

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-EIGHTH DAY

(Continued)

(Tuesday, May 7, 2019)

AFTER RECESS

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

Pastor Jerry Griffin, First Baptist Church, Forney, offered the invocation as follows:

Father, thank You for this day and for the privilege of being here today. Thank You for our country and the privilege of living in this great country. Thank You for our state and the privilege of living in this state all of my life. I thank You, Lord, for all the blessings You have given our state. I thank You for the men and women who lead our state, and today I am especially grateful for the Senators who make up this body. I ask a special blessing upon each one of them. I ask that You might bless them with health and strength and that You might bless their families with health and strength. I ask, Lord, that You guide these Senators in everything that they do this day. Lead in all the deliberations. Give each one wisdom to know what is right for our state and the courage to do it. I ask in Jesus' name. Amen.

MESSAGES FROM THE GOVERNOR

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

May 7, 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 Texas State Board of Acupuncture Examiners for a term to expire January 31, 2023:

Raymond J. Graham
El Paso, Texas

(Mr. Graham is being reappointed)

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

Mark A. Franz

Austin, Texas

(replacing Peggy A. Heeg of Houston whose term expired)

Respectfully submitted,

/s/Greg Abbott

Governor

May 7, 2019

Austin, Texas

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

On April 23, 2019, I submitted the name of Holland R. Harper for appointment as the Presiding Officer of the Sulphur River Regional Mobility Authority for a term to expire February 1, 2021.

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

Respectfully submitted,

/s/Greg Abbott

Governor

PHYSICIAN OF THE DAY

Senator Campbell was recognized and presented Dr. John Green II of San Antonio as the Physician of the Day.

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

(President in Chair)

GUESTS PRESENTED

Senator Perry, joined by Senator Campbell, was recognized and introduced to the Senate the 2019 Texas Tech University men's basketball team, NCAA Division I finalists, including Head Coach Chris Beard, Brandone Francis, Davide Moretti, Norens Odiase, and Andrew Sorrells.

The Senate welcomed its guests.

(President Pro Tempore Watson in Chair)

GUEST PRESENTED

Senator Powell was recognized and introduced to the Senate Samuel Galinsky, serving today as an Honorary Senate Page.

The Senate welcomed its guest.

SENATE RESOLUTION 682

Senator Johnson offered the following resolution:

SR 682, Recognizing Cooper McGough on his commitment to improving his community.

The resolution was read.

On motion of Senator Bettencourt and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Johnson, the resolution was adopted without objection.

GUESTS PRESENTED

Senator Johnson, joined by Senator West, was recognized and introduced to the Senate Cooper McGough and his family including his parents, Adam and Lacy McGough; his brother, Noah McGough; and Christie Myers.

The Senate welcomed its guests.

GUEST PRESENTED

Senator Campbell, joined by Senators Flores and Menéndez, was recognized and introduced to the Senate Kathy Friend, foster parent and representative of The Children's Shelter of San Antonio.

The Senate welcomed its guest.

REPORT OF COMMITTEE ON NOMINATIONS

Senator Buckingham submitted the following report from the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with a recommendation that they be confirmed:

Members, Governing Board, Texas School for the Deaf: Shalia Holloway Cowan, Hays County; Eric Lee Hogue, Collin County; Christopher Jay Moreland, Comal County; Shawn Patrick Saladin, Hidalgo County; David Alexander Saunders, Ellis County; Keith Edward Sibley, Tarrant County; Heather Mary Lightfoot Withrow, Travis County; Angela Ortiz Wolf, Hays County.

Member, State Securities Board: Kenneth Roger Koncaba, Galveston County.

Member, Board of Regents, The Texas A&M University System: Michael Albert Hernandez, Tarrant County.

Members, Board of Trustees, Texas County and District Retirement System: Susan Hayes Fletcher, Collin County; Mary Louisa Nicholson, Tarrant County; Kara Sands, Nueces County.

Members, Board of Directors, Texas Economic Development Corporation: James Patrick Hickman, Randall County; James Emmett Lentz, Tarrant County; Abidali Zainuddin Neemuchwala, Dallas County; Scott Prochazka, Harris County; Bryan Sheffield, Travis County.

Members, Texas Forensic Science Commission: Jeffrey Joseph Barnard, Dallas County; Bruce Budowle, Tarrant County; Patrick Buzzini, Harris County; Mark G. Daniel, Tarrant County; Nancy Ruth Downing, Brazos County; Jasmine Millican Drake, Harris County; Dennis Johnson, Travis County; Sarah Kerrigan, Montgomery County; Jarvis Jermaine Parsons, Brazos County.

Members, Board of Directors, Texas Health Services Authority: Paula Ellen Anthony-McMann, Smith County; Victoria Ai Linh Bryant, Harris County; Shannon Kay Sowder Calhoun, Goliad County; Lourdes Matiana Cuellar, Harris County; Salil Vijay Deshpande, Harris County; Emily Ann Francis Hartmann, El Paso County; Jonathan James Sandstrom Hill, Travis County; Kenneth Scott James, Travis County; Jerome P. Lisk, Smith County; Leticia C. Rodriguez, Ward County; Siobhan Auna Garcia Shahan, Randall County; Carlos James Vital, Harris County.

Members, Board of Directors, Texas Public Finance Authority: Billy Morris Atkinson, Fort Bend County; Joseph Edward Williams, Denton County.

Members, Texas Racing Commission: Constance Couch McNabb, Montgomery County; Michael James Moore, Tarrant County; Robert Carroll Pate, Nueces County; Arvel Jackson Waight, Gillespie County.

Members, Board of Directors, Texas School Safety Center: Dewey Michael Cox, Hays County; Allison Elizabeth Geddes, Collin County; Cary B. Hedrick, Deaf Smith County; Paul Allen Robbins, Nacogdoches County.

Members, Texas State Board of Acupuncture Examiners: Donna Sue Guthery, Harris County; Mary Elizabeth Hebert, Nacogdoches County; Claudine K. Vass, Fort Bend County; Grant Evans Weidler, Montgomery County.

Members, Texas State Board of Pharmacy: Ricardo Fernandez, Denton County; Daniel Guerrero, Hays County; Lori Wieck Henke, Randall County; Donald Gene Lewis, Henderson County; Juliann Ruppel Spier, Harris County.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Buckingham gave notice that tomorrow she would submit to the Senate for consideration nominations to agencies, boards, and commissions of the state.

NOMINATIONS RETURNED

(Motions In Writing)

Senator Buckingham submitted the following Motions In Writing:

Mr. President:

I move that the nomination of Roberto "Robert" Lay-Su to the Texas Industrialized Building Code Council be withdrawn from the Committee on Nominations, and I further move that the nomination be returned to the Governor pursuant to his request.

BUCKINGHAM

Mr. President:

I move that the nomination of Brian A. Bailey to the Texas Industrialized Building Code Council be withdrawn from the Committee on Nominations, and I further move that the nomination be returned to the Governor pursuant to his request.

BUCKINGHAM

The Motions In Writing were read and prevailed without objection.

(Senator Hancock in Chair)

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1663 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 1663** at this time on its second reading:

CSSB 1663, Relating to the removal, relocation, alteration, or construction of certain monuments, memorials, or designations located on public property; authorizing a civil penalty.

The motion prevailed by the following vote: Yeas 19, Nays 12.

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

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

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1663** (senate committee printing), in SECTION 2 of the bill, as follows:

- (1) In amended Section 2166.5011(a)(1), Government Code (page 1, line 59, between "state" and "property", insert "owned or leased".
- (2) In amended Section 2166.5011(b), Government Code (page 2, line 4, between "state" and "property", insert "owned or leased".
- (3) In amended Section 2166.5011(c), Government Code (page 2, line 23, between "state" and "property", insert "owned or leased".

The amendment to **CSSB 1663** was read and was adopted by the following vote: Yeas 19, Nays 12.

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

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

Senator Creighton offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1663** (senate committee printing) as follows:

(1) In the recital to SECTION 3 of the bill (page 2, line 31), strike "2166.5012 and 2166.5015" and substitute "2166.5012, 2166.5013, and 2166.5015".

(2) In SECTION 3 of the bill (page 2, between lines 47 and 48), insert the following:

Sec. 2166.5013. ALAMO CENOTAPH. (a) In this section, "Alamo Cenotaph" means the memorial to the Alamo defenders located in the Alamo complex.

(b) Notwithstanding any other law, no entity may alter, remove, or relocate the Alamo Cenotaph from the location where the cenotaph was first placed following its completion.

The amendment to **CSSB 1663** was read and was adopted by the following vote: Yeas 19, Nays 12.

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

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

Senator Miles offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 1663** (senate committee printing), in SECTION 2 of the bill, as follows:

(1) In amended Section 2166.5011(b), Government Code (page 2, line 3), between "by" and "Section", insert "Subsection (d) and".

(2) In added Section 2166.5011(d), Government Code (page 2, line 27), strike "this section" and substitute "this subsection".

(3) At the end of added Section 2166.5011(d), Government Code (page 2, line 29), insert "A monument or memorial on property of an institution of higher education may be removed, relocated, or altered only by approval of the institution's governing board.".

(4) In added Section 2166.5012, Government Code (page 2, lines 40-47), strike added Subsection (b) and substitute the following:

(b) Notwithstanding Section 2166.003, an institution of higher education may rename or alter a designation only if the renaming or alteration is approved by the institution's governing board.

The amendment to **CSSB 1663** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Senator West offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSSB 1663** (senate committee printing) as follows:

(1) In SECTION 2 of the bill, immediately following amended Section 2166.5011(a), Government Code (page 2, between lines 1 and 2), by inserting the following:

(a-1) This section does not apply to a monument or memorial named for, depicting, or otherwise relating to a Confederate or Civil War figure, group, or event.

(2) In SECTION 4 of the bill, immediately following added Section 338.001, Local Government Code (page 3, between lines 17 and 18), by inserting the following:

Sec. 338.0015. APPLICABILITY. This chapter does not apply to a monument or memorial named for, depicting, or otherwise relating to a Confederate or Civil War figure, group, or event.

WEST
MILES

The amendment to **CSSB 1663** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 5

Amend **CSSB 1663** (senate committee printing) in SECTION 4 of the bill, in added Section 338.002, Local Government Code, (page 3, between lines 23 and 24), as follows:

Strike "only by approval of a majority of the voters of the municipality or county, as applicable, voting at an election held for that purpose" and substitute the following:

"only by supermajority vote by the governing body of the municipality or the commissioners court of the county, as applicable"

The amendment to **CSSB 1663** was read.

Senator Seliger temporarily withdrew Floor Amendment No. 5.

Question recurring on the adoption of Floor Amendment No. 5 to **CSSB 1663**, the amendment was adopted by the following vote: Yeas 19, Nays 12.

Yeas: Alvarado, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hughes, Paxton, Perry.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 6

Amend **CSSB 1663** (senate committee printing) as follows:

(1) In SECTION 4 of the bill, in added Section 338.002, Local Government Code (page 3, line 18), between "ALTERATION." and "A", insert "(a)".

(2) In SECTION 4 of the bill, in added Section 338.002, Local Government Code (page 3, between lines 29 and 30), insert the following:

(b) This section does not apply to monuments or memorials that require temporary relocation to avoid interference with a public works construction project and that will be put back in close proximity.

The amendment to **CSSB 1663** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 7

Amend **CSSB 1663** (senate committee printing) as follows:

(1) In SECTION 4 of the bill, in added Section 338.002, Local Government Code (page 3, line 18), between "ALTERATION." and "A", insert "(a)".

(2) In SECTION 4 of the bill, in added Section 338.002, Local Government Code (page 3, between lines 29 and 30), insert the following:

(b) This section does not apply to monuments or memorials that require relocation as part of a master plan that was approved by the municipality and the Texas Historical Commission.

The amendment to **CSSB 1663** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Senator Miles offered the following amendment to the bill:

Floor Amendment No. 8

Amend **CSSB 1663** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill as appropriate:

SECTION _____. Chapter 443, Government Code, is amended by adding Section 443.031 to read as follows:

Sec. 443.031. SENATE INTERIM COMMITTEE; STUDY. (a) The senate interim committee on senate chamber art is established to:

(1) study the historical significance and relevance of each work of art displayed in the senate chamber; and

(2) make recommendations on whether each work described by Subdivision (1) should continue to be displayed in the senate chamber or whether the work should be replaced with other state-owned works or with works to be commissioned.

(b) The senate interim committee is composed of six members of the senate, appointed by the lieutenant governor, and the lieutenant governor.

(c) The senate interim committee shall convene at the call of the lieutenant governor.

(d) Not later than September 1, 2020, the senate interim committee shall report the committee's findings and recommendations to the board and legislature.

(e) The senate interim committee is abolished and this section expires January 1, 2021.

MILES	POWELL
ALVARADO	RODRÍGUEZ
HINOJOSA	WATSON
JOHNSON	WEST
LUCIO	WHITMIRE
MENÉNDEZ	ZAFFIRINI

The amendment to **CSSB 1663** was read.

Senator Miles withdrew Floor Amendment No. 8.

Senator Miles offered the following amendment to the bill:

Floor Amendment No. 9

Amend **CSSB 1663** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill as appropriate:

SECTION _____. Chapter 443, Government Code, is amended by adding Section 443.031 to read as follows:

Sec. 443.031. SENATE INTERIM COMMITTEE; STUDY. (a) The senate interim committee on senate chamber art is established to:

(1) study the historical significance and relevance of each work of art displayed in the senate chamber; and

(2) make recommendations on whether each work described by Subdivision (1) should continue to be displayed in the senate chamber or whether the work should be replaced with other state-owned works or with works to be commissioned.

(b) The senate interim committee is composed of six members of the senate, appointed by the lieutenant governor, and the chair of the senate committee on administration.

(c) The senate interim committee shall convene at the call of the chair of the senate committee on administration.

(d) Not later than September 1, 2020, the senate interim committee shall report the committee's findings and recommendations to the board and legislature.

(e) The senate interim committee is abolished and this section expires January 1, 2021.

MILES	POWELL
ALVARADO	RODRÍGUEZ
HINOJOSA	WATSON
JOHNSON	WEST
LUCIO	WHITMIRE
MENÉNDEZ	ZAFFIRINI

The amendment to **CSSB 1663** 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. 9.

Senator Miles offered the following amendment to the bill:

Floor Amendment No. 10

Amend **CSSB 1663** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill as appropriate:

SECTION _____. Section 443.0081, Government Code, is reenacted and amended to read as follows:

Sec. 443.0081. HISTORICAL REPRESENTATION ADVISORY COMMITTEE. (a) To ensure that the diverse history of Texas is accurately represented in the Capitol Complex, the historical representation advisory committee shall provide advice and guidance to the board on the addition and removal of monuments in [to] the Capitol Complex.

(b) The advisory committee consists of the following 12 members:

- (1) four members appointed by the governor;
- (2) four members appointed by the lieutenant governor; and
- (3) four members appointed by the speaker of the house of representatives.

(c) In making appointments under this section, the governor, the lieutenant governor, and the speaker of the house of representatives shall attempt to include African American Texans, Hispanic American Texans, Native American Texans, female Texans, and Texans exemplifying rural heritage.

(d) The governor shall designate the presiding officer of the committee from among the members of the committee. The presiding officer serves a term of two years.

(e) A member of the advisory committee serves at the pleasure of the appointing officer and serves without compensation or reimbursement of expenses.

(f) The advisory committee shall conduct meetings the committee considers necessary to provide advice and guidance under this section. The board shall provide necessary administrative support to the advisory committee.

(g) Subject to the approval of the board, the advisory committee shall develop its own bylaws under which it shall operate.

(h) Chapter 2110 does not apply to the advisory committee.

(i) The advisory committee is subject to the open meetings law, Chapter 551.

(j) Not later than December 1, 2020, the ~~The~~ advisory committee shall prepare and submit a report to the governor, board, and legislature on the historical significance and relevance to the history of this state of each monument in the Capitol Complex [is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the advisory committee is abolished September 1, 2007].

(k) The advisory committee shall:

(1) collect information relating to each proposed monument to the Capitol Complex; and

(2) in cooperation with the chair of the history department at Prairie View A&M University, at The University of Texas at Austin, or at any other land grant university in the state, as determined by the committee, ensure the:

(A) historical accuracy of any proposed monument; and

(B) equitable representation of all Texans, including African slaves, African Americans, Hispanic Americans, Native Americans, women in Texas history, and Texans exemplifying military service and rural heritage in additional monuments to the Capitol Complex.

(l) In this section, "monument" has the meaning assigned by Section 443.0152 ~~[443.015, as added by Chapter 1141, Acts of the 75th Legislature, Regular Session, 1997].~~

(m) The advisory committee is abolished and this section expires January 1, 2021.

SECTION _____. Not later than January 1, 2020, the governor, the lieutenant governor, and the speaker of the house of representatives shall make the appointments to the historical representation advisory committee under Section 443.0081, Government Code, as reenacted and amended by this Act.

MILES	POWELL
ALVARADO	RODRÍGUEZ
HINOJOSA	WATSON
JOHNSON	WEST
LUCIO	WHITMIRE
MENÉNDEZ	ZAFFIRINI

The amendment to **CSSB 1663** 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. 10.

CSSB 1663 as amended was passed to engrossment by the following vote: Yeas 19, Nays 12.

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

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

AT EASE

The President at 4:11 p.m. announced that the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

President Pro Tempore Watson at 5:06 p.m. called the Senate to order as In Legislative Session.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate a Mission Fire Department delegation.

The Senate welcomed its guests.

COMMITTEE SUBSTITUTE SENATE BILL 756 ON SECOND READING

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **CSSB 756** at this time on its second reading:

CSSB 756, Relating to the administration of the Jobs and Education for Texans (JET) Grant Program.

The motion prevailed.

Senators Campbell, Fallon, Hughes, and 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: Campbell, Fallon, Hughes, Schwertner.

COMMITTEE SUBSTITUTE SENATE BILL 756 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 756** be placed on its third reading and final passage.

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

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

Nays: Campbell, Fallon, Hughes, Schwertner.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1109 ON SECOND READING**

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSSB 1109** at this time on its second reading:

CSSB 1109, Relating to a public outreach campaign for aging adults with visual impairments.

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 1109 ON THIRD READING**

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1109** 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 968 ON SECOND READING**

Senator Hancock moved to suspend the regular order of business to take up for consideration **CSSB 968** at this time on its second reading:

CSSB 968, Relating to the applicability of certain laws to open-enrollment charter schools.

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

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

Nays: Menéndez, Miles, Rodríguez, West, Whitmire.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 968 ON THIRD READING**

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 968** be placed on its third reading and final passage.

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

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

Nays: Menéndez, Miles, Rodríguez, West, Whitmire.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 629 ON SECOND READING**

Senator Fallon moved to suspend the regular order of business to take up for consideration **CSSB 629** at this time on its second reading:

CSSB 629, Relating to the availability of certain school district or open-enrollment charter school financial information on certain districts' or schools' Internet websites.

The motion prevailed.

Senator Huffman 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: Huffman.

**COMMITTEE SUBSTITUTE
SENATE BILL 629 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 629** be placed on its third reading and final passage.

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

Nays: Huffman.

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

SENATE BILL 1441 ON SECOND READING

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **SB 1441** at this time on its second reading:

SB 1441, Relating to a study by the Texas Higher Education Coordinating Board comparing postsecondary educational outcomes for certain traditional and nontraditional students.

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.

SENATE BILL 1441 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 **SB 1441** 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)

(President in Chair)

SENATE BILL 815 ON SECOND READING

On motion of Senator Rodríguez and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 815** at this time on its second reading:

SB 815, Relating to the creation and preservation of certain records of criminal proceedings.

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 815 ON THIRD READING

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 815** 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 451 ON SECOND READING

Senator Powell moved to suspend the regular order of business to take up for consideration **SB 451** at this time on its second reading:

SB 451, Relating to the permissible uses of the bilingual education allotment provided under the foundation school program.

The motion prevailed.

Senators Creighton and 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: Creighton, Schwertner.

SENATE BILL 451 ON THIRD READING

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 451** 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, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Creighton, Schwertner.

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

COMMITTEE SUBSTITUTE SENATE BILL 1913 ON SECOND READING

On motion of Senator Johnson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1913** at this time on its second reading:

CSSB 1913, Relating to authorizing certain cities to change the date on which their general election for officers is held.

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 1913 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 1913** 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 1033 ON SECOND READING

Senator Hancock moved to suspend the regular order of business to take up for consideration **SB 1033** at this time on its second reading:

SB 1033, Relating to information regarding perinatal palliative care and prohibiting discriminatory abortions; creating an administrative penalty, a civil remedy, and a criminal offense.

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

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

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

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

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 70 to Committee on Agriculture.

HB 148 to Committee on Transportation.

HB 170 to Committee on Business and Commerce.

HB 295 to Committee on Veteran Affairs and Border Security.

HB 345 to Committee on Transportation.

HB 356 to Committee on State Affairs.

HB 399 to Committee on Natural Resources and Economic Development.

HB 441 to Committee on Natural Resources and Economic Development.

HB 554 to Committee on State Affairs.

HB 570 to Committee on Education.

HB 644 to Committee on Health and Human Services.

HB 706 to Committee on Health and Human Services.

HB 714 to Committee on Veteran Affairs and Border Security.

HB 770 to Committee on State Affairs.

HB 864 to Committee on Natural Resources and Economic Development.

HB 866 to Committee on Natural Resources and Economic Development.

HB 884 to Committee on Transportation.

HB 911 to Committee on Water and Rural Affairs.
HB 956 to Committee on Intergovernmental Relations.
HB 1025 to Committee on Business and Commerce.
HB 1111 to Committee on Health and Human Services.
HB 1112 to Committee on Health and Human Services.
HB 1130 to Committee on Transportation.
HB 1135 to Committee on Intergovernmental Relations.
HB 1263 to Committee on Water and Rural Affairs.
HB 1307 to Committee on State Affairs.
HB 1313 to Committee on Property Tax.
HB 1351 to Committee on Veteran Affairs and Border Security.
HB 1396 to Committee on Business and Commerce.
HB 1524 to Committee on Business and Commerce.
HB 1526 to Committee on Property Tax.
HB 1528 to Committee on Criminal Justice.
HB 1552 to Committee on State Affairs.
HB 1561 to Committee on Water and Rural Affairs.
HB 1589 to Committee on Health and Human Services.
HB 1633 to Committee on Natural Resources and Economic Development.
HB 1634 to Committee on Natural Resources and Economic Development.
HB 1640 to Committee on Education.
HB 1666 to Committee on Transportation.
HB 1731 to Committee on Business and Commerce.
HB 1868 to Committee on Water and Rural Affairs.
HB 1884 to Committee on Health and Human Services.
HB 1949 to Committee on Natural Resources and Economic Development.
HB 1999 to Committee on State Affairs.
HB 2041 to Committee on Business and Commerce.
HB 2075 to Committee on State Affairs.
HB 2088 to Committee on Health and Human Services.
HB 2104 to Committee on Business and Commerce.
HB 2110 to Committee on Business and Commerce.
HB 2199 to Committee on Natural Resources and Economic Development.
HB 2214 to Committee on Veteran Affairs and Border Security.
HB 2227 to Committee on State Affairs.
HB 2229 to Committee on Criminal Justice.
HB 2290 to Committee on Transportation.
HB 2358 to Committee on Finance.
HB 2400 to Committee on Health and Human Services.
HB 2441 to Committee on Property Tax.
HB 2481 to Committee on Criminal Justice.
HB 2545 to Committee on Finance.
HB 2547 to Committee on State Affairs.
HB 2548 to Committee on State Affairs.
HB 2590 to Committee on Intergovernmental Relations.
HB 2617 to Committee on Intergovernmental Relations.

HB 2629 to Committee on State Affairs.
HB 2677 to Committee on State Affairs.
HB 2718 to Committee on Higher Education.
HB 2734 to Committee on State Affairs.
HB 2737 to Committee on State Affairs.
HB 2764 to Committee on Health and Human Services.
HB 2766 to Committee on Health and Human Services.
HB 2772 to Committee on Criminal Justice.
HB 2810 to Committee on Transportation.
HB 2826 to Committee on State Affairs.
HB 2911 to Committee on State Affairs.
HB 2983 to Committee on Education.
HB 3045 to Committee on Natural Resources and Economic Development.
HB 3068 to Committee on Transportation.
HB 3118 to Committee on Transportation.
HB 3124 to Committee on Higher Education.
HB 3132 to Committee on Education.
HB 3142 to Committee on Water and Rural Affairs.
HB 3224 to Committee on Natural Resources and Economic Development.
HB 3233 to Committee on State Affairs.
HB 3247 to Committee on State Affairs.
HB 3312 to Committee on Higher Education.
HB 3338 to Committee on Business and Commerce.
HB 3365 to Committee on State Affairs.
HB 3394 to Committee on Transportation.
HB 3428 to Committee on Health and Human Services.
HB 3430 to Committee on Criminal Justice.
HB 3607 to Committee on Higher Education.
HB 3612 to Committee on Higher Education.
HB 3648 to Committee on Criminal Justice.
HB 3656 to Committee on Water and Rural Affairs.
HB 3688 to Committee on Criminal Justice.
HB 3689 to Committee on Criminal Justice.
HB 3714 to Committee on Transportation.
HB 3737 to Committee on Transportation.
HB 3754 to Committee on Business and Commerce.
HB 3867 to Committee on Business and Commerce.
HB 3904 to Committee on Education.
HB 4003 to Committee on Higher Education.
HB 4008 to Committee on Natural Resources and Economic Development.
HB 4009 to Committee on Criminal Justice.
HB 4116 to Committee on Natural Resources and Economic Development.
HB 4306 to Committee on Veteran Affairs and Border Security.
HB 4309 to Committee on Business and Commerce.
HB 4342 to Committee on Education.
HB 4374 to Committee on Water and Rural Affairs.

HB 4395 to Committee on Water and Rural Affairs.
HB 4498 to Committee on Transportation.
HB 4541 to Committee on Business and Commerce.
HB 4544 to Committee on Intergovernmental Relations.
HB 4595 to Committee on Water and Rural Affairs.
HB 4614 to Committee on Finance.
HB 4623 to Committee on State Affairs.
HB 4656 to Committee on Intergovernmental Relations.
HB 4663 to Committee on Intergovernmental Relations.
HB 4669 to Committee on Intergovernmental Relations.
HB 4719 to Committee on Intergovernmental Relations.
HB 4720 to Committee on Intergovernmental Relations.
HB 4721 to Committee on Intergovernmental Relations.
HB 4723 to Committee on Intergovernmental Relations.
HB 4724 to Committee on Intergovernmental Relations.
HB 4725 to Committee on Intergovernmental Relations.
HB 4727 to Committee on Transportation.
HB 4728 to Committee on Intergovernmental Relations.
HB 4731 to Committee on Intergovernmental Relations.
HCR 117 to Committee on Administration.
HCR 122 to Committee on Administration.
HCR 137 to Committee on Administration.
HCR 148 to Committee on Veteran Affairs and Border Security.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Tuesday, May 7, 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:

SB 649 Zaffirini Sponsor: Thompson, Ed
Relating to promotion of the use of recyclable materials as feedstock for processing and manufacturing.

SB 752 Huffman Sponsor: Oliverson
Relating to liability of volunteer health care providers and health care institutions for care, assistance, or advice provided in relation to a disaster.

SB 1938 Hancock Sponsor: Phelan
Relating to certificates of convenience and necessity for the construction of facilities for the transmission of electricity.

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

HB 3 (non-record vote)

House Conferees: Huberty - Chair/Ashby/Bernal/González, Mary/King, Ken

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

(Senator Fallon in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 911 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 911** at this time on its second reading:

CSSB 911, Relating to the supervision of water districts by the Texas Commission on Environmental Quality.

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 911 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 911** 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 1788 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 1788** at this time on its second reading:

CSSB 1788, Relating to the payment of certain costs associated with certain programs of The University of Texas Health Science Center at San Antonio.

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 1788 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 1788** 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 1182 ON SECOND READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **CSSB 1182** at this time on its second reading:

CSSB 1182, Relating to review and approval by the attorney general of certain bonds financing an educational facility for certain charter schools.

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

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

Nays: Alvarado, Johnson, Menéndez, Miles, Powell, Rodríguez, Whitmire.

The bill was read second time and was passed to engrossment by the following vote: Yeas 24, Nays 7. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1182 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 1182** 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, Nelson, Nichols, Paxton, Perry, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Zaffirini.

Nays: Alvarado, Johnson, Menéndez, Miles, Powell, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7.

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

Nays: Alvarado, Johnson, Menéndez, Miles, Powell, Rodríguez, Whitmire.

COMMITTEE SUBSTITUTE
SENATE BILL 1728 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **CSSB 1728** at this time on its second reading:

CSSB 1728, Relating to an interim study by the Texas Commission on Judicial Selection regarding the method by which certain trial and appellate judges are selected.

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

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

Nays: Birdwell, Creighton, Paxton, West.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1728** (senate committee printing) in SECTION 1 of the bill, by striking Subsections (c)(2) and (3) of that section (page 2, lines 1-16), and substituting the following:

(2) four members appointed by the lieutenant governor, including three senators, with at least:

(A) one senator who is a member of the political party with which the lieutenant governor is affiliated; and

(B) one senator who is a member of a political party other than the political party with which the lieutenant governor is affiliated;

(3) four members appointed by the speaker of the house of representatives, including three members of the house of representatives, with at least:

(A) one representative who is a member of the political party with which the speaker of the house is affiliated; and

(B) one representative who is a member of a political party other than the political party with which the speaker of the house is affiliated;

The amendment to **CSSB 1728** was read and was adopted by a viva voce vote.

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

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1728** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. The Office of Court Administration of the Texas Judicial System 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 Office of Court Administration of the Texas Judicial System may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

The amendment to **CSSB 1728** 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 1728 as amended was passed to engrossment by the following vote: Yeas 27, Nays 4.

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

Nays: Birdwell, Creighton, Paxton, West.

**COMMITTEE SUBSTITUTE
SENATE BILL 1728 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1728** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Creighton, Paxton, West.

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

REASON FOR VOTE

Senator Birdwell submitted the following reason for vote on **SB 1728**:

I cast a "No" vote on Senate Bill 1728 by Senator Huffman, establishing The Texas Commission on Judicial Selection to study and review the method by which the following judges and justices are selected for office in this state. It is my belief the seats of the judiciary belong to the people of Texas. They determine who sits in those

seats and therefore I strongly oppose any action that would remove the citizens from the selection of those who will serve them. Further, given the areas of study assigned to this Commission, it creates the possibility, if not the probability, of turning the Texas judiciary into the model demonstrated by our unaccountable federal judiciary, which I believe is a dangerous and unwise course of action. If the citizens of Texas deem a certain judicial official is no longer carrying out the duties of his or hers office in an acceptable manner, they should have the ability to replace this official through our elections process.

BIRDWELL

SENATE BILL 1600 ON SECOND READING

Senator Hall moved to suspend the regular order of business to take up for consideration **SB 1600** at this time on its second reading:

SB 1600, Relating to the resignation or termination or nonrenewal of the contract of a superintendent of a school district.

The motion prevailed.

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

The bill was read second time and was passed to engrossment by the following vote: Yeas 29, Nays 2.

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

Nays: Huffman, West.

SENATE BILL 1600 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 **SB 1600** 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, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, Whitmire, Zaffirini.

Nays: Huffman, West.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1404 ON SECOND READING**

Senator Powell moved to suspend the regular order of business to take up for consideration **CSSB 1404** at this time on its second reading:

CSSB 1404, Relating to consent to the disclosure of certain information and to other matters relating to newborn and infant screening tests.

The motion prevailed.

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

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

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

Nays: Creighton.

**COMMITTEE SUBSTITUTE
SENATE BILL 1404 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 1404** be placed on its third reading and final passage.

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

Nays: Creighton.

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 2283 ON SECOND READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **CSSB 2283** at this time on its second reading:

CSSB 2283, Relating to the eligibility of persons convicted of certain offenses to serve as a member of a board of trustees of a school district.

The motion prevailed.

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

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

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

Nays: Creighton.

**COMMITTEE SUBSTITUTE
SENATE BILL 2283 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 2283** be placed on its third reading and final passage.

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

Nays: Creighton.

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 2551 ON SECOND READING**

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **CSSB 2551** at this time on its second reading:

CSSB 2551, Relating to liability, payment, and death benefits for certain workers' compensation claims.

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 2551 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 2551** 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 970 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 970** at this time on its second reading:

CSSB 970, Relating to the review and approval of contingent fee contracts for certain public agencies.

The motion prevailed by the following vote: Yeas 19, Nays 12.

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

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

The bill was read second time and was passed to engrossment by the following vote: Yeas 19, Nays 12. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 2254 ON SECOND READING**

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2254** at this time on its second reading:

CSSB 2254, Relating to creation of magistrates in Fort Bend County.

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 2254 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 2254** 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)

SENATE RESOLUTION 719

Senator Menéndez offered the following resolution:

SR 719, In memory of Daniel B. Markson.

On motion of Senator Menéndez, the resolution was read and was adopted by a rising vote of the Senate.

In honor of the memory of Daniel B. Markson, the text of the resolution is printed at the end of today's *Senate Journal*.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Congratulatory Resolutions

SR 701 by Hinojosa, Recognizing Deborah D. Tucker for being named a Women's History Honoree.

SR 702 by Hinojosa, Recognizing Claudia S. Jackson on the occasion of her retirement.

SR 703 by Watson, Recognizing Grant Wallace Gee on the occasion of his retirement.

SR 704 by Watson, Recognizing Tom Rogers on the occasion of his retirement.

SR 705 by Watson, Recognizing Angela-Jo Touza-Medina for her leadership of YWCA Greater Austin.

SR 706 by West, Recognizing the Trinity Chapter of The Links, Incorporated, for its contributions to the Dallas community.

SR 707 by Schwertner, Commending Rehm Maham for achieving the rank of Eagle Scout.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 7:08 p.m. adjourned, in memory of Daniel B. Markson, until 7:11 p.m. today.

In Memory
of
Daniel B. Markson
Senate Resolution 719

WHEREAS, The citizens of San Antonio lost an esteemed community leader with the death of Daniel B. Markson on May 4, 2019, at the age of 59; and

WHEREAS, A graduate of Clark University, Dan Markson earned his master's degree in business administration from Babson College before settling in the Alamo City; as executive vice president of development for The NRP Group and cofounder of the organization's Texas office, he championed affordable housing for people of all incomes, and over the course of his three-decade career, he spearheaded the creation of more than 20,000 apartment homes; he was known as an advocate for the city's most vulnerable populations, and he pioneered efforts to combine affordable housing with supportive services to improve the lives of low-income families; and

WHEREAS, Mr. Markson shared his time with the Texas Affiliation of Affordable Housing Providers, the Texas Association of Builders, and the National Association of Home Builders, where he was national director for the Greater San Antonio Builders Association; furthermore, he was a member of the Federal Government Affairs and Housing Finance Committee of NAHB, and he was a past chair of the NAHB Multifamily Finance Subcommittee; and

WHEREAS, Active in his community of faith, Mr. Markson served on the board of Temple Beth-El San Antonio, was a former board member of Jewish Family Service of San Antonio, and had recently received the Chabad Center for Jewish Life and Learning's 2018 Distinguished Community Service Award; he also supported the Southwest School of Art and the Cesar E. Chavez Legacy and Educational Foundation; and

WHEREAS, Above all else, Mr. Markson was the proud father of his beloved son, Maury; and

WHEREAS, Dan Markson earned the admiration of all who knew him, not only for his success as a real estate developer but also for his exceptional kindness and generosity, and he leaves behind a legacy that will resonate in the San Antonio community for years to come; now, therefore, be it

RESOLVED, That tribute be paid to the life of Daniel B. Markson and that sincere condolences be extended to all who mourn his passing.

MENÉNDEZ