

# SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FIFTY-THIRD DAY**

(Tuesday, May 14, 2019)

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

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

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

Pastor Bruce D. Datcher, Ebenezer Missionary Baptist Church, Fort Worth, offered the invocation as follows:

Heavenly Father, the father of Abraham, Isaac, and Jacob, we come before You this morning in humble submission to first say thank You for Your many blessings. Lord, we pray for our Governor Greg Abbott, our legislators, and all that direct the path and render decisions to govern Texas. Lord, I ask You to give them direction, discernment, and discipline as they work to legislate the business and seek equality for each individual in this great state. Lord, I pray not only for Texas, but also for the leadership of this country and all within these United States of America. I ask You, Lord, to bless those that are suffering, those that are without, those with no hope, and those with no directions. Protect us, Lord, protect each child within the confines of Texas. Have mercy upon us all, and we will be ever grateful and continue to bless Your holy name. I ask all these things in the name of Your son, the messiah, Jesus the Christ. 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.

## **SENATE RESOLUTION 732**

Senator Whitmire offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize W. M. "Bill" Elkin for his many achievements in the field of law enforcement and his distinguished leadership as Executive Director of the Houston Police Retired Officers Association; and

WHEREAS, Bill Elkin began his law enforcement career in 1954 with the Houston Police Department, and he retired from duty in 1992 after 38 years of exemplary service; and

WHEREAS, A dedicated public safety officer, Bill began an impressive path of professional advocacy during his time in the Houston Police Department; in the 1970s and 1980s, he held leadership positions in the Houston Police Officers Union, the Texas Municipal Police Association, and the Forgery Investigators Association of Texas; in 1997, a few years after his retirement from the Houston Police Department, Bill became the first Executive Director of the Houston Police Retired Officers Association, and he served loyally in that position until December 31, 2018; and

WHEREAS, During a span of over four decades of noteworthy leadership with these various associations, Bill worked with the Texas Legislature to improve pension benefits and address other matters of significance for both active and retired officers; he helped give voice to those who devoted their careers to protecting and serving area citizens, and this year, he became the first person to be awarded the title of Lifetime Director Emeritus of the Houston Police Retired Officers Association; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby honor W. M. "Bill" Elkin for his outstanding career and for his steadfast advocacy on behalf of retired police officers and extend to him best wishes in all his future endeavors; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of esteem from the Texas Senate.

**SR 732** was read and was adopted by a rising vote of the Senate.

### **GUESTS PRESENTED**

Senator Whitmire was recognized and introduced to the Senate William "Bill" Elkin, Houston Police Retired Officers Association; Anthony Kivela; and other members of the HPROA.

The Senate welcomed its guests.

### **SENATE RESOLUTION 726**

Senator West offered the following resolution:

**SR 726**, Recognizing May 14, 2019, as South Central Region AKA Day.

WEST  
MILES

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator West, joined by Senators Miles and Lucio, was recognized and introduced to the Senate a South Central Region Alpha Kappa Alpha Sorority, Incorporated, delegation including his wife, Carol West; Katina Semien; Shay Cathey; Dawnna Dukes; Wilhelmina Delco; Myra McKenzie-Harris; and Kim Topps.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Kolkhorst, joined by Senator Watson, was recognized and introduced to the Senate a Cystic Fibrosis Awareness Month delegation including Mac Young and his family.

The Senate welcomed its guests.

**SENATE RESOLUTION 738**

Senator Zaffirini offered the following resolution:

WHEREAS, The Senate of the State of Texas honors and commemorates the lives of all Texas students who are no longer with us because of untimely, unexpected, and preventable deaths; and

WHEREAS, Four bright and beloved young Texans, namely, Dalton Debrick of Texas Tech University, Matthew Ellis of Texas State University, Joseph Little of Texas A&M University, and Nicky Cumberland of The University of Texas at Austin, have died in recent years from hazing or due to circumstances related to hazing; and

WHEREAS, These young men were dedicated students and cherished sons, brothers, and friends; and

WHEREAS, Many who knew and loved them have raised their voices and taken action to educate others about the dangers of hazing, and many have served as advocates for greater accountability and transparency at colleges and universities throughout Texas and the nation; and

WHEREAS, Hazing is a dangerous and pervasive practice that has been implicated in the deaths of too many of this state's promising young people and has caused long-term physical, psychological, and emotional harm to countless others; and

WHEREAS, Many student organizations and school sponsors, educators, and alumni are striving to ensure the health and safety of all who might be subject to the practice of hazing; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby extend its sincerest condolences to the bereaved families, friends, and peers of the victims of hazing and commend them for dedicating their time and efforts to ensure that in the future no others need grieve the consequences of hazing.

ZAFFIRINI	LUCIO
CAMPBELL	MENÉNDEZ
FLORES	PERRY
HINOJOSA	WATSON
HUFFMAN	WHITMIRE

**SR 738** was read.

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

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

### **GUESTS PRESENTED**

Senator Zaffirini, joined by Senators Menéndez, Perry, Hinojosa, Huffman, and Flores, was recognized and introduced to the Senate Clio Harralson, Graham Smith, Devon Debrick, Deborah Debrick, and Nick Menchaca, family and friends of Dalton Debrick and Nicky Cumberland.

The Senate welcomed its guests and extended its sympathy.

### **GUEST PRESENTED**

Senator West, joined by Senators Menéndez, Johnson, and Bettencourt, was recognized and introduced to the Senate Dirk Nowitzki, NBA Dallas Mavericks player, and congratulated him on his retirement.

The Senate welcomed its guest.

### **BILLS SIGNED**

The President announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read:

**SB 239, SB 440, SB 586, SB 746, SB 755, SB 871, SB 1055, SB 1234, SB 1258, SB 1349, SB 1500, SB 1565, SB 1739, SB 1794, SB 1819, SB 2245, SB 2504.**

### **GUEST PRESENTED**

Senator Flores was recognized and introduced to the Senate City of San Antonio Councilmember Rey Saldaña.

The Senate welcomed its guest.

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

The President 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.

**(Senator Hughes in Chair)**

### **BILLS AND RESOLUTIONS SIGNED**

The Presiding Officer announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

**HB 303, HB 347, HB 435, HB 638, HB 650, HB 1689, HB 1828, HB 2137,  
HB 39, HB 71, HB 105, HB 306, HB 339, HB 374, HB 380, HB 392, HB 402,  
HB 405, HB 559, HB 598, HB 695, HB 723, HB 791, HB 799, HB 811, HB 853,  
HB 917, HB 986, HB 1064, HB 1067, HB 1218, HB 1300, HB 1331, HB 1385,  
HB 1415, HB 1422, HB 1494, HB 1508, HB 1520, HB 1525, HB 1540, HB 1554,  
HB 1555, HB 1612, HB 1627, HB 1656, HB 1665, HB 1760, HB 1785, HB 1821,  
HB 1837, HB 1838, HB 1854, HB 1872, HB 1934, HB 1935, HB 1944, HB 1996,**

**HB 2039, HB 2079, HB 2105, HB 2127, HB 2228, HB 2235, HB 2243, HB 2298, HB 2326, HB 2330, HB 2338, HB 2425, HB 2458, HB 2471, HB 2551, HB 2570, HB 2597, HB 2820, HB 2888, HB 2900, HB 3020, HB 3093, HB 3094, HB 3095, HB 3122, HB 3217, HB 3246, HB 3422, HB 3459, HB 3580, HB 4650, HB 4651, HB 4654, HCR 40, HCR 47, HCR 59, HCR 122, HJR 12.**

**(President in Chair)**

**CONCLUSION OF MORNING CALL**

The President at 12:45 p.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 3106 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3106** at this time on its second reading:

**CSHB 3106**, Relating to a requirement that law enforcement agencies enter into a certain database information related to investigations of sexual assault or other sex offenses.

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

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 3106 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 **CSHB 3106** 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.

**GUEST PRESENTED**

Senator Huffman was recognized and introduced to the Senate Tracy Matheson, mother of Molly Jane Matheson.

The Senate welcomed its guest.

**HOUSE BILL 1769 ON SECOND READING**

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1769** at this time on its second reading:

**HB 1769**, Relating to the creation of a statewide alert system for certain missing adults and to a study of the alert system.

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.

### **HOUSE BILL 1769 ON THIRD READING**

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1769** 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.

### **GUESTS PRESENTED**

Senator Taylor was recognized and introduced to the Senate Alison Steele and Lawrence Baitland, parents of Cayley Mandadi.

The Senate welcomed its guests.

### **COMMITTEE SUBSTITUTE**

#### **HOUSE BILL 1767 ON SECOND READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSHB 1767** at this time on its second reading:

**CSHB 1767**, Relating to the consideration of employee compensation and benefits in establishing the rates of gas utilities.

The motion prevailed.

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

The bill was read second time.

Senator Rodríguez offered the following amendment to the bill:

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

Amend **CSHB 1767** (senate committee printing) in SECTION 1 of the bill, in added Section 104.060, Utilities Code (page 1, line 40), by striking "recent market compensation studies." and substituting "market compensation studies issued not earlier than three years before the initiation of the proceeding to establish the rates.".

The amendment to **CSHB 1767** 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.

**CSHB 1767** as amended was passed to third reading by a viva voce vote.

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

Nays: Menéndez.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1767 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1767** be placed on its third reading and final passage.

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

Nays: Menéndez.

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

**(Senator Hughes in Chair)**

**HOUSE BILL 3655 ON SECOND READING**

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3655** at this time on its second reading:

**HB 3655**, Relating to the administration and operation of the state's programs for paying, prepaying, or saving toward the costs of attending an institution of higher education, including the powers and duties of the Prepaid Higher Education Tuition Board.

The bill was read second time.

Senator Paxton offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 3655** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_. Section 54.633, Education Code, is amended by adding Subsection (n) to read as follows:

(n) If the comptroller determines that the purpose of a direct-support organization established under Subsection (e) has been substantially complied with, the comptroller may dissolve the organization. On dissolution, the title to all funds and properties then owned by the organization shall transfer to the Texas Match the Promise Foundation.

The amendment to **HB 3655** 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.

**HB 3655** as amended was passed to third reading by a viva voce vote.

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

**HOUSE BILL 3655 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 **HB 3655** 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.

**HOUSE BILL 700 ON SECOND READING**

Senator Powell moved to suspend the regular order of business to take up for consideration **HB 700** at this time on its second reading:

**HB 700**, Relating to the use of the skills development fund by certain entities.

The motion prevailed.

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

The bill was read second time.

Senator Powell offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 700** (senate committee printing) by striking "public libraries," in each instance in which it appears in the bill.

The amendment to **HB 700** 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.

**HB 700** as amended was passed to third reading by the following vote: Yeas 25, Nays 6.

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

Nays: Campbell, Creighton, Fallon, Hughes, Kolkhorst, Paxton.

**HOUSE BILL 700 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 **HB 700** be placed on its third reading and final passage.

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

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



Nays: Campbell, Creighton, Fallon, Hughes, Kolkhorst, Paxton.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 2086 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 2086** at this time on its second reading:

**CSSB 2086**, Relating to a single Internet portal or equivalent electronic system through which Medicaid providers may submit and receive information.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 2086** (senate committee report) in SECTION 1 of the bill, in added Section 533.0055(d), Government Code, as follows:

(1) On page 2, line 47, immediately following "plan", strike the underlined comma and substitute an underlined period.

(2) Strike page 2, lines 48-49.

The amendment to **CSSB 2086** was read and was adopted by a viva voce vote.

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

**CSSB 2086** as amended was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE  
SENATE BILL 2086 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 2086** 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.

**HOUSE BILL 1592 ON SECOND READING**

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1592** at this time on its second reading:

**HB 1592**, Relating to health care professional liability coverage for certain public institutions of higher education.

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.

### HOUSE BILL 1592 ON THIRD READING

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1592** 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)**

### HOUSE BILL 337 ON SECOND READING

Senator Campbell moved to suspend the regular order of business to take up for consideration **HB 337** at this time on its second reading:

**HB 337**, Relating to the use of emergency engine cutoff switches on motorboats.

The motion prevailed.

Senators Bettencourt, Birdwell, Buckingham, Creighton, Fallon, Hall, Hancock, Hughes, and Paxton asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

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

Amend **HB 337** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 31.1071, Parks and Wildlife Code, strike Subsection (b) (page 1, lines 38 through 49) and substitute the following:

(b) A motorboat operator may not operate a motorboat less than 26 feet in length and equipped by the manufacturer with an engine cutoff switch while the motorboat is underway and moving at greater than headway speed without first verifying that the switch is operational and fully functional and properly attaching the lanyard or wireless attachment, as appropriate for the specific motorboat, to the operator's body or to the clothing or personal flotation device being worn by the operator.

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

SECTION \_\_\_\_. Section 31.127, Parks and Wildlife Code, is amended by adding Subsection (g) to read as follows:

(g) A person who operates a motorboat in violation of Section 31.1071 commits an offense punishable by a fine of not more than \$200.

The amendment to **HB 337** 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.

**HB 337** as amended was passed to third reading by the following vote: Yeas 22, Nays 9.

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

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

### **HOUSE BILL 337 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 **HB 337** 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, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Creighton, Hall, Hancock.

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

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

Nays: Birdwell, Buckingham, Creighton, Hall, Hancock, Hughes.

### **GUESTS PRESENTED**

Senator Campbell was recognized and introduced to the Senate the family of Kali Gorzell including her parents Donna and James Gorzell.

The Senate welcomed its guests.

### **(Senator Hughes in Chair)**

### **COMMITTEE SUBSTITUTE**

### **HOUSE BILL 1065 ON SECOND READING**

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **CSHB 1065** at this time on its second reading:

**CSHB 1065**, Relating to the establishment of a rural resident physician grant program.

The motion prevailed.

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

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

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

Nays: Bettencourt, Paxton.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1065 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1065** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Paxton.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1501 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1501** at this time on its second reading:

**CSHB 1501**, Relating to the creation of the Texas Behavioral Health Executive Council and to the continuation and transfer of the regulation of psychologists, marriage and family therapists, professional counselors, and social workers to the Texas Behavioral Health Executive Council; providing civil and administrative penalties; authorizing a fee.

The bill was read second time.

Senator Perry offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 1501** (engrossed version) on page 2, line 10, by striking "2031" and substituting "2029".

The amendment to **CSHB 1501** 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 Menéndez offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSHB 1501** (senate committee report) as follows:

(1) On page 6, between lines 29 and 30, insert the following:

(c) The executive council may not include the home address of a license holder in a registry the executive council publishes on the executive council's Internet website unless the person requests that the person's home address appear in the registry on the website. A request under this subsection must be made in the manner prescribed by the executive council.

(d) The home address of a license holder that is included in a registry the executive council prepares under this section is public information and is not excepted from required disclosure under Chapter 552, Government Code.

(2) Add the following appropriately numbered SECTION to Article 4 of the bill and renumber subsequent SECTIONS of that article accordingly:

SECTION 4. \_\_\_\_. To the extent of any conflict, this Act prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to the online publication of the home address of a person licensed under Chapter 503 or 505, Occupations Code.

The amendment to **CSHB 1501** 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.

**CSHB 1501** as amended was passed to third reading by a viva voce vote.

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

### COMMITTEE SUBSTITUTE HOUSE BILL 1501 ON THIRD READING

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1501** 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.

### HOUSE BILL 2496 ON SECOND READING

Senator Buckingham moved to suspend the regular order of business to take up for consideration **HB 2496** at this time on its second reading:

**HB 2496**, Relating to the designation of a property as a historic landmark by a municipality.

The motion prevailed.

Senators Alvarado, Hinojosa, Lucio, Menéndez, Rodríguez, and Zaffirini asked to be recorded as voting "Nay" on suspension of the regular order of business.

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

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

Nays: Alvarado, Hinojosa, Lucio, Menéndez, Rodríguez, Zaffirini.

### HOUSE BILL 2496 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 **HB 2496** 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, Huffman, Hughes, Johnson, Kolkhorst, Miles, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Taylor, Watson, West, Whitmire.

Nays: Alvarado, Hinojosa, Lucio, Menéndez, Rodríguez, Zaffirini.

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

### HOUSE BILL 2119 ON SECOND READING

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2119** at this time on its second reading:

**HB 2119**, Relating to the application for and loans from the Texas military value revolving loan account.

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **HB 2119** (senate committee report) as follows:

(1) In the recital to SECTION 1 of the bill, amending Section 436.054, Government Code (page 1, line 22), strike "Subsection (c)" and substitute "Subsections (c), (d), and (e)".

(2) In SECTION 1 of the bill, in amended Section 436.054(b), Government Code (page 1, line 26), strike "Subsection (c)," and substitute "this section,".

(3) In SECTION 1 of the bill, in amended Section 436.054, Government Code (page 1, between lines 33 and 34), insert the following:

(d) A meeting described by Subsection (c) is subject to the notice requirements applicable to other meetings. The notice of the meeting must specify as the location of the meeting the location where meetings of the commission are usually held.

(e) Each part of a meeting described by Subsection (c) that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting as the location of the meeting and the audio shall be recorded. The audio recording shall be made available to the public.

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

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

**HB 2119** as amended was passed to third reading by a viva voce vote.

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

### HOUSE BILL 2119 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 **HB 2119** 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 Pro Tempore Watson in Chair)**

### HOUSE BILL 440 ON SECOND READING

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 440** at this time on its second reading:

**HB 440**, Relating to general obligation bonds issued by political subdivisions.

The bill was read second time.

Senator Lucio offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **HB 440** (senate committee printing) in SECTION 3 of the bill by striking added Section 1253.002(b), Government Code (page 2, lines 10-17), and substituting the following:

(b) Notwithstanding any other provision of law, a political subdivision may not issue general obligation bonds to purchase, improve, or construct one or more improvements to real property, to purchase one or more items of personal property, or to do both, if the weighted average maturity of the issue of bonds exceeds 120 percent of the reasonably expected weighted average economic life of the improvements and personal property financed with the issue of bonds.

The amendment to **HB 440** 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.

**HB 440** as amended was passed to third reading by a viva voce vote.

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

### HOUSE BILL 440 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 **HB 440** 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  
HOUSE BILL 684 ON SECOND READING**

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 684** at this time on its second reading:

**CSHB 684**, Relating to the care of students with seizure disorders and the training requirements for certain school personnel regarding seizure recognition and related first aid.

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

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 684 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 **CSHB 684** 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.

**NOMINATION RETURNED  
(Motion In Writing)**

Senator Buckingham submitted the following Motion In Writing:

Mr. President:

I move that the nomination of Robert D. Thomas to the Texas Workforce Commission 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 Motion In Writing was read and prevailed without objection.

**(President in Chair)**

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1504 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1504** at this time on its second reading:

**CSHB 1504**, Relating to the continuation and functions of the Texas Medical Board; authorizing a fee.

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

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



**COMMITTEE SUBSTITUTE  
HOUSE BILL 1504 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1504** 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  
HOUSE BILL 1535 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1535** at this time on its second reading:

**CSHB 1535**, Relating to the continuation and functions of the State Securities Board.

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

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1535 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1535** 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 2089 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **SB 2089** at this time on its second reading:

**SB 2089**, Relating to advance directives or health care or treatment decisions made by or on behalf of patients.

The motion prevailed by the following vote: Yeas 21, Nays 9, Present-not voting 1.

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

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

Present-not voting: Miles.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

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

Amend **SB 2089** (senate committee printing) as follows:

(1) In SECTION 2 of the bill, in the legislative intent language (page 1, line 32), strike "until" and substitute "for 45 days after a ethics or medical committee's review so that".

(2) In SECTION 3 of the bill, strike amended Section 166.045(c), Health and Safety Code (page 1, lines 37-45), and substitute the following:

(c) If an attending physician refuses to comply with a directive or treatment decision to provide life-sustaining treatment to a patient [~~and does not wish to follow the procedure established under Section 166.046~~], life-sustaining treatment shall be provided to the patient for 45 days under the procedures prescribed by Section 166.046 so that [~~but only until a reasonable opportunity has been afforded for the transfer of~~] the patient can be transferred to another physician or health care facility willing to comply with the directive or treatment decision.

(3) In the recital to SECTION 4 of the bill (page 1, lines 46-47), strike "(e), (e-1), and (f)" and substitute "(e), and (e-1)".

(4) In SECTION 4 of the bill, in amended Section 166.046(a), Health and Safety Code (page 1, lines 55-58), strike "and until the patient is transferred to another physician or health care facility willing to comply with the directive or treatment decision to provide life-sustaining treatment to the patient".

(5) In SECTION 4 of the bill, strike amended Section 166.046(b)(3), Health and Safety Code (page 2, lines 9-17), and substitute the following:

(3) at the time of being so informed, shall be provided:

(A) a copy of the appropriate statement set forth in Section 166.052; and

(B) a copy of the registry list of health care providers and referral groups that have volunteered their readiness to consider accepting transfer or to assist in locating a provider willing to accept transfer that is posted on the website maintained by the department under Section 166.053; and

(6) In SECTION 4 of the bill, in amended Section 166.046(e), Health and Safety Code (page 2, line 52 through page 3, line 5), strike the third and fourth sentences and substitute the following:

~~[The patient is responsible for any costs incurred in transferring the patient to another facility.]~~ The attending physician, any other physician responsible for the care of the patient, and the health care facility are not obligated to provide life-sustaining treatment after the 45th ~~[10th]~~ day after both the written recommendation ~~[decision]~~ and the patient's medical record required under Subsection (b) are provided to the patient or the person responsible for the health care decisions of the patient unless ordered to do so under Subsection (g), except that artificially administered nutrition and hydration must be provided unless, based on reasonable medical judgment, providing artificially administered nutrition and hydration would:

(1) hasten the patient's death;

(2) be medically contraindicated such that the provision of the treatment seriously exacerbates life-threatening medical problems not outweighed by the benefit of the provision of the treatment;

(3) result in substantial irremediable physical pain not outweighed by the benefit of the provision of the treatment;

(4) be medically ineffective in prolonging life; or

(5) be contrary to the patient's or surrogate's clearly documented desire not to receive artificially administered nutrition or hydration.

(7) In SECTION 4 of the bill, strike amended Section 166.046(f), Health and Safety Code (page 3, lines 18-21).

(8) Add the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. Section 166.052(a), Health and Safety Code, is amended to read as follows:

(a) In cases in which the attending physician refuses to honor an advance directive or health care or treatment decision requesting the provision of life-sustaining treatment, the statement required by Section 166.046(b)(3)(A) shall be in substantially the following form:

When There Is A Disagreement About Medical Treatment: The Physician Recommends Against Certain Life-Sustaining Treatment That You Wish To Continue

You have been given this information because you have requested life-sustaining treatment\* for yourself as the patient or on behalf of the patient, as applicable, which the attending physician believes is not medically appropriate. This information is being provided to help you understand state law, your rights, and the resources available to you in such circumstances. It outlines the process for resolving disagreements about treatment among patients, families, and physicians. It is based upon Section 166.046 of the Texas Advance Directives Act, codified in Chapter 166, Texas Health and Safety Code.

When an attending physician refuses to comply with an advance directive or other request for life-sustaining treatment because of the physician's judgment that the treatment would be medically inappropriate, the case will be reviewed by an ethics or medical committee. Life-sustaining treatment will be provided through the review.

You will receive notification of this review at least 48 hours before a meeting of the committee related to your case. You are entitled to attend the meeting. With your agreement, the meeting may be held sooner than 48 hours, if possible.

You are entitled to receive a written explanation of the recommendations made [~~decision reached~~] during the review process.

If after this review process both the attending physician and the ethics or medical committee conclude that life-sustaining treatment is medically inappropriate and yet you continue to request such treatment, then the following procedure will occur:

1. The physician, with the help of the health care facility, will assist you in trying to find a physician and facility willing to provide the requested treatment.

2. You are being given a list of health care providers, licensed physicians, health care facilities, and referral groups that have volunteered their readiness to consider accepting transfer, or to assist in locating a provider willing to accept transfer,

maintained by the Department of State Health Services. You may wish to contact providers, facilities, or referral groups on the list or others of your choice to get help in arranging a transfer.

3. The patient will continue to be given life-sustaining treatment until the patient can be transferred to a willing provider for up to 45 ~~[40]~~ days from the time you were given both the committee's written decision that life-sustaining treatment is not appropriate and the patient's medical record. The patient will continue to be given after the 45-day ~~[40-day]~~ period treatment to enhance pain management and reduce suffering, including artificially administered nutrition and hydration, unless, based on reasonable medical judgment, providing artificially administered nutrition and hydration would hasten the patient's death, be medically contraindicated such that the provision of the treatment seriously exacerbates life-threatening medical problems not outweighed by the benefit of the provision of the treatment, result in substantial irremediable physical pain not outweighed by the benefit of the provision of the treatment, be medically ineffective in prolonging life, or be contrary to the patient's or surrogate's clearly documented desires.

4. ~~[If a transfer can be arranged, the patient will be responsible for the costs of the transfer.]~~

~~[5.]~~ If a provider cannot be found willing to give the requested treatment within 45 ~~[40]~~ days, life-sustaining treatment may be withdrawn unless a court of law has granted an extension.

5. ~~[6.]~~ You may ask the appropriate district or county court to extend the 45-day ~~[40-day]~~ period if the court finds that there is a reasonable expectation that you may find a physician or health care facility willing to provide life-sustaining treatment if the extension is granted. Patient medical records will be provided to the patient or surrogate in accordance with Section 241.154, Texas Health and Safety Code.

\*"Life-sustaining treatment" means treatment that, based on reasonable medical judgment, sustains the life of a patient and without which the patient will die. The term includes both life-sustaining medications and artificial life support, such as mechanical breathing machines, kidney dialysis treatment, and artificially administered nutrition and hydration. The term does not include the administration of pain management medication or the performance of a medical procedure considered to be necessary to provide comfort care, or any other medical care provided to alleviate a patient's pain.

(9) Strike SECTION 6 of the bill amending Section 25.0021(b), Government Code (page 3, lines 36-49).

(10) Strike SECTION 7 of the bill adding repealer language (page 3, lines 50-51).

(11) Renumber SECTIONS of the bill accordingly.

The amendment to **SB 2089** was read and was adopted by the following vote: Yeas 28, Nays 3.

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

Nays: Lucio, Rodríguez, Whitmire.

Senator Lucio offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **SB 2089** (senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Subchapter B, Chapter 166, Health and Safety Code, is amended by adding Section 166.0465 to read as follows:

Sec. 166.0465. ETHICS OR MEDICAL COMMITTEE POLICIES ON CONFLICTS OF INTEREST AND DISABILITY DISCRIMINATION. Each health care facility that provides review by an ethics or medical committee under Section 166.046 shall adopt and implement a policy on:

(1) preventing substantial financial and health care professional conflicts of interest that may arise during the review; and

(2) prohibiting consideration of a patient's permanent physical or mental disability during the review unless the disability is relevant in determining whether a medical or surgical intervention is medically appropriate.

SECTION 2. (a) A health care facility shall adopt the policy required by Section 166.0465, Health and Safety Code, as added by this Act, not later than April 1, 2020.

(b) A policy adopted under Section 166.0465, Health and Safety Code, as added by this Act, applies only to an ethics or medical committee review conducted on or after April 1, 2020.

SECTION 3. This Act takes effect September 1, 2019.

The amendment to **SB 2089** was read and was adopted by a viva voce vote.

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

**SB 2089** as amended was passed to engrossment by the following vote: Yeas 22, Nays 8, Present-not voting 1.

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

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

Present-not voting: Miles.

**SENATE BILL 2089 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 **SB 2089** 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, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Miles, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor, West, Whitmire, Zaffirini.

Nays: Alvarado, Hinojosa, Menéndez, Powell, Rodríguez, Watson.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 8, Present-not voting 1.

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

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

Present-not voting: Miles.

### MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Tuesday, May 14, 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 14**    Nichols    Sponsor: Kuempel  
Relating to broadband service or facilities provided by an electric cooperative.  
(Committee Substitute/Amended)

**SB 27**    Hughes    Sponsor: Hefner  
Relating to recovery of damages, attorney's fees, and costs related to frivolous claims and regulatory actions by state agencies.  
(Committee Substitute)

**SB 198**    Schwertner    Sponsor: Canales  
Relating to payment for the use of a highway toll project.  
(Committee Substitute)

**SB 281**    Zaffirini    Sponsor: González, Mary  
Relating to the use of certain language regarding a person who is deaf or hard of hearing in statutes or resolutions.

**SB 370**    Watson    Sponsor: Smithee  
Relating to employment protections for jury service.

**SB 467**    Zaffirini    Sponsor: Leach  
Relating to the procedures of the State Commission on Judicial Conduct.

**SB 479**                                      Watson                                      Sponsor: Longoria  
Relating to the inclusion in the definition of a medical and dental unit of the Dell Medical School at The University of Texas at Austin and the School of Medicine at The University of Texas Rio Grande Valley and the participation of those schools in certain programs and funding.  
(Committee Substitute)

**SB 670**                                      Buckingham                                      Sponsor: Price  
Relating to Medicaid telemedicine and telehealth services.  
(Committee Substitute/Amended)

**SB 747**                                      Kolkhorst                                      Sponsor: Lucio III  
Relating to required notice of the cost and health benefit plan coverage of newborn screening tests.  
(Committee Substitute/Amended)

**SB 979**                                      Hughes                                      Sponsor: Kacal  
Relating to including cuttings as a form of propagation for citrus budwood and citrus nursery stock certification programs.

**SB 1438**                                      Taylor                                      Sponsor: Bailes  
Relating to prohibitions on the disposition of property interests by navigation districts for certain purposes.

**SB 1582**                                      Lucio                                      Sponsor: Wray  
Relating to benefits for peace officers relating to certain diseases or illnesses.  
(Amended)

**SB 2140**                                      Hughes                                      Sponsor: Burrows  
Relating to the amount of civil penalties the attorney general may seek to recover under the Deceptive Trade Practices-Consumer Protection Act.

THE HOUSE HAS CONCURRED IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES:

**HB 303**

**HB 347** (131 Yeas, 9 Nays, 1 Present, not voting)

**HB 435** (141 Yeas, 0 Nays, 1 Present, not voting)

**HB 650** (141 Yeas, 0 Nays, 1 Present, not voting)

**HB 1689** (140 Yeas, 0 Nays, 1 Present, not voting)

**HB 1828** (121 Yeas, 18 Nays, 1 Present, not voting)

**HB 2137** (139 Yeas, 1 Nays, 1 Present, not voting)

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 1397**

House Conferees: Phelan - Chair/Deshotel/Frullo/Nevárez/Paddie

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2694 ON SECOND READING**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2694** at this time on its second reading:

**CSHB 2694**, Relating to the authority of certain insurers to make investments in bond exchange-traded funds.

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 2694** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 424.075(a)(2), Insurance Code (page 1, line 37), strike "statutory".

(2) In SECTION 1 of the bill, in added Section 424.075(a)(2), Insurance Code (page 1, lines 38 and 39), strike "obligation on Internal Revenue Service Form 1040, Schedule D" and substitute "in the Purposes and Procedures Manual of the securities valuation office or a successor publication".

(3) In SECTION 2 of the bill, in added Section 425.1231(a)(2), Insurance Code (page 2, line 8), strike "statutory".

(4) In SECTION 2 of the bill, in added Section 425.1231(a)(2), Insurance Code (page 2, lines 9 and 10), strike "obligation on Internal Revenue Service Form 1040, Schedule D" and substitute "in the Purposes and Procedures Manual of the securities valuation office or a successor publication".

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

SECTION \_\_\_\_\_. Subchapter D, Chapter 425, Insurance Code, is amended by adding Section 425.2061 to read as follows:

Sec. 425.2061. AUTHORIZED INVESTMENTS FOR ALL FUNDS: BOND EXCHANGE-TRADED FUNDS. Subject to Section 425.157(b), an insurer may invest any of the insurer's funds and accumulations in a bond exchange-traded fund described by Section 425.1231(a).

The amendment to **CSHB 2694** 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.

**CSHB 2694** as amended was passed to third reading by a viva voce vote.

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



**COMMITTEE SUBSTITUTE  
HOUSE BILL 2694 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2694** 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.

**HOUSE BILL 2945 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2945** at this time on its second reading:

**HB 2945**, Relating to payment card skimmers on motor fuel dispensers and to creating a payment fraud fusion center; imposing civil penalties; creating criminal offenses.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 2945** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. The attorney general is required to implement Chapter 424, Government Code, as added by this Act, only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the attorney general may, but is not required to, implement Chapter 424, Government Code, as added by this Act, using other appropriations available for that purpose.

The amendment to **HB 2945** 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.

**HB 2945** as amended was passed to third reading by a viva voce vote.

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

**HOUSE BILL 2945 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 **HB 2945** 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.

**HOUSE BILLS AND RESOLUTION ON FIRST READING**

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

- HB 62** to Committee on Business and Commerce.
- HB 496** to Committee on Education.
- HB 555** to Committee on State Affairs.
- HB 687** to Committee on State Affairs.
- HB 737** to Committee on Transportation.
- HB 907** to Committee on Natural Resources and Economic Development.
- HB 951** to Committee on Intergovernmental Relations.
- HB 970** to Committee on Business and Commerce.
- HB 975** to Committee on Education.
- HB 981** to Committee on Criminal Justice.
- HB 1019** to Committee on State Affairs.
- HB 1090** to Committee on Water and Rural Affairs.
- HB 1091** to Committee on State Affairs.
- HB 1113** to Committee on State Affairs.
- HB 1116** to Committee on Business and Commerce.
- HB 1120** to Committee on Intergovernmental Relations.
- HB 1143** to Committee on State Affairs.
- HB 1152** to Committee on State Affairs.
- HB 1174** to Committee on Intergovernmental Relations.
- HB 1185** to Committee on State Affairs.
- HB 1477** to Committee on Health and Human Services.
- HB 1748** to Committee on Health and Human Services.
- HB 1825** to Committee on Education.
- HB 1885** to Committee on Property Tax.
- HB 2059** to Committee on Health and Human Services.
- HB 2205** to Committee on Health and Human Services.
- HB 2209** to Committee on Criminal Justice.
- HB 2286** to Committee on State Affairs.
- HB 2362** to Committee on State Affairs.
- HB 2403** to Committee on Business and Commerce.
- HB 2435** to Committee on State Affairs.
- HB 2478** to Committee on Transportation.
- HB 2536** to Committee on Business and Commerce.
- HB 2554** to Committee on State Affairs.
- HB 2628** to Committee on State Affairs.
- HB 2640** to Committee on State Affairs.
- HB 2642** to Committee on Education.
- HB 2767** to Committee on State Affairs.
- HB 2879** to Committee on Education.
- HB 2897** to Committee on Criminal Justice.
- HB 2931** to Committee on Transportation.
- HB 2942** to Committee on Property Tax.
- HB 2971** to Committee on Natural Resources and Economic Development.

**HB 3001** to Committee on Intergovernmental Relations.  
**HB 3014** to Committee on State Affairs.  
**HB 3021** to Committee on State Affairs.  
**HB 3040** to Committee on State Affairs.  
**HB 3057** to Committee on Criminal Justice.  
**HB 3145** to Committee on State Affairs.  
**HB 3147** to Committee on Health and Human Services.  
**HB 3193** to Committee on Health and Human Services.  
**HB 3222** to Committee on Business and Commerce.  
**HB 3243** to Committee on Property Tax.  
**HB 3284** to Committee on Health and Human Services.  
**HB 3285** to Committee on Health and Human Services.  
**HB 3303** to Committee on Criminal Justice.  
**HB 3314** to Committee on Intergovernmental Relations.  
**HB 3316** to Committee on Criminal Justice.  
**HB 3334** to Committee on Business and Commerce.  
**HB 3397** to Committee on Finance.  
**HB 3503** to Committee on Criminal Justice.  
**HB 3553** to Committee on State Affairs.  
**HB 3568** to Committee on State Affairs.  
**HB 3578** to Committee on State Affairs.  
**HB 3603** to Committee on Business and Commerce.  
**HB 3609** to Committee on Business and Commerce.  
**HB 3630** to Committee on Education.  
**HB 3800** to Committee on Criminal Justice.  
**HB 4032** to Committee on Finance.  
**HB 4067** to Committee on Water and Rural Affairs.  
**HB 4086** to Committee on Finance.  
**HB 4129** to Committee on State Affairs.  
**HB 4132** to Committee on Business and Commerce.  
**HB 4158** to Committee on Natural Resources and Economic Development.  
**HB 4236** to Committee on Criminal Justice.  
**HB 4245** to Committee on Business and Commerce.  
**HB 4258** to Committee on Education.  
**HB 4346** to Committee on Health and Human Services.  
**HB 4372** to Committee on Health and Human Services.  
**HB 4420** to Committee on Business and Commerce.  
**HB 4428** to Committee on State Affairs.  
**HB 4513** to Committee on Health and Human Services.  
**HB 4534** to Committee on Business and Commerce.  
**HB 4568** to Committee on Water and Rural Affairs.  
**HB 4606** to Committee on Criminal Justice.  
**HB 4668** to Committee on Intergovernmental Relations.  
**HB 4689** to Committee on Intergovernmental Relations.

**HB 4693** to Committee on Intergovernmental Relations.  
**HB 4714** to Committee on Intergovernmental Relations.  
**HB 4715** to Committee on State Affairs.  
**HB 4734** to Committee on Intergovernmental Relations.  
**HB 4741** to Committee on Intergovernmental Relations.  
**HB 4747** to Committee on Intergovernmental Relations.  
**HB 4748** to Committee on Intergovernmental Relations.  
**HB 4749** to Committee on Intergovernmental Relations.  
**HB 4754** to Committee on Criminal Justice.  
**HB 4762** to Committee on Transportation.  
**HCR 76** to Committee on Administration.

**SENATE RULE 11.13 SUSPENDED**  
**(Consideration of Bills in Committees)**  
**(Motion In Writing)**

Senator Hughes submitted the following Motion In Writing:

Mr. President:

I move to suspend Senate Rule 11.13 to permit committees to meet during consideration of the Local and Uncontested Calendar.

HUGHES

The Motion In Writing was read and prevailed without objection.

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

On motion of Senator Birdwell and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Natural Resources and Economic Development might meet in Room E1.012 and consider **HB 864** tomorrow.

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

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Intergovernmental Relations might meet in the Betty King Committee Room and consider the following bills today:

**HB 2155, HB 1697, HB 4643, HB 4644, HB 4657, HB 4677, HB 4678, HB 4679, HB 4682, HB 4687, HB 4688.**

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

On motion of Senator Nichols and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Transportation might meet at his desk and consider **HB 1631** today.

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

On motion of Senator Kolkhorst and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Health and Human Services might meet in Room E1.010 and consider the following bills tomorrow: **HB 3703, HB 3117, HB 2811, SB 671, HB 1884, HB 3704.**

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

On motion of Senator Creighton and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Higher Education might meet tomorrow.

**MOTIONS TO RECESS AND ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 3:40 p.m. agreed to recess, pending the receipt of committee reports, until 9:00 a.m. tomorrow for the Local and Uncontested Calendar Session.

The Senate further agreed to adjourn, in memory of Leslie Hoyt "Les" Hearron, upon conclusion of the Local and Uncontested Calendar Session, until 11:00 a.m. tomorrow, pending the receipt of committee reports.

**CO-AUTHOR OF SENATE BILL 2089**

On motion of Senator Hughes, Senator Bettencourt will be shown as Co-author of **SB 2089.**

**CO-SPONSOR OF HOUSE BILL 16**

On motion of Senator Kolkhorst, Senator Campbell will be shown as Co-sponsor of **HB 16.**

**CO-SPONSOR OF HOUSE BILL 18**

On motion of Senator Watson, Senator Zaffirini will be shown as Co-sponsor of **HB 18.**

**CO-SPONSOR OF HOUSE BILL 65**

On motion of Senator West, Senator Miles will be shown as Co-sponsor of **HB 65.**

**CO-SPONSOR OF HOUSE BILL 234**

On motion of Senator Nelson, Senator Campbell will be shown as Co-sponsor of **HB 234.**

**CO-SPONSOR OF HOUSE BILL 284**

On motion of Senator Powell, Senator West will be shown as Co-sponsor of **HB 284.**

**CO-SPONSOR OF HOUSE BILL 403**

On motion of Senator Huffman, Senator Alvarado will be shown as Co-sponsor of **HB 403.**

**CO-SPONSOR OF HOUSE BILL 504**

On motion of Senator Miles, Senator Zaffirini will be shown as Co-sponsor of **HB 504**.

**CO-SPONSOR OF HOUSE BILL 558**

On motion of Senator Rodríguez, Senator Zaffirini will be shown as Co-sponsor of **HB 558**.

**CO-SPONSOR OF HOUSE BILL 684**

On motion of Senator Hughes, Senator Lucio will be shown as Co-sponsor of **HB 684**.

**CO-SPONSOR OF HOUSE BILL 692**

On motion of Senator Watson, Senator Alvarado will be shown as Co-sponsor of **HB 692**.

**CO-SPONSOR OF HOUSE BILL 916**

On motion of Senator Flores, Senator Hinojosa will be shown as Co-sponsor of **HB 916**.

**CO-SPONSOR OF HOUSE BILL 1065**

On motion of Senator Kolkhorst, Senator Seliger will be shown as Co-sponsor of **HB 1065**.

**CO-SPONSOR OF HOUSE BILL 1182**

On motion of Senator Alvarado, Senator Hall will be shown as Co-sponsor of **HB 1182**.

**CO-SPONSOR OF HOUSE BILL 1225**

On motion of Senator Menéndez, Senator Miles will be shown as Co-sponsor of **HB 1225**.

**CO-SPONSOR OF HOUSE BILL 1325**

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

**CO-SPONSOR OF HOUSE BILL 1355**

On motion of Senator Johnson, Senator Flores will be shown as Co-sponsor of **HB 1355**.

**CO-SPONSOR OF HOUSE BILL 1465**

On motion of Senator Menéndez, Senator West will be shown as Co-sponsor of **HB 1465**.

**CO-SPONSOR OF HOUSE BILL 1548**

On motion of Senator Kolkhorst, Senator Fallon will be shown as Co-sponsor of **HB 1548**.

**CO-SPONSOR OF HOUSE BILL 1767**

On motion of Senator Birdwell, Senator Miles will be shown as Co-sponsor of **HB 1767**.

**CO-SPONSORS OF HOUSE BILL 1769**

On motion of Senator Taylor, Senators Huffman and Menéndez will be shown as Co-sponsors of **HB 1769**.

**CO-SPONSORS OF HOUSE BILL 2048**

On motion of Senator Huffman, Senators Hall and Miles will be shown as Co-sponsors of **HB 2048**.

**CO-SPONSOR OF HOUSE BILL 2454**

On motion of Senator Hughes, Senator Miles will be shown as Co-sponsor of **HB 2454**.

**CO-SPONSOR OF HOUSE BILL 2486**

On motion of Senator Schwertner, Senator Menéndez will be shown as Co-sponsor of **HB 2486**.

**CO-SPONSORS OF HOUSE BILL 2817**

On motion of Senator Hughes, Senators Campbell, Creighton, Hinojosa, Kolkhorst, and Menéndez will be shown as Co-sponsors of **HB 2817**.

**CO-SPONSOR OF HOUSE BILL 2867**

On motion of Senator Creighton, Senator Miles will be shown as Co-sponsor of **HB 2867**.

**CO-SPONSOR OF HOUSE BILL 3079**

On motion of Senator Zaffirini, Senator West will be shown as Co-sponsor of **HB 3079**.

**CO-SPONSORS OF HOUSE BILL 3106**

On motion of Senator Huffman, Senators Alvarado, Hughes, Kolkhorst, and Menéndez will be shown as Co-sponsors of **HB 3106**.

**CO-SPONSOR OF HOUSE BILL 3388**

On motion of Senator Kolkhorst, Senator Miles will be shown as Co-sponsor of **HB 3388**.

**CO-SPONSOR OF HOUSE BILL 4150**

On motion of Senator Hughes, Senator Zaffirini will be shown as Co-sponsor of **HB 4150**.

**CO-SPONSOR OF HOUSE BILL 4165**

On motion of Senator Menéndez, Senator Hinojosa will be shown as Co-sponsor of **HB 4165**.

**CO-SPONSOR OF HOUSE BILL 4611**

On motion of Senator Taylor, Senator West will be shown as Co-sponsor of **HB 4611**.

**CO-SPONSOR OF HOUSE CONCURRENT RESOLUTION 19**

On motion of Senator Huffman, Senator Seliger will be shown as Co-sponsor of **HCR 19**.

**CO-SPONSOR OF HOUSE CONCURRENT RESOLUTION 137**

On motion of Senator Menéndez, Senator Zaffirini will be shown as Co-sponsor of **HCR 137**.

**CO-SPONSOR OF HOUSE JOINT RESOLUTION 4**

On motion of Senator Creighton, Senator Hinojosa will be shown as Co-sponsor of **HJR 4**.

**CO-SPONSOR OF HOUSE JOINT RESOLUTION 151**

On motion of Senator Taylor, Senator West will be shown as Co-sponsor of **HJR 151**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Congratulatory Resolutions**

**SR 739** by Creighton, Commending Nicholas Northrup for achieving the rank of Eagle Scout.

**HCR 171** (West), Recognizing the Lipan Apache Tribe of Texas for its contributions to this state.

**Official Designation Resolution**

**SR 317** by Miles, Recognizing May 14, 2019, as Alpha Kappa Alpha Day.

**RECESS**

Pursuant to a previously adopted motion, the Senate at 8:45 a.m. Wednesday, May 15, 2019, recessed until 9:00 a.m. today for the Local and Uncontested Calendar Session.

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**APPENDIX**

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**COMMITTEE REPORTS**

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

May 14, 2019

**WATER AND RURAL AFFAIRS — CSSB 978, CSHB 721, CSHB 2729, CSHB 489**



TEXAS PORTS — **HB 4666, HB 4695**

BUSINESS AND COMMERCE — **CSHB 2422, CSHB 305, CSHB 207, HB 1896, HB 3934, HB 3167, CSHB 2847**

EDUCATION — **HB 3007, HB 678, HB 455, HB 396, HB 330, HB 165**

STATE AFFAIRS — **HB 2075, HB 1693, HB 1552, HB 882, HB 770, HB 541, HB 93, HB 2911, HB 2780, HB 2734, HB 2730, HB 2677, HB 2245, HJR 72, HB 3300, HB 2826, HB 1717, HB 1307, HB 554, HB 369, HB 3365, HB 3361, HB 3044, HB 2955, HCR 35**

May 15, 2019

HEALTH AND HUMAN SERVICES — **CSSB 2091**

**BILLS ENGROSSED**

May 13, 2019

**SB 740, SB 804**

**BILLS AND RESOLUTIONS ENROLLED**

May 13, 2019

**SB 239, SB 440, SB 586, SB 746, SB 755, SB 871, SB 1055, SB 1234, SB 1258, SB 1349, SB 1500, SB 1565, SB 1739, SB 1794, SB 1819, SB 2245, SB 2504, SR 687, SR 729, SR 731, SR 734, SR 735, SR 736**

**SENT TO GOVERNOR**

May 14, 2019

**SB 239, SB 440, SB 586, SB 746, SB 755, SB 871, SB 1055, SB 1234, SB 1258, SB 1349, SB 1500, SB 1565, SB 1739, SB 1794, SB 1819, SB 2245, SB 2504**

**SIGNED BY GOVERNOR**

May 14, 2019

**SB 319, SB 753, SB 2100**

