator Creighton raised a point of order that Floor Amendment No. 1 to **CSSB 2485** was not germane to the body of the bill.

**POINT OF ORDER WITHDRAWN**

Senator Creighton withdrew the point of order.

Question recurring on the adoption of Floor Amendment No. 1 to **CSSB 2485**, the amendment failed of adoption by the following vote: Yeas 13, Nays 17.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Seliger, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Perry, Schwertner, Taylor.

Absent-excused: Kolkhorst.

**CSSB 2485** was passed to engrossment by the following vote: Yeas 18, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Absent-excused: Kolkhorst.

**COMMITTEE SUBSTITUTE  
SENATE BILL 2487 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 2487** at this time on its second reading:

**CSSB 2487**, Relating to a prohibition against certain local regulation of employment leave provided by private employers.

The motion prevailed by the following vote: Yeas 18, Nays 12.



Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Absent-excused: Kolkhorst.

The bill was read second time.

Senator Rodríguez offered the following amendment to the bill:

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

Amend **CSSB 2487** (senate committee printing) in SECTION 1 of the bill, immediately following added Section 83.002, Labor Code (page 1, between lines 40 and 41), by inserting the following:

Sec. 83.003. EFFECT OF CHAPTER. This chapter does not affect:

(1) the Texas Minimum Wage Act under Chapter 62;

(2) an ordinance, order, rule, regulation, or policy that prohibits employment discrimination, regardless of whether the ordinance, order, rule, regulation, or policy is adopted before, on, or after September 1, 2019; or

(3) a contract or agreement relating to terms of employment voluntarily entered into between a private employer or entity and a governmental entity.

The amendment to **CSSB 2487** was read and failed of adoption by the following vote: Yeas 12, Nays 18.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Absent-excused: Kolkhorst.

**CSSB 2487** was passed to engrossment by the following vote: Yeas 18, Nays 12.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Absent-excused: Kolkhorst.

### **CO-AUTHORS OF SENATE BILL 38**

On motion of Senator Zaffirini, Senators Flores, Hinojosa, Huffman, Lucio, Menéndez, Perry, and Watson will be shown as Co-authors of **SB 38**.

**CO-AUTHOR OF SENATE BILL 317**

On motion of Senator Hughes, Senator Creighton will be shown as Co-author of **SB 317**.

**CO-AUTHOR OF SENATE BILL 362**

On motion of Senator Huffman, Senator Zaffirini will be shown as Co-author of **SB 362**.

**CO-AUTHORS OF SENATE BILL 422**

On motion of Senator Campbell, Senators Creighton, Fallon, and Nichols will be shown as Co-authors of **SB 422**.

**CO-AUTHOR OF SENATE BILL 442**

On motion of Senator Hancock, Senator Campbell will be shown as Co-author of **SB 442**.

**CO-AUTHOR OF SENATE BILL 604**

On motion of Senator Buckingham, Senator Hall will be shown as Co-author of **SB 604**.

**CO-AUTHORS OF SENATE BILL 926**

On motion of Senator Hall, Senators Buckingham and Creighton will be shown as Co-authors of **SB 926**.

**CO-AUTHOR OF SENATE BILL 952**

On motion of Senator Watson, Senator Lucio will be shown as Co-author of **SB 952**.

**CO-AUTHORS OF SENATE BILL 1048**

On motion of Senator Fallon, Senators Creighton and Rodríguez will be shown as Co-authors of **SB 1048**.

**CO-AUTHOR OF SENATE BILL 1221**

On motion of Senator Campbell, Senator Creighton will be shown as Co-author of **SB 1221**.

**CO-AUTHOR OF SENATE BILL 1230**

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

**CO-AUTHOR OF SENATE BILL 1264**

On motion of Senator Hancock, Senator Whitmire will be shown as Co-author of **SB 1264**.

**CO-AUTHOR OF SENATE BILL 1451**

On motion of Senator Taylor, Senator Nelson will be shown as Co-author of **SB 1451**.

**CO-AUTHORS OF SENATE BILL 1494**

On motion of Senator Paxton, Senators Creighton and Perry will be shown as Co-authors of **SB 1494**.

**CO-AUTHOR OF SENATE BILL 1511**

On motion of Senator Nichols, Senator Zaffirini will be shown as Co-author of **SB 1511**.

**CO-AUTHOR OF SENATE BILL 2249**

On motion of Senator Miles, Senator Alvarado will be shown as Co-author of **SB 2249**.

**CO-AUTHORS OF SENATE BILL 2299**

On motion of Senator Powell, Senators Alvarado, Buckingham, Campbell, Flores, Johnson, Lucio, Menéndez, Nelson, Paxton, Perry, Rodríguez, Schwertner, Taylor, Watson, and Zaffirini will be shown as Co-authors of **SB 2299**.

**CO-AUTHORS OF SENATE BILL 2485**

On motion of Senator Creighton, Senators Campbell and Fallon will be shown as Co-authors of **SB 2485**.

**CO-AUTHORS OF SENATE BILL 2487**

On motion of Senator Creighton, Senators Campbell and Fallon will be shown as Co-authors of **SB 2487**.

**CO-AUTHORS OF SENATE JOINT RESOLUTION 27**

On motion of Senator Huffman, Senators Creighton and Hall will be shown as Co-authors of **SJR 27**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 568** by West, In memory of Charles Ronald Rose Sr.

**SR 571** by Watson, In memory of Marcus Ledbetter Yancey Jr.

**SR 572** by Watson, In memory of James Terrence Young.

**Congratulatory Resolutions**

**SR 563** by Johnson, Recognizing the Coppell Independent School District for its service to the Dallas area.

**SR 569** by Nichols, Recognizing the Crisis Center of Anderson and Cherokee Counties on the occasion of its 30th anniversary.

**SR 570** by Seliger, Recognizing the Junior League of Midland, Incorporated, for 70 years of service to the community.

**SR 573** by Watson, Recognizing the Austin Junior Forum on the occasion of its 50th anniversary.

**SR 575** by Buckingham, Recognizing the Schreiner University shotgun team for winning a national title.

### Official Designation Resolutions

**SR 566** by Campbell, Recognizing April 17, 2019, as Alzheimer's Association State Advocacy Day.

**SR 574** by Buckingham, Recognizing April 17, 2019, as Doctors of Osteopathic Medical Excellence Day.

### ADJOURNMENT

On motion of Senator Whitmire, the Senate at 6:46 p.m. adjourned, in memory of William Powers and Johnny "Lam" Jones, until 6:48 p.m. today.

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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:

April 11, 2019

TRANSPORTATION — **SB 2024, SB 2015, SB 1959, HB 540**

VETERAN AFFAIRS AND BORDER SECURITY — **CSSB 2127**

WATER AND RURAL AFFAIRS — **SB 1673, SB 899, SB 2322**

INTERGOVERNMENTAL RELATIONS — **SB 253, SB 335, SB 746, SB 1000, SB 1861, SB 1950, SB 2194, SB 2212, SB 2315, SB 2506**

HEALTH AND HUMAN SERVICES — **CSSB 1239, CSSB 1056, CSSB 1283, CSSB 1101, CSSB 572, CSSB 932, CSSB 1445, CSSB 2480**

INTERGOVERNMENTAL RELATIONS — **CSSB 1474**

BUSINESS AND COMMERCE — **CSSB 1394**

WATER AND RURAL AFFAIRS — **CSSB 970**

HEALTH AND HUMAN SERVICES — **CSSB 1207, CSSB 1140**

INTERGOVERNMENTAL RELATIONS — **CSSB 493, CSSB 542, CSSB 544, CSSB 1196, CSSB 2022, CSSB 2448**

TRANSPORTATION — **CSHB 61, CSSB 511**

BUSINESS AND COMMERCE — **CSSB 1415, CSSB 1940, CSSB 1336**

TRANSPORTATION — **CSSB 991**

BUSINESS AND COMMERCE — **CSSB 437, CSSB 446**

TRANSPORTATION — **CSSB 2156**

EDUCATION — **SB 2244, SB 668, SB 820, CSSB 2018, CSSB 2180, CSSB 1376**

**BILLS ENGROSSED**

April 10, 2019

**SB 26, SB 225, SB 295, SB 384, SB 436, SB 531, SB 633, SB 709, SB 810, SB 943, SB 944, SB 1006, SB 1017, SB 1213, SB 1214, SB 1675, SB 1676, SB 2132, SB 2137, SJR 24**

**RESOLUTIONS ENROLLED**

April 10, 2019

**SR 554, SR 556, SR 561, SR 564, SR 565**

**In Memory**  
**of**  
**Johnny "Lam" Jones**  
**Senate Resolution 567**

WHEREAS, Sports fans in the Lone Star State and beyond are mourning the loss of Johnny "Lam" Jones on March 15, 2019, at the age of 60; and

WHEREAS, Born in Lawton, Oklahoma, on April 4, 1958, John Wesley Jones II moved to Texas with his family during his youth and distinguished himself as a track star and an All-State running back for the Lampasas High School Badgers; by the age of 18, he was sprinting world-class times, and he gained widespread recognition with his legendary performance at the 1976 state track meet; after winning the 100-yard and 220-yard dashes, he closed a gap of more than 40 yards during the anchor leg of the mile relay, passing the entire field and inspiring the crowd to swarm the track in excitement; the relay victory clinched the team championship for Lampasas High, and Mr. Jones would later reflect on that accomplishment as one of the most exciting experiences of his life; and

WHEREAS, Later that summer, Mr. Jones competed in the 1976 Summer Olympics in Montreal, becoming the youngest athlete from Texas to ever earn a berth on the United States track and field team; he won an Olympic gold medal as a member of the 4x100 relay team, which set a world record with a time of 38.33 seconds, and he also competed in the 100-yard dash, finishing sixth; and

WHEREAS, Mr. Jones went on to a stellar career at The University of Texas at Austin; he ran track his freshman year, winning four events at the 1977 Southwest Conference meet and setting UT track records at 100 yards, 100 meters, and 220 yards; on the gridiron, he first played running back and then wide receiver for the Longhorns, earning All-American and All-Southwest Conference honors as well as the team Most Valuable Player award in 1978; it was during his time on the 40 Acres that he first became known as "Lam" Jones, a nickname bestowed by football head coach Darrell Royal in reference to Mr. Jones' hometown of Lampasas; and

WHEREAS, A highly touted NFL prospect, this skilled athlete was drafted by the New York Jets in 1980 and signed the first contract worth more than a million dollars in league history; his pro career spanned eight years, but injuries limited his performance and playing time with the Jets, and he retired in 1987 after brief stints with the San Francisco 49ers and Dallas Cowboys; and

WHEREAS, In recent decades, Mr. Jones dedicated himself to educating youth on the dangers of drugs and alcohol; he also became involved in the Lay Witnesses for Christ sports ministry, and he was a

longtime supporter of the Special Olympics; in recognition of his remarkable athletic accomplishments, he was inducted into the Texas Sports Hall of Fame, The University of Texas Athletics Hall of Honor, the Texas High School Football Hall of Fame, and the Lampasas Football Hall of Fame; and

WHEREAS, Widely considered one of the greatest athletes in Texas history, Lam Jones remains a source of great pride to the residents of Lampasas, and his many achievements will continue to be remembered and admired for years to come; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby pay tribute to the life of Johnny Lam Jones and extend sincere condolences to his relatives and friends; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Johnny Lam Jones.

BUCKINGHAM

