

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTIETH DAY

(Continued)

(Friday, May 10, 2019)

AFTER RECESS

The Senate met at 9:00 a.m. and was called to order by Senator Hughes.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Friday, May 10, 2019 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 297 Murr

Relating to the public school finance system, the elimination of school district maintenance and operations ad valorem taxes, and the creation of a joint interim committee on the elimination of those taxes.

HB 1782 Cortez

Relating to a plan to increase the use of telemedicine medical services, telehealth services, and interprofessional Internet consultations in this state.

HB 2620 Martinez

Relating to the movement of oversize or overweight vehicles, including the enforcement of motor vehicle size and weight limitations; creating a criminal offense.

HB 2655 Rosenthal

Relating to an active shooter emergency protocol for public school districts and required active shooter response training for school district peace officers and school resource officers.

HB 2667

Guillen

Relating to the licensing and regulation of certain occupations and activities; providing administrative penalties; requiring occupational licenses; authorizing fees; creating criminal offenses.

HB 2797

Hinojosa

Relating to evaluation under the state accountability system of school district campuses that enroll certain students who receive special education services.

HB 3469

Wilson

Relating to a study by the Texas Department of Transportation on the feasibility of charging a pavement consumption fee for the operation of certain motor vehicles on public highways.

HB 3579

Burrows

Relating to the calculation, collection, and remittance of state hotel occupancy taxes.

HJR 38

Leach

Proposing a constitutional amendment prohibiting the imposition of an individual income tax.

THE HOUSE HAS GRANTED THE REQUEST OF THE SENATE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

SB 2 (non-record vote)

House Conferees: Burrows - Chair/Canales/Guillen/Murphy/Noble

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**SESSION HELD FOR
LOCAL AND UNCONTESTED CALENDAR**

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar.

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

SB 207 (Kolkhorst)

Relating to the offense of money laundering.

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

CSSB 732 (Hughes)

Relating to the regulation of the practice of physical therapy.

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

SB 1315 (Bettencourt)

Relating to periodic zero-based budgeting for certain political subdivisions.

(viva voce vote) (29-2) "Nays" Menéndez, Watson (29-2) "Nays" Menéndez, Watson

CSSB 1543 (Menéndez)

Relating to notice requirements regarding the right to record certain interviews conducted by the Department of Family and Protective Services.

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

CSSB 1570 (Flores)

Relating to the effect of certain felony convictions of certain corrections employees.

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

CSSB 2011 (Buckingham)

Relating to a study and report regarding streamlining physician licensing requirements for advanced practice registered nurses.

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

SB 2083 (Hinojosa)

Relating to the calculation of the ad valorem taxes imposed on property for the year in which the property is acquired by a governmental entity.

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

HB 39 (Nelson)

Relating to the repeal of certain time limitations on the award of grants by the Cancer Prevention and Research Institute of Texas Oversight Committee.

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

HB 105 (Perry)

Relating to the inclusion of information about oversize and overweight vehicles in the curriculum of driver education and driving safety courses.

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

HB 339 (Perry)

Relating to the placement of speed limit signs at the end of construction or maintenance work zones.

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

HB 392 (Zaffirini)

Relating to long-term care insurance for state employees.

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

HB 402 (Zaffirini)

Relating to the adoption of the Uniform Electronic Legal Material Act.

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

HB 405 (Kolkhorst)

Relating to designating June as Neonatal Abstinence Syndrome Awareness Month.

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

CSHB 435 (Zaffirini)

Relating to the maintenance of information entered into a fee record.

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

HB 559 (Huffman)

Relating to written agreements incident to divorce or annulment.

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

HB 598 (Zaffirini)

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

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

CSHB 650 (Whitmire)

Relating to inmates of the Texas Department of Criminal Justice.

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

HB 695 (Nichols)

Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.

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

HB 799 (Nichols)

Relating to liability for certain damage caused by vehicles exceeding maximum height limitations; creating a criminal offense.

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

HB 811 (West)

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

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

HB 853 (Rodríguez)

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

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

HB 917 (Flores)

Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities and counties.

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

HB 986 (Perry)

Relating to the deployment of advanced metering and meter information networks by certain non-ERCOT utilities.

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

HB 1064 (Birdwell)

Relating to designating May 4 as Texas Firefighters Day.

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

HB 1218 (Perry)

Relating to the distribution of benefits under the supplemental nutrition assistance program.

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

HB 1300 (Kolkhorst)

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

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

HB 1331 (Miles)

Relating to the application fee for a permit for a municipal solid waste facility; imposing a fee.

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

HB 1385 (Hancock)

Relating to the regulation of industrialized housing and buildings.

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

HB 1415 (Lucio)

Relating to continuing education training on civil process for constables.

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

HB 1494 (Zaffirini)

Relating to surety bonds for deputy clerks and other employees of county and district clerks.

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

HB 1508 (Lucio)

Relating to designating March as Bleeding Disorders Awareness Month.

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

HB 1554 (Zaffirini)

Relating to the language of personal automobile or residential property insurance policy documents and related materials.

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

HB 1555 (Zaffirini)

Relating to the status of personal automobile or residential property insurance policy summary documents.

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

HB 1612 (Huffman)

Relating to the authority of the Teacher Retirement System of Texas to invest in certain hedge funds.

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

HB 1627 (Kolkhorst)

Relating to the removal of certain counties from the Texas emissions reduction plan.

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

CSHB 1628 (Kolkhorst)

Relating to the authority of coastal counties to adopt certain rules for island parks, beach parks, and public beaches; creating a criminal offense.

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

HB 1665 (Paxton)

Relating to certain workers' compensation reporting requirements.

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

HB 1760 (Perry)

Relating to the confidentiality, sharing, sealing, and destruction of juvenile records and certain records of at-risk youth.

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

HB 1785 (Huffman)

Relating to the information required to be disclosed in a registration form for lobbyists.

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

HB 1821 (Watson)

Relating to the designation of a portion of State Loop 111 in Travis County as the Richard Overton Memorial Highway.

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

CSHB 1828 (Fallon)

Relating to prohibiting the sale and purchase of certain aquatic products; creating a criminal offense; increasing a criminal penalty.

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

HB 1837 (Hughes)

Relating to the designation of a portion of U.S. Highway 67 in Titus County as the Titus County World War II Veterans Memorial Highway.

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

HB 1838 (Hughes)

Relating to the designation of a portion of U.S. Highway 271 in Titus County as the Titus County Korean War Veterans Memorial Highway.

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

HB 1854 (Hughes)

Relating to loss of continuing, exclusive jurisdiction of a court in certain suits affecting the parent-child relationship.

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

HB 1872 (Hancock)

Relating to public access to certain information included on personal financial statements filed by county judicial officers.

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

HB 1934 (Kolkhorst)

Relating to the creation of the Fort Bend County Municipal Utility District No. 229; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HB 1935 (Kolkhorst)

Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 168; providing authority to issue bonds; providing authority to impose a tax. (viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

HB 1944 (Hancock)

Relating to extension of deadlines for claims and related settlement and dispute resolution under the Texas Windstorm Insurance Association Act. (viva voce vote) (31-0) (31-0)

CSHB 1960 (Perry)

Relating to the creation of the governor's broadband development council. (viva voce vote) (31-0) (31-0)

HB 1996 (Huffman)

Relating to admonitions given by a court to a defendant before accepting a plea of guilty or nolo contendere. (viva voce vote) (31-0) (31-0)

HB 2039 (Buckingham)

Relating to the issuance of specialty license plates to Master Army Aviators. (viva voce vote) (31-0) (31-0)

HB 2079 (Miles)

Relating to compensation under the Crime Victims' Compensation Act for certain expenses. (viva voce vote) (31-0) (31-0)

HB 2105 (Buckingham)

Relating to the territory and board of directors of the Bell County Water Control and Improvement District No. 1. (viva voce vote) (31-0) (31-0)

HB 2127 (Birdwell)

Relating to the licensure and registration of persons engaged in certain activities pertaining to compressed natural gas or liquefied natural gas containers and systems. (viva voce vote) (31-0) (31-0)

HB 2228 (Huffman)

Relating to the inspection of certain boilers. (viva voce vote) (31-0) (31-0)

HB 2235 (Perry)

Relating to the amount credited in a state fiscal year to the judicial fund to provide basic civil legal services. (viva voce vote) (30-1) "Nay" Fallon (30-1) "Nay" Fallon

HB 2298 (West)

Relating to designating January 28 as Sexual Assault Survivors Day. (viva voce vote) (31-0) (31-0)

HB 2326 (Hancock)

Relating to the continuation of a health care provider participation program by the Dallas County Hospital District.

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

HB 2330 (Lucio)

Relating to a study of an intake system and state case management system for state and federal disaster assistance.

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

HB 2471 (Schwertner)

Relating to designating the week that includes the third Saturday in October as Veterinary Technician Week.

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

HB 2597 (Fallon)

Relating to designating May 17 as Diffuse Intrinsic Pontine Glioma Awareness Day.

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

HB 2820 (Hughes)

Relating to the registration and certification of certain investment products made available to public school employees.

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

HB 2888 (Perry)

Relating to a petition filed for a place on the ballot as a candidate for the board of directors of the Wilbarger County Hospital District.

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

HB 2900 (Hall)

Relating to the authority of a commodity producers board or a committee to hold meetings by telephone conference.

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

HB 3020 (Kolkhorst)

Relating to the creation of the Fort Bend County Municipal Utility District No. 238; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HB 3093 (Kolkhorst)

Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 195; providing authority to issue bonds; providing authority to impose a tax.

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

HB 3094 (Kolkhorst)

Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 198; providing authority to issue bonds; providing authority to impose a tax.

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

HB 3095 (Kolkhorst)

Relating to the board of directors and powers and duties of the Fort Bend County Municipal Utility District No. 214; providing authority to issue bonds; providing authority to impose fees and taxes.

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

HB 3122 (Kolkhorst)

Relating to the creation of the Fort Bend County Municipal Utility District No. 235; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HB 3217 (Paxton)

Relating to certain eligibility requirements for issuance of a teaching certificate.

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

HB 3246 (Hancock)

Relating to the treatment and recycling for beneficial use of certain waste arising out of or incidental to the drilling for or production of oil or gas.

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

HB 3422 (Kolkhorst)

Relating to the creation of the Fort Bend County Municipal Utility District No. 231; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HB 3459 (Miles)

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

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

HB 3580 (Huffman)

Relating to the revision or repeal of certain obsolete provisions related to restrictions on political advertising, political contributions, and political expenditures.

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

HB 4650 (Bettencourt)

Relating to the powers and duties of the Harris County Municipal Utility District No. 441; providing authority to issue bonds; providing authority to impose a tax.

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

HB 4651 (Bettencourt)

Relating to the creation of the Harris County Municipal Utility District No. 571; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HB 4654 (Creighton)

Relating to the board of directors and powers and duties of the East Montgomery County Municipal Utility District No. 12; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HCR 40 (Hughes)

Authorizing the lieutenant governor and speaker to appoint joint committees.

(31-0)

HCR 59 (Powell)

Designating the second week of November as School Psychologist Appreciation Week for a 10-year period beginning in 2019.

(30-1) "Nay" Hall

HCR 122 (Hughes)

Designating Pittsburg as the official Hot Link Capital of Texas for a 10-year period beginning in 2019.

(31-0)

**SESSION CONCLUDED FOR
LOCAL AND UNCONTESTED CALENDAR**

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

**BILLS REMOVED FROM
LOCAL AND UNCONTESTED CALENDAR**

Senator Fallon and Senator Hughes requested in writing that **SB 2045** be removed from the Local and Uncontested Calendar.

Senator Fallon and Senator Hughes requested in writing that **SB 2046** be removed from the Local and Uncontested Calendar.

Senator Fallon and Senator Hughes requested in writing that **CSSCR 20** be removed from the Local and Uncontested Calendar.

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 24 to Committee on Criminal Justice.

HB 442 to Committee on Criminal Justice.

HB 475 to Committee on Health and Human Services.

HB 653 to Committee on Transportation.

HB 739 to Committee on Higher Education.

HB 803 to Committee on Transportation.

HB 827 to Committee on Property Tax.

HB 897 to Committee on Business and Commerce.

HB 1215 to Committee on Intergovernmental Relations.

HB 1342 to Committee on Business and Commerce.

HB 1401 to Committee on Finance.

HB 1495 to Committee on State Affairs.
HB 1517 to Committee on Education.
HB 1568 to Committee on Business and Commerce.
HB 1584 to Committee on Business and Commerce.
HB 1590 to Committee on Criminal Justice.
HB 1631 to Committee on Transportation.
HB 1850 to Committee on State Affairs.
HB 1888 to Committee on State Affairs.
HB 1917 to Committee on Finance.
HB 1927 to Committee on State Affairs.
HB 1930 to Committee on Education.
HB 1932 to Committee on Water and Rural Affairs.
HB 1941 to Committee on Business and Commerce.
HB 2018 to Committee on Intergovernmental Relations.
HB 2077 to Committee on Intergovernmental Relations.
HB 2165 to Committee on Business and Commerce.
HB 2176 to Committee on Health and Human Services.
HB 2177 to Committee on Health and Human Services.
HB 2210 to Committee on Education.
HB 2248 to Committee on State Affairs.
HB 2271 to Committee on State Affairs.
HB 2282 to Committee on Business and Commerce.
HB 2303 to Committee on Business and Commerce.
HB 2410 to Committee on Health and Human Services.
HB 2430 to Committee on State Affairs.
HB 2475 to Committee on Transportation.
HB 2497 to Committee on Business and Commerce.
HB 2503 to Committee on Business and Commerce.
HB 2524 to Committee on Criminal Justice.
HB 2526 to Committee on Education.
HB 2559 to Committee on Criminal Justice.
HB 2569 to Committee on Business and Commerce.
HB 2576 to Committee on Health and Human Services.
HB 2578 to Committee on Transportation.
HB 2584 to Committee on Criminal Justice.
HB 2610 to Committee on Business and Commerce.
HB 2736 to Committee on Intergovernmental Relations.
HB 2741 to Committee on Intergovernmental Relations.
HB 2783 to Committee on Health and Human Services.
HB 2802 to Committee on Finance.
HB 2813 to Committee on Health and Human Services.
HB 2816 to Committee on Business and Commerce.
HB 2828 to Committee on Business and Commerce.
HB 2840 to Committee on Business and Commerce.
HB 2885 to Committee on Business and Commerce.
HB 2951 to Committee on Criminal Justice.

HB 2993 to Committee on Property Tax.
HB 3016 to Committee on State Affairs.
HB 3019 to Committee on Intergovernmental Relations.
HB 3041 to Committee on Business and Commerce.
HB 3054 to Committee on Administration.
HB 3069 to Committee on Education.
HB 3081 to Committee on State Affairs.
HB 3091 to Committee on Criminal Justice.
HB 3100 to Committee on State Affairs.
HB 3163 to Committee on Transportation.
HB 3203 to Committee on Intergovernmental Relations.
HB 3225 to Committee on Finance.
HB 3264 to Committee on Water and Rural Affairs.
HB 3304 to Committee on Health and Human Services.
HB 3310 to Committee on Veteran Affairs and Border Security.
HB 3343 to Committee on Transportation.
HB 3345 to Committee on Business and Commerce.
HB 3388 to Committee on Health and Human Services.
HB 3420 to Committee on Business and Commerce.
HB 3440 to Committee on Criminal Justice.
HB 3496 to Committee on Business and Commerce.
HB 3526 to Committee on Criminal Justice.
HB 3531 to Committee on State Affairs.
HB 3540 to Committee on Criminal Justice.
HB 3563 to Committee on Criminal Justice.
HB 3575 to Committee on Business and Commerce.
HB 3601 to Committee on Higher Education.
HB 3616 to Committee on Water and Rural Affairs.
HB 3647 to Committee on Criminal Justice.
HB 3650 to Committee on Education.
HB 3652 to Committee on Higher Education.
HB 3663 to Committee on Water and Rural Affairs.
HB 3672 to Committee on Health and Human Services.
HB 3683 to Committee on Education.
HB 3716 to Committee on Criminal Justice.
HB 3721 to Committee on Health and Human Services.
HB 3760 to Committee on Transportation.
HB 3771 to Committee on Business and Commerce.
HB 3782 to Committee on Water and Rural Affairs.
HB 3791 to Committee on Business and Commerce.
HB 3803 to Committee on Health and Human Services.
HB 3815 to Committee on Business and Commerce.
HB 3855 to Committee on Business and Commerce.
HB 3884 to Committee on Education.
HB 3985 to Committee on State Affairs.
HB 3988 to Committee on Business and Commerce.

HB 3991 to Committee on Health and Human Services.
HB 4035 to Committee on State Affairs.
HB 4070 to Committee on Criminal Justice.
HB 4073 to Committee on Criminal Justice.
HB 4075 to Committee on Intergovernmental Relations.
HB 4157 to Committee on Criminal Justice.
HB 4170 to Committee on Administration.
HB 4171 to Committee on Administration.
HB 4172 to Committee on Administration.
HB 4179 to Committee on Intergovernmental Relations.
HB 4181 to Committee on Business and Commerce.
HB 4183 to Committee on Health and Human Services.
HB 4242 to Committee on Education.
HB 4248 to Committee on State Affairs.
HB 4262 to Committee on Business and Commerce.
HB 4280 to Committee on Transportation.
HB 4289 to Committee on Health and Human Services.
HB 4298 to Committee on Health and Human Services.
HB 4345 to Committee on State Affairs.
HB 4347 to Committee on Finance.
HB 4350 to Committee on Water and Rural Affairs.
HB 4388 to Committee on Education.
HB 4390 to Committee on Business and Commerce.
HB 4447 to Committee on State Affairs.
HB 4455 to Committee on Health and Human Services.
HB 4531 to Committee on Criminal Justice.
HB 4542 to Committee on Finance.
HB 4543 to Committee on Health and Human Services.
HB 4569 to Committee on Intergovernmental Relations.
HB 4662 to Committee on Intergovernmental Relations.
HB 4683 to Committee on Intergovernmental Relations.
HB 4695 to Committee on Transportation.
HB 4706 to Committee on Intergovernmental Relations.
HB 4712 to Committee on Water and Rural Affairs.
HB 4716 to Committee on State Affairs.
HB 4742 to Committee on Intergovernmental Relations.
HB 4744 to Committee on Intergovernmental Relations.
HB 4752 to Committee on Intergovernmental Relations.
HCR 86 to Committee on Administration.
HCR 131 to Committee on Administration.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 9:52 a.m. adjourned, in memory of Kelby Dawson Jasinski, until 10:00 a.m. today.

