

# SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

---

---

AUSTIN, TEXAS

---

---

PROCEEDINGS

---

**FORTY-EIGHTH DAY**

(Friday, May 3, 2019)

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

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

Absent-excused: Lucio.

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

The Most Reverend Michael Olson, Bishop, Catholic Diocese of Fort Worth, was introduced by Senator Fallon and offered the invocation as follows:

Lord our God, we stand together here in this Legislature, mindful of Your providence and love for each human person whom You have created in Your image and likeness. We call out to You in our awareness of the responsibility of governance entrusted to these men and women legislators by the people of Texas who in their hearts seek to belong to You and to each other in the order of Your goodness. We ask Your blessing upon our Senators as they begin their legislative activity with a renewed sense of mission to preserve the dignity of their fellow citizens in the tireless and demanding pursuit of the common good. Grant them a spirit of docility and simplicity of heart. May they heed Your prophet Isaiah's call to reason together, intentionally aware of human finitude in the light of Your mercy and justice and of the fundamental goodness of Your creation of the human person. May they be mindful of the vulnerable in our society and equitable in their deliberation. Might their desire for authentic justice be strengthened that the laws that they vote to enact might reflect Your wisdom and design for human flourishing. We pray that You might guard their speech that all that they say in these Chambers might elevate discourse in reflection of Your beauty, grandeur, and truth. Might they seek always those aspects of the common good that are immaterial and can be shared together without being diminished in quantity. Expand their hearts with Your love that they might truly desire the common good of all Texans united together and not

simply the private interests of a few. We thank You, God, for their sacrifice and generosity to give of their time and talents in service to Your people. Protect them and their families and reward their generosity with Your generosity. We pray in the confidence of Your love. 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.

#### **LEAVE OF ABSENCE**

On motion of Senator Whitmire, Senator Lucio was granted leave of absence for today on account of an illness in the family.

#### **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.

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

Senator Paxton was recognized and presented Dr. Zaiba Jetpuri of Richardson, accompanied by Astrid Villareal, as the Physician of the Day.

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

#### **SENATE CONCURRENT RESOLUTION 60**

The President Pro Tempore laid before the Senate the following resolution:

**SCR 60**, Recognizing the McDonald Observatory on the occasion of its 80th anniversary.

RODRÍGUEZ

The resolution was read.

On motion of Senator Rodríguez, the resolution was considered immediately and was adopted without objection.

#### **GUESTS PRESENTED**

Senator Rodríguez was recognized and introduced to the Senate a delegation from The University of Texas McDonald Observatory including Director Taft Armandroff, Associate Dean of Research and Facilities Dean Appling, and UT Austin Department of Astronomy Chair Shardha Jogee.

The Senate welcomed its guests.

#### **GUEST PRESENTED**

Senator Hall was recognized and introduced to the Senate Robert F. Kennedy Jr. The Senate welcomed its guest.

**CONCLUSION OF MORNING CALL**

The President Pro Tempore at 10:30 a.m. announced the conclusion of morning call.

**GUESTS PRESENTED**

Senator Paxton was recognized and introduced to the Senate members of the Legacy Christian Academy varsity baseball team, accompanied by Coach Andrew Embry.

The Senate welcomed its guests.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1284 ON SECOND READING**

Senator Miles moved to suspend the regular order of business to take up for consideration **CSSB 1284** at this time on its second reading:

**CSSB 1284**, Relating to a competitive grant program to fund promotion of early literacy programs in certain communities in this state.

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

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

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

Absent-excused: Lucio.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 1284 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 **CSSB 1284** be placed on its third reading and final passage.

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

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

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

Absent-excused: Lucio.

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

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 1016 ON SECOND READING**

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1016** at this time on its second reading:

**CSSB 1016**, Relating to an audit by the Texas Education Agency of public school professional development training requirements.

The bill was read second time.

Senator Powell offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 1016** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. The Texas Education Agency is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the agency may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

The amendment to **CSSB 1016** was read and was adopted by a viva voce vote.

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

Absent-excused: Lucio.

**CSSB 1016** as amended was passed to engrossment by a viva voce vote.

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

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 1016 ON THIRD READING**

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1016** be placed on its third reading and final passage.

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

Absent-excused: Lucio.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 232 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 232** at this time on its second reading:

**CSSB 232**, Relating to parental notification by a school district regarding high school graduation 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 except as follows:

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE  
SENATE BILL 232 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 232** be placed on its third reading and final passage.

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

Absent-excused: Lucio.

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

**(President in Chair)**

**BILL SIGNED**

The President announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **HB 1159**.

**COMMITTEE SUBSTITUTE  
SENATE BILL 784 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSB 784** at this time on its second reading:

**CSSB 784**, Relating to local school health advisory councils and health education provided by school districts, including requirements regarding human sexuality instruction.

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

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

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

Absent-excused: Lucio.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 2243 ON THIRD READING**

Senator Paxton moved to suspend the regular order of business to take up for consideration **CSSB 2243** at this time on its third reading and final passage:

**CSSB 2243**, Relating to required counseling before an abortion is performed.

The motion prevailed by the following vote: Yeas 20, Nays 10.

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

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

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 10. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1520 ON SECOND READING**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1520** at this time on its second reading:

**CSHB 1520**, Relating to the continuation and functions of the Texas State Board of Public Accountancy.

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

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

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1520 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1520** be placed on its third reading and final passage.

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

Absent-excused: Lucio.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1326 ON SECOND READING**

On motion of Senator Hall and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1326** at this time on its second reading:

**CSHB 1326**, Relating to the continuation and functions of the Texas Military Department.

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

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

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1326 ON THIRD READING**

Senator Hall moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1326** be placed on its third reading and final passage.

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

Absent-excused: Lucio.

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

**MESSAGES FROM THE GOVERNOR**

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

May 3, 2019  
Austin, Texas

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

On January 17, 2019, I submitted the name of Brian A. Bailey for appointment to the Texas Industrialized Building Code Council for a term to expire February 1, 2020.

Because he resigned, I hereby withdraw his nomination and request that the Senate return the appointment to me.

On January 17, 2019, I submitted the name of Roberto "Robert" Lay-Su for appointment to the Texas Industrialized Building Code Council for a term to expire February 1, 2019.

Because he resigned, I hereby withdraw his nomination and request that the Senate return the appointment to me.

Respectfully submitted,  
/s/Greg Abbott  
Governor

**(Senator Campbell in Chair)**

**COMMITTEE SUBSTITUTE  
SENATE BILL 784 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 **CSSB 784** be placed on its third reading and final passage:

**CSSB 784**, Relating to local school health advisory councils and health education provided by school districts, including requirements regarding human sexuality instruction.

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

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

Nays: Alvarado, Miles, Powell, Watson, West, Whitmire.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 11.

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

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

Absent-excused: Lucio.

**(President in Chair)**

**GUEST PRESENTED**

Senator Fallon was recognized and introduced to the Senate his legislative intern, Jessica Lucas.

The Senate welcomed its guest.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1374 ON SECOND READING**

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1374** at this time on its second reading:

**CSSB 1374**, Relating to the sequencing of certain required mathematics courses in public schools.

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

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



Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1374 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 **CSB 1374** be placed on its third reading and final passage.

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

Absent-excused: Lucio.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1442 ON SECOND READING**

On motion of Senator Hall and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1442** at this time on its second reading:

**CSHB 1442**, Relating to the continuation and functions of the Office of Consumer Credit Commissioner, the licensing and registration of persons regulated by that state agency, and certain consumer financial transactions regulated by that state agency.

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

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

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1442 ON THIRD READING**

Senator Hall moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1442** be placed on its third reading and final passage.

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

Absent-excused: Lucio.

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

**SENATE CONCURRENT RESOLUTION 10  
ON SECOND READING**

Senator Johnson moved to suspend the regular order of business to take up for consideration **SCR 10** at this time on its second reading:

**SCR 10**, Expressing opposition to the enactment or enforcement in Texas of a law that automatically suspends the driver's license of an individual who is convicted of any drug-related offense.

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

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

Nays: Creighton, Fallon, Hancock, Huffman, Paxton, Taylor.

Absent-excused: Lucio.

The resolution was read second time and was adopted by the following vote: Yeas 24, Nays 6. (Same as previous roll call)

### **COMMITTEE SUBSTITUTE SENATE BILL 691 ON SECOND READING**

Senator Johnson moved to suspend the regular order of business to take up for consideration **CSSB 691** at this time on its second reading:

**CSSB 691**, Relating to suspension of a driver's license for persons convicted of certain misdemeanor drug possession offenses.

The motion prevailed by the following vote: Yeas 23, Nays 7.

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

Nays: Creighton, Fallon, Hancock, Huffman, Nichols, Paxton, Taylor.

Absent-excused: Lucio.

The bill was read second time.

Senator Johnson offered the following amendment to the bill:

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

Amend **CSSB 691** (senate committee printing) as follows:

(1) In SECTION 2 of the bill, in added Section 521.3725(b)(2)(B), Transportation Code (page 1, line 55), strike "any applicable fees" and substitute "a fee in an amount that is equivalent to the sum of all fees applicable to a suspension and reinstatement of a license under this subchapter, regardless of whether the person's license is suspended or reinstated".

(2) In SECTION 4 of the bill, in added Section 521.377(a-1), Transportation Code (page 2, line 31), strike "any applicable fees" and substitute "a fee in an amount that is equivalent to the sum of all fees applicable to a suspension and reinstatement of a license under this subchapter".

The amendment to **CSSB 691** was read and was adopted by a viva voce vote.

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

Absent-excused: Lucio.

**CSSB 691** as amended was passed to engrossment by the following vote: Yeas 23, Nays 7.

Yeas: Alvarado, Bettencourt, Birdwell, Buckingham, Campbell, Flores, Hall, Hinojosa, Hughes, Johnson, Kolkhorst, Menéndez, Miles, Nelson, Perry, Powell, Rodriguez, Schwertner, Seliger, Watson, West, Whitmire, Zaffirini.

Nays: Creighton, Fallon, Hancock, Huffman, Nichols, Paxton, Taylor.

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE  
SENATE BILL 2285 ON SECOND READING**

On motion of Senator Fallon and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2285** at this time on its second reading:

**CSSB 2285**, Relating to challenges by school districts and open-enrollment charter schools to accountability determinations.

The bill was read second time.

Senator Fallon offered the following amendment to the bill:

**Floor Amendment No. 1**

Section 1.

Amend **CSSB 2285** (Senate committee printing) in SECTION 1 of the bill as follows:

- (1) In the recital (page 1, line 26), strike "Subsection (c-1)" and substitute "Subsections (c-1), (c-2), and (c-3)".
- (2) Strike added Section 39.151(c-1), Education Code (page 1, lines 36-45), and substitute the following:

(c-1) The commissioner may not limit a challenge relating to a data or calculation error, if the school district or open-enrollment charter school demonstrates in writing that the error was identified before July 1st of the year ratings are released, even if the challenge demonstrates the data or calculation error:

- (1) is attributable to the school district or open-enrollment charter school; or
- (2) caused the district or school to have a lower academic or financial accountability rating.

(c-2) If a challenge described by subsection (c-1) demonstrates that a data or calculation error caused the district or open-enrollment charter school to have a lower academic or financial accountability rating, the commissioner shall:

- (1) assign the district or school the corrected rating; or
- (2) indicate that the district or school will not be rated for that school year.

(c-3) For a year in which a school or district or open-enrollment charter school is not rated under Subsection (c-2) (2), that school year is not:

- (1) included in calculating consecutive school years under Sections 12.1141(d) and 12.115(c); Chapter 39, Subchapter C; and Chapter 39A; or

(2) considered a break in consecutive school years of unacceptable ratings for purposes of sanctions or interventions under Sections 12.1141(d) and 12.115(c); Chapter 39, Subchapter C; and Chapter 39A.

The amendment to **CSSB 2285** was read and was adopted by a viva voce vote.

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

Absent-excused: Lucio.

**CSSB 2285** as amended was passed to engrossment by a viva voce vote.

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

Absent-excused: Lucio.

### COMMITTEE SUBSTITUTE SENATE BILL 2285 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 **CSSB 2285** be placed on its third reading and final passage.

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

Absent-excused: Lucio.

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

### COMMITTEE SUBSTITUTE SENATE BILL 691 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 691** be placed on its third reading and final passage:

**CSSB 691**, Relating to suspension of a driver's license for persons convicted of certain misdemeanor drug possession offenses.

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

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

Nays: Hancock, Nichols, Paxton, Taylor.

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 8.

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

Nays: Creighton, Fallon, Hall, Hancock, Huffman, Nichols, Paxton, Taylor.

Absent-excused: Lucio.

### **SENATE BILL 117 ON THIRD READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **SB 117** at this time on its third reading and final passage:

**SB 117**, Relating to the prosecution of the offense of possessing a weapon in certain prohibited places associated with schools or postsecondary educational institutions.

The motion prevailed by the following vote: Yeas 20, Nays 10.

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

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

Absent-excused: Lucio.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 10. (Same as previous roll call)

### **MESSAGE FROM THE GOVERNOR**

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

May 3, 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 appointment:

To be a member of the Texas Commission of Licensing and Regulation for a term to expire February 1, 2025:

Nora Castañeda  
Harlingen, Texas

*(replacing Deborah Ann Yurco of Austin whose term expired)*

Respectfully submitted,

/s/Greg Abbott  
Governor

### **COMMITTEE SUBSTITUTE SENATE BILL 1882 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 1882** at this time on its second reading:

**CSSB 1882**, Relating to notice regarding voting by physicians at certain entities to authorize the differentiation of physicians based on maintenance of certification.

The bill was read second time.

Senator Buckingham offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 1882** (senate committee report) as follows:

(1) In SECTION 2 of the bill, strike added Section 151.0515(c-1)(1), Occupations Code (page 1, lines 42-44), and substitute the following:

(1) state that any vote must comply with:

(A) the normal voting process of the entity and the entity's organized medical staff; and

(B) any applicable law, regulation, or accreditation requirement; and

(2) In SECTION 2 of the bill, in added Section 151.0515(c-1)(2)(B), Occupations Code (page 1, line 48), between "staff" and the underlined period, insert "for a similar notification, which may include in electronic form".

The amendment to **CSSB 1882** was read and was adopted by a viva voce vote.

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

Absent-excused: Lucio.

**CSSB 1882** as amended was passed to engrossment by a viva voce vote.

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

Absent-excused: Lucio.

**COMMITTEE SUBSTITUTE  
SENATE BILL 1882 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 1882** be placed on its third reading and final passage.

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

Absent-excused: Lucio.

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

**AT EASE**

The President at 12:17 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

**IN LEGISLATIVE SESSION**

The President at 12:38 p.m. called the Senate to order as In Legislative Session.

**MOTION TO RECESS**

On motion of Senator Whitmire and by unanimous consent, the Senate at 12:47 p.m. agreed to recess, upon completion of the introduction of bills and resolutions on first reading, until 10:00 a.m. Monday, May 6, 2019.

**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 72** to Committee on Health and Human Services.
- HB 97** to Committee on Property Tax.
- HB 300** to Committee on Criminal Justice.
- HB 351** to Committee on Business and Commerce.
- HB 354** to Committee on State Affairs.
- HB 406** to Committee on Water and Rural Affairs.
- HB 449** to Committee on Higher Education.
- HB 642** to Committee on Transportation.
- HB 669** to Committee on Business and Commerce.
- HB 808** to Committee on Education.
- HB 882** to Committee on State Affairs.
- HB 918** to Committee on Criminal Justice.
- HB 963** to Committee on Education.
- HB 1059** to Committee on Water and Rural Affairs.
- HB 1063** to Committee on Health and Human Services.
- HB 1362** to Committee on Health and Human Services.
- HB 1532** to Committee on Health and Human Services.
- HB 1542** to Committee on Transportation.
- HB 1545** to Committee on Business and Commerce.
- HB 1649** to Committee on Natural Resources and Economic Development.
- HB 1848** to Committee on Health and Human Services.
- HB 1865** to Committee on Business and Commerce.
- HB 1883** to Committee on Property Tax.
- HB 1906** to Committee on Education.
- HB 2050** to Committee on Health and Human Services.
- HB 2188** to Committee on Transportation.
- HB 2245** to Committee on State Affairs.
- HB 2246** to Committee on Business and Commerce.
- HB 2384** to Committee on State Affairs.
- HB 2402** to Committee on Natural Resources and Economic Development.
- HB 2454** to Committee on Health and Human Services.
- HB 2747** to Committee on Business and Commerce.
- HB 2763** to Committee on State Affairs.
- HB 2780** to Committee on State Affairs.
- HB 2791** to Committee on Business and Commerce.
- HB 2811** to Committee on Health and Human Services.
- HB 2817** to Committee on Business and Commerce.
- HB 2945** to Committee on Business and Commerce.

**HB 3012** to Committee on Education.  
**HB 3231** to Committee on State Affairs.  
**HB 3300** to Committee on State Affairs.  
**HB 3542** to Committee on Water and Rural Affairs.  
**HB 3582** to Committee on Criminal Justice.  
**HB 3745** to Committee on Natural Resources and Economic Development.  
**HB 3809** to Committee on State Affairs.  
**HB 3911** to Committee on Business and Commerce.  
**HB 3980** to Committee on Health and Human Services.  
**HB 4296** to Committee on Business and Commerce.  
**HB 4671** to Committee on Intergovernmental Relations.  
**HCR 120** to Committee on Veteran Affairs and Border Security.  
**HJR 95** to Committee on Property Tax.

**CO-AUTHOR OF SENATE BILL 232**

On motion of Senator Menéndez, Senator Johnson will be shown as Co-author of **SB 232**.

**CO-AUTHOR OF SENATE BILL 691**

On motion of Senator Johnson, Senator Alvarado will be shown as Co-author of **SB 691**.

**CO-AUTHOR OF SENATE BILL 1147**

On motion of Senator Buckingham, Senator Alvarado will be shown as Co-author of **SB 1147**.

**CO-SPONSOR OF HOUSE BILL 114**

On motion of Senator Birdwell, Senator Alvarado will be shown as Co-sponsor of **HB 114**.

**CO-SPONSOR OF HOUSE BILL 1325**

On motion of Senator Perry, Senator Menéndez will be shown as Co-sponsor of **HB 1325**.

**CO-SPONSOR OF HOUSE BILL 1576**

On motion of Senator Buckingham, Senator Powell will be shown as Co-sponsor of **HB 1576**.

**CO-SPONSOR OF HOUSE BILL 2570**

On motion of Senator Watson, Senator Hinojosa will be shown as Co-sponsor of **HB 2570**.

**CO-SPONSOR OF HOUSE JOINT RESOLUTION 12**

On motion of Senator Watson, Senator Hinojosa will be shown as Co-sponsor of **HJR 12**.

**CO-AUTHOR WITHDRAWN**

Senator West requested that his name be withdrawn as Co-author of **SB 784**.



The request was granted.

### RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

#### Congratulatory Resolutions

**SR 688** by Watson, Recognizing the Islamic Center of Lake Travis on the occasion of its one-year anniversary.

**SR 689** by Zaffirini, Recognizing Live Oak County Area Go-Texan, Incorporated, for helping students pursue higher education.

**SR 690** by Fallon, Recognizing Lou Holtz for his career as a football coach.

**HCR 152** (Alvarado), Honoring the Bluebonnet Girls State Program for its more than 75 years of service.

### RECESS

Pursuant to a previously adopted motion, the Senate at 12:56 p.m. recessed until 10:00 a.m. Monday, May 6, 2019.

---

## APPENDIX

---

### COMMITTEE REPORTS

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

May 3, 2019

ADMINISTRATION — **HB 811, HB 1760, HB 2079, HB 2235, HB 2298, HB 2888, HB 3459, HB 2597, HB 2004, HB 1064, HB 1612, HB 2326, HB 1665, HB 4650, HB 4651, HB 1494**

CRIMINAL JUSTICE — **CSSB 1217**

ADMINISTRATION — **HCR 42**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **HB 2127, HB 3246, HB 1331, HB 1627**

PROPERTY TAX — **SJR 67, SB 2101, SB 1987, HB 3348, SB 2083**

BUSINESS AND COMMERCE — **CSHB 1960**

INTERGOVERNMENTAL RELATIONS — **CSSB 2552**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSSB 927**

ADMINISTRATION — **HCR 40, HCR 19, HB 39, CSHB 435, HB 405, HCR 59, HB 4654, HB 1508**

**BILLS ENGROSSED**May 2, 2019**SB 426, SB 429, SB 722, SB 871, SB 933, SB 1045, SB 1096, SB 1192, SB 1309, SB 1422, SB 1454, SB 1468, SB 1659, SB 1828, SB 1854, SB 1876, SB 1943****RESOLUTIONS ENROLLED**May 2, 2019**SR 635, SR 680, SR 681, SR 684, SR 685, SR 686**