

# SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FORTY-SIXTH DAY**

(Wednesday, May 1, 2019)

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

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

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

Father Tim Nolt, Saint Mary Cathedral, Austin, offered the invocation as follows:

God, to acknowledge that all is gift is to have hope that each day's work can bring You glory. May all who labor here this day draw inspiration from Your spirit as they plan, listen, deliberate, and vote. Give us the wisdom to discern best how to serve the greater good of this great state, and be with those who most need our assistance and leadership this day. Finally, may Your blessings be with each individual present, be upon their families and friends, and dwell in midst of their communities back home. Amen.

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

The motion prevailed without objection.

## **PHYSICIAN OF THE DAY**

Senator Rodríguez was recognized and presented Dr. David Palafox of El Paso as the Physician of the Day.

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

**GUESTS PRESENTED**

Senator Menéndez was recognized and introduced to the Senate Northwest Vista College honor students, accompanied by their professors Robert Marbut and Kara Paige.

The Senate welcomed its guests.

**GUEST PRESENTED**

Senator Lucio was recognized and introduced to the Senate Sergio Alberto Tinoco, author of *Proud American: The Migrant, Soldier, and Agent*.

The Senate welcomed its guest.

**GUESTS PRESENTED**

Senator Flores, joined by Senators Buckingham, Seliger, Hughes, and Fallon, was recognized and introduced to the Senate Texas A&M University legislative interns: Tyler Roberts, Armando Vendrell-Velez, Grace Binger, Koy Kunkel, Halee Sanderson, and Andrea Nwachukwu.

The Senate welcomed its guests.

**(President in Chair)****GUESTS PRESENTED**

Senator Zaffirini was recognized and introduced to the Senate a Caldwell County delegation including Lockhart Mayor Lew White; Councilmembers John Castillo, Kara McGregor, and Angie Gonzales-Sanchez; County Judge Hoppy Haden; Commissioner B. J. Westmoreland; and Lockhart ISD Superintendent Mark Estrada.

The Senate welcomed its guests.

**MESSAGES FROM THE GOVERNOR**

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

May 1, 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 a member of the Gulf Coast Authority Board of Directors for a term to expire August 31, 2019:

Gloria A. Matt  
Tomball, Texas

*(replacing Nancy C. Blackwell of Ballinger who resigned)*

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

Keith W. Brainard  
Georgetown, Texas  
(*Mr. Brainard is being reappointed*)

Respectfully submitted,  
/s/Greg Abbott  
Governor

### **BILLS SIGNED**

The President announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read: **SB 325, SB 872.**

### **SESSION TO CONSIDER EXECUTIVE APPOINTMENTS**

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

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

The President asked if there were requests to sever nominees.

There were no requests offered.

### **NOMINEES CONFIRMED**

The following nominees, as reported by the Committee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

Presiding Judge, Seventh Administrative Judicial Region: Morton Valdean Rucker, Midland County.

Member, Cancer Prevention and Research Institute of Texas Oversight Committee: David Andrew Cummings, Tom Green County.

Member, Credit Union Commission: Elizabeth Lackey Bayless, Travis County.

Member, Finance Commission of Texas: Robin L. Armstrong, Galveston County.

Members, Governing Board, Texas Indigent Defense Commission: Richard Arlan Evans, Bandera County; Christopher Torrey Hill, Collin County; Mary Koehler McDonald Medary, Nueces County; Gonzalo P. Rios, Tom Green County.

Members, State Board for Educator Certification: Tommy Lamar Coleman, Polk County; Shareefah Nadir-Mason, Dallas County.

Members, State Pension Review Board: Marcia Ann Dush, Travis County; Maria del Rosario Fariña-Strauss, Travis County.

Member, Statewide Health Coordinating Council: David Allen, Bexar County; Chelsea Louise Elliott, Travis County; Elizabeth J. Protas, Galveston County; D. Bailey Wynne, Collin County; Nancy Carolyn Williams Yuill, Fort Bend County.

Members, Board of Regents, Stephen F. Austin State University: David Richey Alders, Nacogdoches County; Judith Ann Olson, Montgomery County; Jennifer Wade Winston, Angelina County.

Members, Texas Facilities Commission: Brian Allen Bailey, Travis County; Carl P. Wagner, Dallas County.

Members, Board of Trustees, Texas Municipal Retirement System: Jesus Antonio Garza, Bexar County, Jimmy Dean Parrish, Collin County.

Members, Texas Private Security Board: Doyle Wade Hayden, Bexar County; Derrick Andre Howard, Bexar County; Alan S. Trevino, Travis County; Debbra Gale Ulmer, Harris County; Stephen Wayne Willeford, Wilson County.

Members, Texas Real Estate Commission: Jason Eric Hartgraves, Denton County; Jan Fite Miller, Kaufman County; Barbara Ann Perryman Russell, Denton County; DeLora Wilkinson, Harris County; Micheal Williams, Tarrant County.

Members, Board of Regents, Texas Southern University: Marc Christopher Carter, Harris County, Pamela Ann Medina, Harris County; Albert H. Myres, Liberty County; Jay Solomon Zeidman, Harris County.

### **SENATE RESOLUTION 660**

Senator Hughes offered the following resolution:

**SR 660**, Recognizing Madison Fuller for her contributions as Miss Texas 2018.

HUGHES  
SCHWERTNER

The resolution was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Hughes was recognized and introduced to the Senate Miss Texas 2018 Madison Fuller and Miss Texas Scholarship Organization Board of Directors member Mark Sandlin.

The Senate welcomed its guests.

### **MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Wednesday, May 1, 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 914** Thompson, Senfronia  
 Relating to the regulation of bingo games.

**HB 2387** Bonnen, Greg  
 Relating to the regulation of utilization review, independent review, and peer review for health benefit plan and workers' compensation coverage and to preauthorization of certain medical care and health care services by certain health benefit plan issuers.

**HB 2730** Leach  
 Relating to civil actions involving the exercise of certain constitutional rights.

**HB 2899** Leach  
 Relating to civil liability and responsibility for defects in the plans, specifications, or other documents for the construction or repair of roads, highways, and related improvements.

**HCR 143** Davis, Sarah  
 Designating May 1 as Texans Medical Record Checkup Day for a 10-year period beginning in 2019.

**HCR 165** Craddick  
 Congratulating Ramona Aytes Thomas of Midland on her retirement as CEO of PermianCare.

**HJR 95** Capriglione  
 Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation precious metal held in a precious metal depository located in this state.

**SB 2** Bettencourt Sponsor: Burrows  
 Relating to ad valorem taxation; authorizing fees.  
 (Committee Substitute/Amended)

**SB 319** Perry Sponsor: Frullo  
 Relating to the authority of the Lubbock County Hospital District of Lubbock County, Texas, to employ and commission peace officers.

**SB 753** Huffman Sponsor: Raney  
 Relating to wage requirements for community rehabilitation programs participating in the purchasing from people with disabilities program.

**SB 2100** Birdwell Sponsor: Smithee  
 Relating to the transfer of a retired law enforcement animal.

Respectfully,

/s/Robert Haney, Chief Clerk  
 House of Representatives

**SENATE RESOLUTION 594**

Senator Birdwell offered the following resolution:

**SR 594**, Recognizing the Baylor University Lady Bears basketball team for winning the 2019 National Collegiate Athletic Association championship.

BIRDWELL PAXTON  
 HANCOCK TAYLOR

HUGHES

WATSON

The resolution was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Birdwell, joined by Senators Watson, Paxton, Hancock, Powell, Fallon, Flores, Taylor, and Campbell, was recognized and introduced to the Senate the 2019 NCAA National Champions, the Baylor University Lady Bears: DiDi Richards, Trinity Oliver, Lauren Cox, Juicy Landrum, NaLyssa Smith, Caitlin Bickle, Aquira DeCosta, Queen Egbo, Honesty Scott-Grayson, Moon Ursin, and Coach Kim Mulkey.

The Senate welcomed its guests.

**(President Pro Tempore Watson in Chair)**

### **GUESTS PRESENTED**

Senator Miles, joined by Senators Paxton and Alvarado, was recognized and introduced to the Senate representatives of the Asian Real Estate Association of America.

The Senate welcomed its guests.

**(Senator Alvarado in Chair)**

### **SENATE RESOLUTION 663**

Senator Fallon offered the following resolution:

WHEREAS, Sarah Matteson has greatly benefited many Texas Woman's University students through her tireless efforts in behalf of the Frontiers Program; and

WHEREAS, The Frontiers Program was established to provide support, encouragement, and individual mentoring to students who have experienced foster care; nationally, under 10 percent of such students will graduate from college, but the program has been able to achieve significantly better results at TWU; and

WHEREAS, Sarah Matteson helps students navigate the complexities of college life in her role as Frontiers Program advisor, case manager, and campus and community liaison; moreover, she is the advisor for Success for the Future, a student-led organization for those who have experienced foster care, adoption, homelessness, or loss of their support systems; she also assists in operations of TWU's monthly mobile food pantry, a partnership with the North Texas Food Bank; and

WHEREAS, Born to an impoverished single mother of four, Ms. Matteson received irregular schooling throughout her youth, and she was placed in foster care a number of times; she aged out of the system with no one to rely on for support, and during her first two years of higher education, she endured homelessness, food insecurity, and other challenges; nevertheless, she persevered in her drive to become the first college graduate in her family, and after transferring to TWU, she completed her bachelor's degree in social work in 2011, earning recognition as the Title IX Student of the Year; subsequently, she earned her master's degree with a 4.0 grade point average, became a Licensed Master Social Worker, and joined the staff of the

Frontiers Program; in addition to her professional endeavors at TWU, Ms. Matteson has given generously of her time, talents, and resources as a CASA volunteer, guest speaker, mentor, and host for youth who have aged out of foster care; and

WHEREAS, An inspiring role model, Sarah Matteson is helping Frontiers Program students achieve their dreams at Texas Woman's University, and in so doing, she has earned the admiration and appreciation of all who are fortunate enough to know her; now, therefore, be it

RESOLVED, That the Senate of the 86th Texas Legislature hereby honor Sarah Matteson for her outstanding contributions to the Frontiers Program at Texas Woman's University and extend to her sincere best wishes for continued success; and, be it further

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

FALLON  
NELSON

The resolution was read and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Fallon, joined by Senator West, was recognized and introduced to the Senate Sarah Matteson, Texas Woman's University Frontiers Program.

Senator Fallon also introduced to the Senate Tyler Parker, serving today as an Honorary Senate Page.

The Senate welcomed its guests.

**(President Pro Tempore Watson in Chair)**

#### **INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED**

The President Pro Tempore announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

#### **CONCLUSION OF MORNING CALL**

The President Pro Tempore at 12:32 p.m. announced the conclusion of morning call.

#### **COMMITTEE SUBSTITUTE SENATE BILL 2272 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 2272** at this time on its second reading:

**CSSB 2272**, Relating to the procedure for amending or revoking certificates of public convenience and necessity issued to certain water utilities.

The bill was read second time.

Senator Nichols offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 2272** (senate committee report) as follows:

(1) In SECTION 4 of the bill, strike redesignated Section 13.2541(f), Water Code (page 2, lines 23 through 34), and substitute the following:

(f) The utility commission may require an award of compensation by the petitioner to the certificate holder in the manner provided by this section [a decertified retail public utility that is the subject of a petition filed under Subsection (a-5) as otherwise provided by this section].

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

SECTION \_\_\_\_\_. Section 13.2541, Water Code, as added by this Act, is amended by adding Subsections (g), (h), (i), and (j) to read as follows:

(g) The monetary amount of compensation, if any, shall be determined by a qualified individual or firm serving as independent appraiser agreed upon by the certificate holder and the petitioner. The determination of compensation by the independent appraiser shall be binding on the utility commission. The costs of the independent appraiser shall be borne by the petitioner.

(h) Section 13.254(g) applies to a determination of the monetary amount of compensation under this section.

(i) If the petitioner and the certificate holder cannot agree on an independent appraiser within 10 calendar days after the date on which the commission approves the petition, the petitioner and the certificate holder shall each engage its own appraiser at its own expense, and each appraisal shall be submitted to the utility commission within 70 calendar days after the date on which the commission approves the petition. After receiving the appraisals, the utility commission shall appoint a third appraiser who shall make a determination of the compensation within 100 days after the date on which the commission approves the petition. The determination may not be less than the lower appraisal or more than the higher appraisal. The petitioner and the certificate holder shall each pay half the cost of the third appraisal.

(j) The utility commission shall ensure that:

(1) the monetary amount of compensation is determined not later than the 60th day after the date the utility commission receives the final appraisal; and

(2) the landowner pays the compensation to the certificate holder not later than the 90th calendar day after the date the monetary amount of compensation is determined.

The amendment to **CSSB 2272** 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 2272** 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 2272 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 2272** 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 CONCURRENT RESOLUTION 59  
ON SECOND READING**

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **SCR 59** at this time on its second reading:

**SCR 59**, Urging the president to designate a state funeral for the last surviving Medal of Honor recipient from World War II.

The resolution was read second time and was adopted by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1783 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1783** at this time on its second reading:

**CSSB 1783**, Relating to guardianships, alternatives to guardianship, and supports and services for incapacitated persons.

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 1783 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 1783** 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 711 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 711** at this time on its second reading:

**CSSB 711**, Relating to allowing safety recall information to be included in a vehicle inspection report.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 711** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_. The Texas Commission on Environmental Quality and the Department of Public Safety of the State of Texas are required to implement a provision of this Act, as applicable, only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commission and the department may, but are not required to, implement a provision of this Act, as applicable, using other appropriations available for that purpose.

The amendment to **CSSB 711** 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 711** 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 711 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 711** 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 1133 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 1133** at this time on its second reading:

**CSSB 1133**, Relating to prohibiting public schools from owning, leasing, or having a business interest in certain entities and real property associated with those entities.

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 1133 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 1133** 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 2143 ON SECOND READING**

On motion of Senator Flores and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2143** at this time on its second reading:

**CSSB 2143**, Relating to the authority of the Kickapoo Traditional Tribe of Texas to commission 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 2143 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 **CSSB 2143** 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 958 ON SECOND READING**

Senator Johnson moved to suspend the regular order of business to take up for consideration **SB 958** at this time on its second reading:

**SB 958**, Relating to a right of first refusal applicable to the sale of housing developments that have received certain financial assistance administered by the Texas Department of Housing and Community Affairs.

The motion prevailed.

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

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

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

Nays: Hall, Nichols.

### **SENATE BILL 958 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 **SB 958** be placed on its third reading and final passage.

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

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

Nays: Hall, Nichols.

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

### **HOUSE BILL 1595 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 1595** at this time on its second reading:

**HB 1595**, Relating to the deployment of advanced metering and meter information networks in certain areas outside of ERCOT.

The motion prevailed.

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

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

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

Nays: Hall, Miles.

### **HOUSE BILL 1595 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1595** be placed on its third reading and final passage.

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

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

Nays: Hall, Miles.

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

**SENATE BILL 2293 ON SECOND READING**

Senator Fallon moved to suspend the regular order of business to take up for consideration **SB 2293** at this time on its second reading:

**SB 2293**, Relating to the applicability of certain laws to open-enrollment charter schools.

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

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

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

The bill was read second time and was passed to engrossment by the following vote: Yeas 22, Nays 9. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 1105 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1105** at this time on its second reading:

**CSSB 1105**, Relating to the administration and operation of Medicaid, including Medicaid managed care.

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 1105 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1105** 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 2293 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 2293** be placed on its third reading and final passage:

**SB 2293**, Relating to the applicability of certain laws to open-enrollment charter schools.

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

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

Nays: Alvarado, Johnson, Menéndez, West, Whitmire, Zaffirini.

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

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

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

### **SENATE BILL 1331 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1331** at this time on its second reading:

**SB 1331**, Relating to the regulation of individuals and entities that conduct forensic analyses, examinations, and tests.

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 1331 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 **SB 1331** 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 1130 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 1130** at this time on its second reading:

**CSSB 1130**, Relating to the establishment of a task force on father engagement in this state.

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

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

Nays: Birdwell, Campbell, Creighton, Hancock, Nelson, Paxton, Schwertner.

The bill was read second time and was passed to engrossment by the following vote: Yeas 25, Nays 6.

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

Nays: Birdwell, Campbell, Creighton, Hancock, Nelson, Schwertner.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1130 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1130** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Campbell, Creighton, Hancock, Nelson, Schwertner.

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

**REASON FOR VOTE**

Senator Birdwell submitted the following reason for vote on **CSSB 1130**:

While I support the motivation behind this bill and the goals it seeks to achieve, namely promotion of healthy family outcomes associated with involved fathers, this task falls outside the proper role of government. This task is better left to churches and charitable organizations, both of which can have lasting impacts and involvement in the lives of families. I believe this bill will simply encourage the further erosion of involvement of churches and charitable organizations in communities, and rather cause people to once again look to government to solve problems that should be solved within the home and faith based organizations that promote biblical manhood. It is for these reasons that I am opposed to SB 1130.

BIRDWELL

**COMMITTEE SUBSTITUTE  
HOUSE BILL 374 ON SECOND READING**

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 374** at this time on its second reading:

**CSHB 374**, Relating to meetings or visits between a defendant on community supervision and a supervision officer.

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

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 374 ON THIRD READING**

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 374** 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)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 708 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 708** at this time on its second reading:

**CSSB 708**, Relating to collection and use of child safety data for licensed day-care centers.

The motion prevailed.

Senator Schwertner 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: Schwertner.

**COMMITTEE SUBSTITUTE  
SENATE BILL 708 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 708** be placed on its third reading and final passage.

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

Nays: Schwertner.

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

**HOUSE BILL 1311 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **HB 1311** at this time on its second reading:

**HB 1311**, Relating to the continuation and functions of the Texas Board of Professional Geoscientists.

The motion prevailed.



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

The bill was read second time and was passed to third reading by the following vote: Yeas 30, Nays 1.

Nays: Hughes.

### **HOUSE BILL 1311 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1311** be placed on its third reading and final passage.

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

Nays: Hughes.

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

### **RECESS**

On motion of Senator Whitmire, the Senate at 1:42 p.m. recessed until 2:45 p.m. today.

### **AFTER RECESS**

The Senate met at 3:44 p.m. and was called to order by Senator Perry.

### **COMMITTEE SUBSTITUTE SENATE BILL 1180 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 1180** at this time on its second reading:

**CSSB 1180**, Relating to reporting regarding veterans treatment court programs.

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 1180 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 1180** 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 1818 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 1818** at this time on its second reading:

**CSSB 1818**, Relating to a competitive and integrated employment initiative for certain Medicaid recipients.

The motion prevailed.

Senator Schwertner 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: Schwertner.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1818 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 1818** be placed on its third reading and final passage.

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

Nays: Schwertner.

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 535 ON SECOND READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **CSSB 535** at this time on its second reading:

**CSSB 535**, Relating to the carrying of a handgun by a license holder on the premises of certain places of religious worship.

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

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

Nays: Alvarado, Johnson, Lucio, Menéndez, Powell, Rodríguez, Watson, Whitmire.

The bill was read second time and was passed to engrossment by the following vote: Yeas 23, Nays 8. (Same as previous roll call)

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 535 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 535** be placed on its third reading and final passage.

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

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

Nays: Alvarado, Johnson, Menéndez, Rodríguez, Watson, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 8.

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

Nays: Alvarado, Johnson, Lucio, Menéndez, Powell, Rodríguez, Watson, Whitmire.

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 1991 ON SECOND READING**

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1991** at this time on its second reading:

**CSSB 1991**, Relating to claims and overpayment recoupment processes imposed on health care providers under Medicaid.

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 1991 ON THIRD READING**

Senator Buckingham moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1991** 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 2318 ON SECOND READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **SB 2318** at this time on its second reading:

**SB 2318**, Relating to the authority of a county to require a person to obtain a building permit from the county for certain portable structures.

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

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

Nays: Alvarado, Johnson, Menéndez, Powell, Rodríguez, Zaffirini.

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

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

Amend **SB 2318** (senate committee printing) in SECTION 1 of the bill, in added Section 233.902, Local Government Code (page 1, lines 24 and 25), by striking "used for the retail sale of seasonal goods" and substituting "used for not more than 60 days in a calendar year for the retail sale of goods".

The amendment to **SB 2318** 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 2318** as amended was passed to engrossment by the following vote: Yeas 25, Nays 6.

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

Nays: Alvarado, Johnson, Menéndez, Powell, Rodríguez, Zaffirini.

### **SENATE BILL 2318 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 2318** be placed on its third reading and final passage.

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

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

Nays: Alvarado, Johnson, Menéndez, Powell, Rodríguez, Zaffirini.

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

### **COMMITTEE SUBSTITUTE SENATE BILL 2066 ON SECOND READING**

Senator Menéndez moved to suspend the regular order of business to take up for consideration **CSSB 2066** at this time on its second reading:

**CSSB 2066**, Relating to distributed renewable generation resources.

The motion prevailed.

Senator Seliger 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: Seliger.

**COMMITTEE SUBSTITUTE  
SENATE BILL 2066 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 2066** be placed on its third reading and final passage.

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

Nays: Seliger.

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

**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 5:00 p.m. today.

**(President in Chair)**

**COMMITTEE SUBSTITUTE  
HOUSE BILL 723 ON SECOND READING**

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 723** at this time on its second reading:

**CSHB 723**, Relating to a requirement that the Texas Commission on Environmental Quality obtain or develop updated water availability models for certain river basins.

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

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 723 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 723** 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 1190 ON THIRD READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 1190** at this time on its third reading and final passage:

**CSSB 1190**, Relating to the residence address of a voter for purposes of a response to a confirmation notice sent by the voter registrar.

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 third time and was passed by the following vote: Yeas 21, Nays 10. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
SENATE BILL 545 ON SECOND READING**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 545** at this time on its second reading:

**CSSB 545**, Relating to the evaluation of applications for certain financial assistance administered by the Texas Department of Housing and Community Affairs.

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 545 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 545** 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 549 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 549** at this time on its second reading:

**CSSB 549**, Relating to the operation of motor-assisted scooters.

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

Yeas: Alvarado, Birdwell, Campbell, Flores, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Powell, Rodríguez, Schwertner, Taylor, Watson, West, Zaffirini.

Nays: Bettencourt, Buckingham, Creighton, Fallon, Hall, Paxton, Seliger, Whitmire.

The bill was read second time.

Senator West offered the following amendment to the bill:

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

Amend **CSSB 549** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, lines 23-24), strike "Section 551.351(1), Transportation Code, is amended" and substitute "Section 551.351, Transportation Code, is amended by amending Subdivision (1) and adding Subdivision (3)".

(2) In SECTION 1 of the bill, in amended Section 551.351, Transportation Code (page 1, between lines 39 and 40), insert the following:

(3) "Shared motor-assisted scooter" means a motor-assisted scooter that is rented for a fee.

(3) In SECTION 2 of the bill, in added Section 551.3515(a), Transportation Code (page 1, line 44), insert "shared" between "a" and "motor-assisted".

(4) In SECTION 3 of the bill, in the heading to Section 551.352, Transportation Code (page 1, lines 49-50), strike "OR BICYCLE PATHS [SIDEWALKS]" and substitute "BICYCLE PATHS, OR SIDEWALKS".

(5) In SECTION 3 of the bill, in amended Section 551.352(a)(1), Transportation Code (page 1, line 52), strike "path other than a sidewalk" and substitute "sidewalk or another path".

The amendment to **CSSB 549** was read.

Senator West withdrew Floor Amendment No. 1.

Senator Hancock offered the following amendment to the bill:

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

Amend **CSSB 549** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, lines 23-24), strike "Section 551.351(1), Transportation Code, is amended" and substitute "Section 551.351, Transportation Code, is amended by amending Subdivision (1) and adding Subdivision (3)".

(2) In SECTION 1 of the bill, in amended Section 551.351, Transportation Code (page 1, between lines 39 and 40), insert the following:

(3) "Shared motor-assisted scooter" means a motor-assisted scooter that is rented for a fee.

(3) In SECTION 2 of the bill, in added Section 551.3515(a), Transportation Code (page 1, line 44), insert "shared" between "a" and "motor-assisted".

(4) In SECTION 3 of the bill, in the heading to Section 551.352, Transportation Code (page 1, lines 49-50), strike "OR BICYCLE PATHS [~~SIDEWALKS~~]" and substitute ", BICYCLE PATHS, OR SIDEWALKS".

(5) In SECTION 3 of the bill, in amended Section 551.352(a), Transportation Code (page 1, line 50), strike "A" and substitute "Except as provided by Subsection (f), a [A]"

(6) In SECTION 3 of the bill, in amended Section 551.352(a)(1), Transportation Code (page 1, line 52), strike "path other than a sidewalk" and substitute "sidewalk or another path".

(7) In SECTION 3 of the bill, strike amended Sections 551.352(d) and (e), Transportation Code (page 2, lines 32-38), and substitute the following:

(f) [~~(d)~~] A person may not operate a shared motor-assisted scooter on a [~~path set aside for the exclusive operation of bicycles or on a~~] sidewalk. [~~Except as otherwise provided by this section, a provision of this title applicable to the operation of a bicycle applies to the operation of a motor-assisted scooter.~~]

(g) [~~(e)~~] A provision of this title applicable to a motor vehicle does not apply to a motor-assisted scooter.

The amendment to **CSSB 549** 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 549** as amended was passed to engrossment by the following vote: Yeas 20, Nays 11.

Yeas: Alvarado, Birdwell, Campbell, Flores, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nichols, Perry, Powell, Rodríguez, Schwertner, Watson, West, Zaffirini.

Nays: Bettencourt, Buckingham, Creighton, Fallon, Hall, Hughes, Nelson, Paxton, Seliger, Taylor, Whitmire.

### COMMITTEE SUBSTITUTE SENATE BILL 549 ON THIRD READING

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 549** be placed on its third reading and final passage.

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

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

Nays: Creighton, Fallon, Hall, Nelson, Seliger, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 11.



Yeas: Alvarado, Birdwell, Campbell, Flores, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nichols, Perry, Powell, Rodríguez, Schwertner, Watson, West, Zaffirini.

Nays: Bettencourt, Buckingham, Creighton, Fallon, Hall, Hughes, Nelson, Paxton, Seliger, Taylor, Whitmire.

### MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 1, 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:

**HB 97** Rodriguez

Relating to the eligibility of land for appraisal for ad valorem tax purposes as qualified open-space land.

**HB 103** Martinez

Relating to the establishment of a public law school in the Rio Grande Valley.

**HB 133** Canales

Relating to the payment of gratuities to certain employees.

**HB 669** King, Ken

Relating to the use of the universal service fund for the provision of broadband service in underserved rural areas.

**HB 720** Larson

Relating to appropriations of water for recharge of aquifers and use in aquifer storage and recovery projects.

**HB 1528** Rose

Relating to the reporting of certain information involving family violence offenses.

**HB 2384** Leach

Relating to judicial compensation and assignment, the contributions to, benefits from, membership in, and administration of the Judicial Retirement System of Texas Plan One and Plan Two, and the compensation and retirement benefits of certain prosecutors and other members of the elected class of the Employees Retirement System of Texas.

**HB 2811** Price

Relating to the prescribing of controlled substances and dangerous drugs for acute pain.

**HB 2817**

Lucio III

Relating to the contractual relationship between a pharmacist or pharmacy and a health benefit plan issuer or pharmacy benefit manager.

**HB 4009**

Toth

Relating to the establishment, operation, and funding of victim-offender mediation programs; authorizing fees.

**HB 4214**

Capriglione

Relating to matters concerning governmental entities, including cybersecurity, governmental efficiencies, information resources, and emergency planning.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**COMMITTEE SUBSTITUTE  
SENATE BILL 2117 ON SECOND READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSSB 2117** at this time on its second reading:

**CSSB 2117**, Relating to state funding and accountability intervention and sanction provisions applicable to school district campuses and programs operated under school district and charter partnerships.

The motion prevailed.

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

The bill was read second time.

Senator Flores offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 2117** (senate committee printing) as follows:

(1) In the recital to SECTION 2 of the bill (page 1, line 46), strike "11.174(a) and (i)" and substitute "11.174(f) and (i)".

(2) In SECTION 2 of the bill, strike amended Section 11.174(a) (page 1, lines 48-57) and substitute the following:

(f) This subsection applies only to a district campus that is subject to a contract described by Subsection (a) entered into before September 1, 2019, and that received an overall performance rating of unacceptable under Subchapter C, Chapter 39, for the school year before operation of the district campus under the contract began. The commissioner may not impose a sanction or take action against the campus under Section 39A.101 [~~39.107(a) or (e)~~] for failure to satisfy academic performance standards during the first two school years of operation of a district campus under Subsection (a). The overall performance rating received by the campus during those first two school years is not included in calculating consecutive school years and is not considered a break in consecutive school years under Section 39A.101 [~~39.107(a) or (e)~~].

(3) In SECTION 5 of the bill, repealing provisions of the Education Code (page 2, line 36), strike "Sections 11.174(f) and (g), Education Code, are" and substitute "Section 11.174(g), Education Code, is".

The amendment to **CSSB 2117** 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 2117** 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: Menéndez, Miles.

### **COMMITTEE SUBSTITUTE SENATE BILL 2117 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 2117** be placed on its third reading and final passage.

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

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

Nays: Menéndez, Miles.

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

### **GUEST PRESENTED**

Senator Lucio was recognized and introduced to the Senate Texas A&M University legislative intern Alejandra Luna.

The Senate welcomed its guest.

### **COMMITTEE SUBSTITUTE SENATE BILL 2072 ON SECOND READING**

Senator Taylor moved to suspend the regular order of business to take up for consideration **CSSB 2072** at this time on its second reading:

**CSSB 2072**, Relating to the authority of a development corporation created by the Gulf Coast Authority to finance certain projects.

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

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

Nays: Creighton, Fallon, Hall, Hancock, Kolkhorst, Paxton.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 2072 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 2072** be placed on its third reading and final passage.

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

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

Nays: Creighton, Fallon, Hall, Hancock, Kolkhorst, Paxton.

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

**HOUSE BILLS AND RESOLUTIONS ON FIRST READING**

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

**HB 823** to Committee on Health and Human Services.

**HB 914** to Committee on State Affairs.

**HB 985** to Committee on Business and Commerce.

**HB 1074** to Committee on Natural Resources and Economic Development.

**HB 1099** to Committee on Criminal Justice.

**HB 1139** to Committee on Criminal Justice.

**HB 1325** to Committee on Agriculture.

**HB 1619** to Committee on State Affairs.

**HB 1806** to Committee on Water and Rural Affairs.

**HB 2164** to Committee on State Affairs.

**HB 2169** to Committee on Criminal Justice.

**HB 2365** to Committee on Intergovernmental Relations.

**HB 2387** to Committee on Business and Commerce.

**HB 2530** to Committee on Veteran Affairs and Border Security.

**HB 2570** to Committee on Finance.

**HB 2611** to Committee on Finance.

**HB 2623** to Committee on Criminal Justice.

**HB 2668** to Committee on Higher Education.

**HB 2730** to Committee on State Affairs.

**HB 2758** to Committee on Criminal Justice.

**HB 2812** to Committee on Health and Human Services.

**HB 2845** to Committee on Business and Commerce.

**HB 2899** to Committee on Transportation.

**HB 3006** to Committee on Business and Commerce.

**HB 3106** to Committee on Criminal Justice.

**HB 3143** to Committee on Natural Resources and Economic Development.

**HB 3842** to Committee on Administration.

**HB 4429** to Committee on Health and Human Services.

**HB 4611** to Committee on Finance.

**HCR 73** to Committee on Water and Rural Affairs.

**HCR 74** to Committee on Veteran Affairs and Border Security.

**HJR 5** to Committee on Finance.

**HJR 12** to Committee on Finance.

**HJR 34** to Committee on Property Tax.

**HJR 72** to Committee on State Affairs.

**HJR 151** to Committee on Finance.

**COMMITTEE SUBSTITUTE  
SENATE BILL 2126 ON THIRD READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 2126** at this time on its third reading and final passage:

**CSSB 2126**, Relating to taking sand, gravel, marl, shell, and mudshell from the San Jacinto River and its tributaries.

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

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

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

The bill was read third time and was passed by the following vote: Yeas 20, Nays 11.

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

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

**PERMISSION TO INTRODUCE GRANTED  
(Motion In Writing)**

Mr President:

I hereby request to suspend Senate Rule 7.07(b) to permit the introduction of the following bill: **SB 2557**.

WEST

The Motion In Writing was read and prevailed without objection.

**SENATE BILL ON FIRST READING**

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

**SB 2557** by West

Relating to optional designations on a driver's license, personal identification certificate, or commercial driver's license or learner's permit for blood type and blood disorders.

To Committee on Transportation.

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

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

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

On motion of Senator Huffman and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on State Affairs might meet and consider **SB 1913** today.

**CO-AUTHOR OF SENATE BILL 491**

On motion of Senator Creighton, Senator Campbell will be shown as Co-author of **SB 491**.

**CO-AUTHOR OF SENATE BILL 535**

On motion of Senator Campbell, Senator Birdwell will be shown as Co-author of **SB 535**.

**CO-AUTHORS OF SENATE BILL 708**

On motion of Senator Zaffirini, Senators Alvarado and Lucio will be shown as Co-authors of **SB 708**.

**CO-AUTHORS OF SENATE BILL 784**

On motion of Senator Hughes, Senators Campbell and West will be shown as Co-authors of **SB 784**.

**CO-AUTHOR OF SENATE BILL 1016**

On motion of Senator Powell, Senator Hall will be shown as Co-author of **SB 1016**.

**CO-AUTHORS OF SENATE BILL 1105**

On motion of Senator Kolkhorst, Senators Hinojosa and Lucio will be shown as Co-authors of **SB 1105**.

**CO-AUTHORS OF SENATE BILL 1180**

On motion of Senator Menéndez, Senators Flores and Hinojosa will be shown as Co-authors of **SB 1180**.

**CO-AUTHOR OF SENATE BILL 1309**

On motion of Senator Bettencourt, Senator Fallon will be shown as Co-author of **SB 1309**.

**CO-AUTHOR OF SENATE BILL 1570**

On motion of Senator Flores, Senator Zaffirini will be shown as Co-author of **SB 1570**.

**CO-AUTHORS OF SENATE BILL 1828**

On motion of Senator Menéndez, Senators Hancock and Seliger will be shown as Co-authors of **SB 1828**.

**CO-AUTHOR OF SENATE BILL 1923**

On motion of Senator West, Senator Powell will be shown as Co-author of **SB 1923**.

**CO-AUTHOR OF SENATE BILL 1991**

On motion of Senator Buckingham, Senator Hinojosa will be shown as Co-author of **SB 1991**.

**CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 59**

On motion of Senator Birdwell, Senators Hinojosa, Hughes, and Zaffirini will be shown as Co-authors of **SCR 59**.

**CO-SPONSOR OF HOUSE BILL 81**

On motion of Senator Hinojosa, Senator Fallon will be shown as Co-sponsor of **HB 81**.

**CO-SPONSOR OF HOUSE BILL 917**

On motion of Senator Flores, Senator Seliger will be shown as Co-sponsor of **HB 917**.

**CO-SPONSOR OF HOUSE BILL 1241**

On motion of Senator Powell, Senator Zaffirini will be shown as Co-sponsor of **HB 1241**.

**CO-SPONSOR OF HOUSE BILL 1516**

On motion of Senator Miles, Senator Creighton will be shown as Co-sponsor of **HB 1516**.

**CO-SPONSORS OF HOUSE BILL 1702**

On motion of Senator Hancock, Senators Creighton, Menéndez, Watson, and West will be shown as Co-sponsors of **HB 1702**.

**CO-SPONSOR OF HOUSE BILL 1757**

On motion of Senator Schwertner, Senator Campbell will be shown as Co-sponsor of **HB 1757**.

**CO-SPONSOR OF HOUSE BILL 1872**

On motion of Senator Hancock, Senator Zaffirini will be shown as Co-sponsor of **HB 1872**.

**CO-SPONSOR OF HOUSE BILL 2137**

On motion of Senator Flores, Senator Zaffirini will be shown as Co-sponsor of **HB 2137**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 669** by Hughes, In memory of Barbara Ann Carraway Alexander.

**SR 670** by Hughes, In memory of Bill Scudder.

**Congratulatory Resolutions**

**SR 668** by Hughes, Recognizing Kenneth and Millie Cooper on the occasion of their 60th wedding anniversary.

**SR 671** by West, Commending Victoria Taylor for earning the Girl Scout Gold Award.

**SR 672** by West, Commending Ayron Walker for earning the Girl Scout Gold Award.

**SR 673** by West, Commending Madeleine Brown for earning the Girl Scout Gold Award.

**SR 674** by West, Commending Erica Renfro for earning the Girl Scout Gold Award.

**SR 675** by West, Recognizing Robert L. Price and Charmaine H. Price for their work in the Dallas community.

**SR 676** by Watson, Recognizing Kevin Dickey on the occasion of his retirement.

**SR 677** by Kolkhorst, Recognizing Rabke Methodist Church on the occasion of its 125th anniversary.

**SR 678** by Hinojosa, Recognizing The University of Texas Rio Grande Valley chess team for winning the 2019 President's Cup.

**SR 679** by Nelson, Recognizing the Indian American Friendship Council for its contributions to the Indian American community.

**HCR 163** (Birdwell), Commemorating the 30th anniversary of the Allergan company's Waco Manufacturing Facility.

**Official Designation Resolutions**

**SR 648** by Paxton and Alvarado, Recognizing May 2019 as Asian American and Pacific Islander Heritage Month.

**SR 655** by Miles, Recognizing May 1, 2019, as Asian Real Estate Association of America Day.

**MOTION TO ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 5:55 p.m. agreed to adjourn, pending the receipt of committee reports, until 11:00 a.m. tomorrow.



**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 10:45 a.m., Thursday, May 2, 2019, adjourned until 11:00 a.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:

May 1, 2019

HEALTH AND HUMAN SERVICES — **HB 2255, HB 1218, SB 2089**

EDUCATION — **CSHB 3, SB 1600**

WATER AND RURAL AFFAIRS — **CSSB 911, CSHB 1628, CSHB 1828**

STATE AFFAIRS — **CSHB 2137, CSHB 1067, CSSB 2254**

EDUCATION — **CSSB 629, CSSB 968, CSSB 2285**

TRANSPORTATION — **HB 105, HB 339, HB 799, HB 917, HB 1837, HB 1838, HB 2039, HB 2310**

CRIMINAL JUSTICE — **SB 207, SB 764, SB 2045**

TRANSPORTATION — **HB 695**

CRIMINAL JUSTICE — **SB 815, SB 2136, SB 2046**

HEALTH AND HUMAN SERVICES — **CSSB 1543, CSSB 1404**

AGRICULTURE — **CSSB 1884**

ADMINISTRATION — **SCR 58**

**BILLS ENGROSSED**

April 30, 2019

**SB 132, SB 347, SB 560, SB 608, SB 619, SB 803, SB 916, SB 1122, SB 1200, SB 1297, SB 1390, SB 1504, SB 1806, SB 2111, SB 2202, SB 2219, SB 2304, SB 2322**

**BILLS AND RESOLUTIONS ENROLLED**

April 30, 2019

**SB 325, SB 872, SR 610, SR 631, SR 659, SR 661, SR 662, SR 664, SR 665, SR 666, SR 667**

**SENT TO GOVERNOR**May 1, 2019**SB 234, SB 325, SB 606, SB 612, SB 614, SB 625, SB 626, SB 627, SB 812,  
SB 872****SIGNED BY GOVERNOR**May 1, 2019**SB 537**