

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-FOURTH DAY

(Wednesday, May 15, 2019)

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

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

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

Pastor Eric Moore, Summit Worship Center, Austin, offered the invocation as follows:

Lord, I am so thankful for this day for it is another opportunity to experience Your love and presence which continues to give us hope in every season, for every day is a gift given to us from You. I am so humbled. I thank You for this incredible opportunity to stand before and pray for these Your appointed men and women whom You have empowered to serve our communities, our city, this state, and our government as a whole. Lord, give them wisdom that comes from You to inspire change and direction for now and future generations. Lord, give them the grace to embrace diversity and work together in unity for that is how Your blessing will be released to us. I am so grateful for their sacrifices, their investments, and their willingness to serve. Continue to watch over us. I love You, Lord, and I commit this time to You. In Jesus' name I pray. 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.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 15, 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 4665** Leman
Relating to the juvenile board of Fayette County.
- SB 124** West Sponsor: Sherman, Sr.
Relating to the authority of a county to require electronic bids or proposals for competitive bidding.
- SB 228** Hinojosa Sponsor: Guillen
Relating to the designation of a portion of U.S. Highway 281 as the Corporal Roel Garcia Memorial Highway.
- SB 285** Miles Sponsor: Thompson, Ed
Relating to information, outreach, and other actions regarding hurricane preparedness and mitigation.
(Committee Substitute)
- SB 317** Hughes Sponsor: Toth
Relating to the taking of feral hogs without a hunting license.
- SB 354** Lucio Sponsor: Guillen
Relating to authority of certain officers of certain counties to disburse or direct payment of county funds for salaries or expenses.
- SB 435** Nelson Sponsor: Price
Relating to recommendations by local school health advisory councils regarding opioid addiction and abuse education in public schools.
- SB 822** Nelson Sponsor: Flynn
Relating to the administration of a grant program to support community mental health programs for veterans and their families.
- SB 874** Huffman Sponsor: Farrar
Relating to forms for creating or revoking a transfer on death deed.
- SB 893** Menéndez Sponsor: Klick
Relating to the requirement that the comptroller of public accounts receive copies of orders adopted in connection with the administration of elections.
- SB 932** Hughes Sponsor: Wilson
Relating to the regulation of certain direct sales of food to consumers and a limitation on the fee amount for certain permits.
- SB 969** Hancock Sponsor: Landgraf
Relating to the operation of personal delivery and mobile carrying devices.
(Committee Substitute)

- SB 1037** Taylor Sponsor: Lucio III
Relating to limitations on the information reported by consumer reporting agencies.
- SB 1038** Taylor Sponsor: Thompson, Ed
Relating to the creation of the Brazoria-Fort Bend Counties Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 1041** Taylor Sponsor: Larson
Relating to the deadline by which the Texas Water Development Board is required to identify and designate brackish groundwater production zones for certain areas of the state.
- SB 1236** Hall Sponsor: Flynn
Relating to authority of the Hunt Memorial Hospital District to appoint, contract for, or employ physicians.
- SB 1350** Watson Sponsor: Hinojosa
Relating to the creation and operations of a health care provider participation program by a certain hospital district.
- SB 1402** Rodríguez Sponsor: González, Mary
Relating to regulation by certain counties of lots in platted subdivisions that have remained undeveloped.
- SB 1413** Zaffirini Sponsor: Vo
Relating to consolidation of annual reporting requirements of the Texas Workforce Commission.
- SB 1420** Zaffirini Sponsor: Murphy
Relating to recovery of the funds of an estate delivered to the comptroller.
- SB 1510** Schwertner Sponsor: Muñoz, Jr.
Relating to the apportionment of infrastructure costs in regard to certain property development projects.
(Committee Substitute)
- SB 1512** Flores Sponsor: Martínez
Relating to payment of costs related to the relocation of certain political subdivision utility facilities for state highway projects.
- SB 1545** Menéndez Sponsor: Martínez Fischer
Relating to the creation and operations of a health care provider participation program by the Bexar County Hospital District.
(Committee Substitute)
- SB 1557** Lucio Sponsor: Bernal
Relating to military-connected students, including providing a designation for certain school district campuses that take actions to assist those students.
- SB 1720** Lucio Sponsor: Leman
Relating to the threshold contract amount at which a county is required to engage in a competitive purchasing procedure for certain purchases.
- SB 1751** Rodríguez Sponsor: Moody
Relating to the creation and operations of a health care provider participation program by the El Paso County Hospital District.

- SB 1780** Paxton Sponsor: Parker
Relating to value-based arrangements in the Medicaid vendor drug program.
- SB 1802** Huffman Sponsor: Hunter
Relating to the prosecution of and punishment for certain trafficking and prostitution offenses and certain other consequences of those offenses; increasing criminal penalties.
- SB 1820** Huffman Sponsor: Collier
Relating to the prosecution of the criminal offense of impersonating a public servant.
- SB 1821** Campbell Sponsor: Flynn
Relating to enforcement of the regulation of perpetual care cemeteries.
- SB 1950** Seliger Sponsor: King, Ken
Relating to the Donley County Hospital District.
- SB 2018** West Sponsor: Anchia
Relating to abolishing a dissolution committee established to abolish certain county boards of education or boards of county school trustees and appointing commissioners courts to assume the duties of the dissolution committee.
(Committee Substitute)
- SB 2038** Rodríguez Sponsor: Fierro
Relating to a report by the Texas Workforce Commission regarding occupational skills training for individuals with intellectual and developmental disabilities.
- SB 2131** Powell Sponsor: Cortez
Relating to the application for and loans from the Texas military value revolving loan account.
- SB 2286** Fallon Sponsor: Frank
Relating to the creation and operations of health care provider participation programs in certain counties.
(Committee Substitute)
- SB 2449** Taylor Sponsor: Paul
Relating to the creation of the Harris County Municipal Utility District No. 568; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 2469** Taylor Sponsor: Thompson, Ed
Relating to the creation of the Brazoria County Municipal Utility District No. 76; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- SB 2481** Nichols Sponsor: Bell, Cecil
Relating to the powers and duties of the Montgomery County Municipal Utility District No. 164; providing authority to issue bonds; providing authority to impose a tax.
- SB 2517** Nichols Sponsor: Bailes
Relating to the conversion of the May Public Utility District to the Harris-Liberty Counties Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SB 2527

Nichols

Sponsor: Bailes

Relating to the conversion of the Liberty Public Utility District to the Liberty County Municipal Utility District No. 7; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SCR 2

Flores

Sponsor: Cyrier

Recognizing the game wardens of the Texas Parks and Wildlife Department as the "Texas Navy" and commending them for their service to the Lone Star State.

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

HB 1142 (125 Yeas, 16 Nays, 2 Present, not voting)

HB 1326 (137 Yeas, 0 Nays, 3 Present, not voting)

HB 1628 (137 Yeas, 0 Nays, 2 Present, not voting)

HB 1960 (127 Yeas, 14 Nays, 2 Present, not voting)

HB 2196 (137 Yeas, 4 Nays, 2 Present, not voting)

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

SB 12

House Conferees: Bonnen, Greg - Chair / Gervin-Hawkins/Murphy/Walle/Zerwas

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

PHYSICIAN OF THE DAY

Senator Watson was recognized and presented Dr. Dana Sprute of Austin as the Physician of the Day.

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

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

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

There was no objection.

GUESTS PRESENTED

Senator Flores was recognized and introduced to the Senate friends of Alan E. Bentz including Marian and Stuart Knowlton.

The Senate welcomed its guests and extended its sympathy.

SENATE RESOLUTION 740

Senator Fallon offered the following resolution:

SR 740, In memory of Carlos Everado Lerma.

FALLON
LUCIO

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

In honor of the memory of Carlos Everado Lerma, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Fallon, joined by Senator Lucio, was recognized and introduced to the Senate family members of Carlos Everado Lerma including his wife, Sandra Lanier-Lerma; daughter, Diana Bounds; son, Larry Berg; sister, Ninfa Arce; and nieces, Betsy Mata and Belinda Salinas.

The Senate welcomed its guests and extended its sympathy.

(President in Chair)

SENATE RESOLUTION 733

Senator Seliger offered the following resolution:

SR 733, Recognizing Robert Duncan for his service to the people of Texas.

SELIGER
PERRY

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Seliger, joined by Senators Perry, Hinojosa, West, Campbell, Rodriguez, Nichols, Schwertner, Birdwell, Kolkhorst, Lucio, Watson, and Lieutenant Governor Patrick, was recognized and introduced to the Senate Senator Robert Duncan, former Texas Tech University System Chancellor, and his wife, Terri.

The Senate welcomed its guests.

SENATE RESOLUTION 727

Senator West offered the following resolution:

WHEREAS, Collegiate and alumnae members of Delta Sigma Theta Sorority, Incorporated, are gathering in Austin on May 15, 2019, to celebrate Red and White Day, a day of advocacy and action, at the State Capitol; and

WHEREAS, The Delta Sigma Theta Sorority was founded in 1913 at Howard University in Washington, D.C.; the 22 original members included four young women from Texas, Zephyr Chisom Carter, Jessie McGuire Dent, Frederica Chase Dodd, and Myra Davis Hemmings, all of whom were committed to academic excellence and social change; members marched in a women's suffrage parade soon after the sorority's founding, and the sorority was incorporated as a national organization in 1930; and

WHEREAS, Since its founding, more than 200,000 women have joined Delta Sigma Theta in the United States and in several foreign countries; the sorority has about 1,000 chapters, with many in the Lone Star State; members work toward

positive change in their communities and are advocates for economic development, international awareness, physical and mental health, and improvements in education; moreover, they mentor at-risk young women, conduct voter awareness drives, host political forums, and help guide and inform public policy; and

WHEREAS, Many members of the sorority have gone on to have distinguished careers in public service, including Texas state representatives Rhetta Andrews Bowers and Toni Rose, as well as the late state representative Ruth Jones McClendon and the late congresswoman Barbara Jordan; and

WHEREAS, The women of Delta Sigma Theta have enriched the State of Texas and the nation through their generosity and their wide array of programs and services, and it is indeed a pleasure to commend them for their noteworthy endeavors; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 86th Legislature, hereby recognize May 15, 2019, as Red and White Day at the State Capitol and extend to all those involved with Delta Sigma Theta Sorority, Incorporated, sincere best wishes for the future; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the sorority as an expression of high regard from the Texas Senate.

SR 727 was read and was adopted without objection.

GUESTS PRESENTED

Senator West, joined by Senator Miles, was recognized and introduced to the Senate a Delta Sigma Theta Sorority, Incorporated, delegation including Tierra Shepherd, Carla Howard, Cassandra Carter, and Rose Mary McGowan, sister of Barbara Jordan.

The Senate welcomed its guests.

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 281, SB 370, SB 467, SB 979, SB 1438, SB 2140.

CONCLUSION OF MORNING CALL

The President at 12:17 p.m. announced the conclusion of morning call.

(Senator Campbell in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 2248 ON SECOND READING

Senator Rodríguez moved to suspend the regular order of business to take up for consideration **CSSB 2248** at this time on its second reading:

CSSB 2248, Relating to the development and operation of an aerial cable car or aerial tramway by a regional mobility authority created by a municipality.

The motion prevailed.

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

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

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

Nays: Fallon, Hancock.

COMMITTEE SUBSTITUTE SENATE BILL 2248 ON THIRD READING

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2248** be placed on its third reading and final passage.

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

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

Nays: Fallon, Hancock.

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

SENATE BILL 1260 ON SECOND READING

On motion of Senator Fallon and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1260** at this time on its second reading:

SB 1260, Relating to applicability to military service members of minimum age policies imposed by commercial lodging establishments.

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

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

SENATE BILL 1260 ON THIRD READING

Senator Fallon moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1260** 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 88 ON SECOND READING**

On motion of Senator Fallon and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 88** at this time on its second reading:

CSHB 88, Relating to an election ballot.

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 88 ON THIRD READING**

Senator Fallon moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 88** 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 18 ON SECOND READING

Senator Watson moved to suspend the regular order of business to take up for consideration **HB 18** at this time on its second reading:

HB 18, Relating to consideration of the mental health of public school students in training requirements for certain school employees, curriculum requirements, counseling programs, educational programs, state and regional programs and services, and health care services for students and to mental health first aid program training and reporting regarding local mental health authority and school district personnel.

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

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

Nays: Bettencourt, Birdwell, Creighton, Fallon, Hall, Hancock, Hughes, Nichols.

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

HOUSE BILL 18 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 18** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Creighton, Fallon, Hall, Hughes, Nichols.

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

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

Nays: Bettencourt, Birdwell, Creighton, Fallon, Hall, Hancock, Hughes, Nichols.

(President in Chair)

GUESTS PRESENTED

Senator Nelson, joined by Senators Taylor, Hancock, Birdwell, Seliger, Hinojosa, Menéndez, Hall, Lucio, West, Paxton, and Huffman, was recognized and introduced to the Senate members of the Senate Ladies Club including Kerri Taylor, Robin Hancock, Mel Birdwell, Nancy Seliger, Amanda Hinojosa, Cehlia Menéndez, Kay Hall, Jan Patrick, Cecilia Abbott, Carol West, and Senators Florence Shapiro and Leticia Van de Putte.

The Senate welcomed its guests.

REMARKS ORDERED PRINTED

On motion of Senator West and by unanimous consent, the remarks regarding the Senate Ladies Club were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Nelson: Members, we would like your attention. Entering into the Senate Chamber are the distinguished Senate ladies, led by the President, Senator Birdwell's spouse, in and of her own, oh, she's outgoing, Senator Hancock's spouse is the incoming, and Governor Patrick's spouse, and many of you Members will recognize some of these women who have just entered the floor. Some are former Members of this body, some are married to former Members of this body. And I'll tell you, in and of their own right, this is the most powerful group of women who have ever entered this Chamber. So, Members, help me welcome them.

President: And our First Lady, Cecilia Abbott, is with us.

Senator Nelson: Oh, I did. Our First Lady, I didn't see you over there, Cecilia. Welcome to the Senate Chamber. She even adds to the power in this Chamber. So, yeah, it's the only group of women that can tell every Senator in this body what to do, and they will listen.

President: So, I want to put all the husbands who are on the floor on the spot here. You need to at least say something about your wife. Senator Taylor? Senator Taylor, I'm just, I know you're quick on your feet, so—

Senator Taylor: Well, thank you, Mr. President. It is truly an honor to have these women here with us today. My wife doesn't get to come up here very often, so it is a special privilege when she's here. Kerri, if you'll wave at everybody. She was just named Woman of the Year in Galveston County at a, at a banquet here last weekend for her work in human trafficking. So, she does a great job in her own right, and thank you very much for being here, Kerri, my Woman of the Year for 36 years.

Senator Nelson: Aww. That's so nice.

President: Aww. That's really good. I told, I told you he was quick, he was quick. Senator Hancock.

Senator Hancock: Yes, thank you, Mr. President. Ladies, what a wonderful group, this is the best this floor's looked in a long time.

Senator Nelson: It's the smartest it's been in a long time.

Senator Hancock: Hey, hey, hey, hey. And we have a few Senate ladies that join us when they get to vote from time to time, but, yes, my wife is the, I guess, the new President of the Senate Ladies Club. So she, and then they all got to meet my daughter yesterday, who taught them how to, what do you do that, calligraphy, write, draw, whatever? So, enjoyed doing that. And Robin does get to come down quite a bit. I just don't ever get to see her because her grandson, Oliver, is in the apartment next door to ours. So, it's good to see her join us. I don't get to see her very often when she comes down here. Thank you for joining us, appreciate the support that y'all provide.

President: Senator Birdwell.

Senator Birdwell: Thank you, Mr. President, Members. Ladies, welcome. You may not know it, but, oh, back in late February and early March, Mel and I got to hear former presidential advisor Karl Rove describe the greatest power in Austin was not a Senator, was not a Governor, was not a collection of Senators or statewide officials, but the most sinister organization in Austin that wields the most amount of power is the Senate ladies. And who is the President of that organization, was, now extant, I guess, but I also rise to say thank you for your service. Having watched Mel over the last two weeks or two years do the things necessary for the organization and the time constraints that come with it, thank you for what you do. And, Mr. President, tomorrow, May 16th, is Mel and I's 32nd wedding anniversary, and we will be here on the floor tomorrow rather than enjoying, you know, drinking wine, eating cheese, and catching rays on some beach somewhere. But we'll be here present for duty as always. God bless you, thank you, ladies, and thank you, babe.

President: Thank you, Senator. Well, it's important we get out of here on time because Jan and I will be celebrating our 44th in July, so our goal is to get out of here on time. Senator Seliger.

Senator Seliger: A comment if I may, I don't, who it once said that they also serve who stand and wait. And doing this sort of thing, one of the most important things is to have as normal a life as possible because we are just husbands and parents and businesspeople and things like that. And the reason that there is any normalcy whatsoever in our lives is because of the Senate ladies to whom we are married. And you are the lynchpin of this organization, the fact that we can reflect and, and,

hopefully, do things that are beneficial to Texas families because we are just Texas families. When I first saw my wife here on the floor today, I thought she was up here because I left one lousy pair of underwear on the floor. How pleased I am to see that you're here in your official capacity as Senate ladies, and it's, it, don't talk to her. How nice it is to have you here today.

President: Senator Seliger, as Jan likes to say, that was more information than we all needed. We now have a visual. Senator Hinojosa.

Senator Hinojosa: Thank you, Mr. President. I, too, want to thank the Senate ladies for all the work they've done, their leadership. I'd also like to recognize my wife, Amanda. Now, she may look younger than I am, but she has two grandchildren. And she misses them. And, quite frankly, I married up, to the point that she's a lot more conservative than I am, keeps me balanced and straight, makes sure that I vote correctly, what's in the best interest of the State of Texas. And, Amanda, thank you so much for being here and being part of the Senate ladies, and thank you so much for taking care of me.

President: Thank you, Senator Hinojosa. Senator Menéndez.

Senator Menéndez: Thank you, Mr. President. You know, everything that everyone has said is accurate. But I like to talk about many times, you know, many people ask about my driving home every day. And my wife and I, as we were driving, Cehlia and I were driving up this morning, we got a very concerned call from our daughter, she was crying. And we, our hearts jumped into our throats, and we obviously had it on the speakerphone on the car in the Bluetooth, and I kind of gave what I thought was practical, I started to give practical advice, and mama jumped in and gave the right advice. And 27 years ago, my life was changed forever when I met my best friend, my partner. I am who I am, and I am where I am because of you. And I want to thank you for everything you've done to make our life better and, most importantly, for the three beautiful children who are who they are because of mostly your involvement. Thank you, Mr. President.

President: Thank you, Senator. Senator Hall.

Senator Hall: Thank you, Mr. President. And I do echo what a number of folks have said here. It certainly brightens up this Chamber for you to be here, appreciate you, all that you do and the support. You know, some, some Senators have a wife that allows them to go hunting, some get allowed to go fishing, some to play golf. I've got a wife that allows me to come down here in the Senate and, but she watches me closely and watches every vote I take, and often hear from her, one more vote like that and I'm going to run against you. And that is the truth. And I am very proud of her being active in the, in the organization as one of the officers in helping organize things, which I knew she would do. So, thank you, ladies, for being here.

President: Senator Lucio.

Senator Lucio: Wow. I just, I'm homesick. I wish my wife was here, she can't travel, but I took a bunch of pictures, and I'll be sharing those pictures with her. But I, I, too, want to rise and to acknowledge and honor the most beautiful women we know in the Texas Senate, those that we're married to and also those that we serve with, Senator

Shapiro, Leticia. It's been an honor for me to, been able to over the years witness so many wonderful ladies that are part of our lives. I got you beat, Senator Hall. I can, I can go hunting, I can go golfing, and I can come here. But she told me, one more term and that's it. I do want to let you all know, Jan, thank you for your leadership, your heart, your beautiful heart for education, especially. And, Cecilia, our First Lady, what can I say? All of you have played a very significant part, not only in our lives, mine of 51 years, going on 52, but every man in this floor that have served and has had a wonderful wife like you to work alongside of them to be able to make Texas the greatest state in the Union has a lot to be thankful for. I know that I thank God every day of my life, and I just want to thank you for doing this, allowing this to happen. This is the greatest interruption, it's not an interruption, the greatest surprise I've seen in my 33, 4 years here. And I love it, and I hope it would happen more often. We need an injection like this, an injection of love. Thank you.

President: Thank you, Senator Lucio. Senator West.

Senator West: Thank you very much, Mr. President and Members. Ladies, I'm going to tell you a story. My wife, Carol, at one point the *Texas Monthly* named me one of the 25 most powerful people in the State of Texas, okay. I got the magazine, I went home, I said, Carol, Carol, look, look, look, I've been named one of the 25 most powerful men in the State of Texas. She said, yeah, go take out the trash. But the point with that is this, we love you, you are our best friends. When there are tough issues that we're grappling with, many instances we turn to you to be sounding boards in terms of what, in terms of our decision-making process. You are our mothers of our children, and I say to each and every one of you, thank you. Thank you very much for all that you have done, you continue to do, and we couldn't ask for better partners than the ladies on this floor. Thank you.

President: Thank you, Senator West. Senator Paxton.

Senator Paxton: Well, Senator Lucio, like you, my wife is not here. I always kind of wish I had a wife, actually. But, you know, I just want to thank you all for being here. I look at this line of strong, courageous, smart, beautiful, powerful women and I see friends, and I see mentors, I see sisters. And I just want to thank you for what you've been in my life, what you continue to be in my life. And I guess I just want to say, Senator Hall, when your wife says she might run against you, I suggest you take her seriously. Thank you.

President: Senator Paxton, I just have a feeling that you may be the quote of the day in the Tribune, today, about your wife, the Attorney General. Senator Huffman.

Senator Huffman: Thank you. Thank you, Mr. President and Members. And I want to take the opportunity to welcome the former Members, Senator Van de Putte and Senator Shapiro. That's one of the perks when you're a woman in the Senate is you get to be a member of the Senate Ladies Club. So, it's always a great honor and so, it's fabulous to see you here. I will say that when I became a Senator, my husband thought that he was going to be a member of the Senate Ladies Club and he has been bitterly disappointed that somehow he has not been invited to all the luncheons and the functions. I make light of it, but I think the women on the floor will agree with me, the Senators, that our husbands as well that we leave behind at home, who we left

behind to help with the kids and everything that goes on in a household, that our husbands as well, though they didn't have the honor of being in this club, have been supportive, so supportive, and enabled us to serve as we do. So, I wanted to make sure I mentioned that, and we're thrilled to have you here today. Thank you.

President: Senator Nelson.

Senator Nelson: Well, I would just close by, Senator Huffman, I'm glad you recognized our two former Members, Senator Shapiro, Senator Van de Putte, here. And there are women on this Senate floor who are also members of the club, and I hope we can get a picture with us with you before you all leave. So, Mr. President, if we can have two seconds to let all the women on the floor join and take a group photo, I would love that.

President: Would someone from the photography team tell us where the, Doug, where's the best spot for people to line up? Would it be up front behind the rail there or back here on the side?

Senator Nelson: Thank you all for being supportive, for being here, for what you do. Oh, one more thing, Mr. President, there were several members who, of the Senate Ladies Club who got 25-year pins today, honoring 25 years. Senator Shapiro, let's see, Shelley, Carol West, Wentworth, and it was our class. And me, oh yeah. Yep. Yep. Bernadette, yep.

President: Alright, well we—

Senator Nelson: Group photo, group photo. Thank you.

President: Thank you, ladies, for coming out and, Members, I didn't give you any warning because I wanted to see men working under pressure. This is the real pressure, not getting out of here on time and passing a budget. This was the pressure, y'all came through just great. And so, I think they're suggesting up here?

Senator Nelson: Yeah, we'll come up. Just join them. Thank you, we'll join you.

President: Okay. They're going to help us line up here.

Senator Nelson: Ladies, good. Thank you, Mr. President. Thank you, Members.

President: Thank you, ladies. Great to have you here.

HOUSE BILL 1597 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 1597** at this time on its second reading:

HB 1597, Relating to establishing residency for purposes of admission into public schools.

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 1597 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 1597** 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 985 ON SECOND READING

Senator Hancock moved to suspend the regular order of business to take up for consideration **HB 985** at this time on its second reading:

HB 985, Relating to the effect of certain agreements with a collective bargaining organization on certain state-funded public work contracts.

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

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

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

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

HOUSE BILL 109 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 109** at this time on its second reading:

HB 109, Relating to the operation of open-enrollment charter schools on Memorial Day.

The bill was read second time.

Senator Hinojosa offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 109** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 12A.004(a), Education Code, is amended to read as follows:

(a) A local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

(1) a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12, except that a district may be exempt from Section 25.081(f);

- (2) Subchapters A, C, D, and E, Chapter 11, except that a district may be exempt from Sections 11.1511(b)(5) and (14) and Section 11.162;
- (3) state curriculum and graduation requirements adopted under Chapter 28; and
- (4) academic and financial accountability and sanctions under Chapters 39 and 39A.

The amendment to **HB 109** 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 109 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 109 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 **HB 109** 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.

(Senator Birdwell in Chair)

HOUSE BILL 2320 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 2320** at this time on its second reading:

HB 2320, Relating to services provided during and following a disaster.

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 2320 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 2320** 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 994 ON SECOND READING

On motion of Senator Flores and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 994** at this time on its second reading:

CSHB 994, Relating to appeals to justice courts of certain ad valorem tax determinations.

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 994 ON THIRD READING**

Senator Flores moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 994** 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 3329 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 3329** at this time on its second reading:

HB 3329, Relating to the services provided by assisted living facilities.

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 3329 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 3329** 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 883 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 883** at this time on its second reading:

HB 883, Relating to using the Internet to obtain identifying information about an elderly individual for a fraudulent purpose.

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 883 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 883** 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 477 ON SECOND READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **CSHB 477** at this time on its second reading:

CSHB 477, Relating to the notice required before the issuance of certain debt obligations by political subdivisions.

The motion prevailed.

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

The bill was read second time.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 477** (Senate committee printing) as follows:

(1) In SECTION 4 of the bill, in added Section 1251.052(a)(2), Government Code (page 2, line 56), following the underscored semicolon, add "and".

(2) In SECTION 4 of the bill, in added Section 1251.052(a)(3), Government Code (page 2, line 58), strike "; and" and substitute ":".

(3) In SECTION 4 of the bill, strike added Section 1251.052(a)(4), Government Code (page 2, lines 59-62).

(4) In SECTION 4 of the bill, in added Section 1251.052(b)(2)(B), Government Code (page 3, line 8), strike "on" and substitute "for".

The amendment to **CSHB 477** 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 477 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, Watson.

**COMMITTEE SUBSTITUTE
HOUSE BILL 477 ON THIRD READING**

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 477** be placed on its third reading and final passage.

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

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

Nays: Menéndez, Watson.

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

HOUSE BILL 2048 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2048** at this time on its second reading:

HB 2048, Relating to the repeal of the driver responsibility program and the amount and allocation of state traffic fine funds; eliminating program surcharges; authorizing and increasing criminal fines; increasing a fee.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2048** (senate committee printing) in SECTION 12 of the bill as follows:

(1) In amended Section 542.4031(g)(1), Transportation Code (page 5, line 35), strike "80" and substitute "70".

(2) In amended Section 542.4031(g)(2), Transportation Code (page 5, line 37), strike "20" and substitute "30".

(3) In amended Section 542.4031(h), Transportation Code (page 5, line 41), strike "80" and substitute "70".

The amendment to **HB 2048** was read and was adopted by a viva voce vote.

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

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 2048** (senate committee printing) in SECTION 14 of the bill, in added Section 709.001(b)(3), Transportation Code (page 6, line 17), by striking "0.16" and substituting "0.15".

The amendment to **HB 2048** 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.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 3

Amend **HB 2048** (senate committee printing) in SECTION 14 of the bill, by striking added Sections 709.001(c), (d), and (e), Transportation Code (page 6, lines 19-31), and substituting the following:

(c) If the court having jurisdiction over an offense that is the basis for a fine imposed under this section makes a finding that the person is indigent, the court shall waive all fines and costs imposed on the person under this section.

(d) A person must provide information to the court in which the person is convicted of the offense that is the basis for the fine to establish that the person is indigent. The following documentation may be used as proof:

(1) a copy of the person's most recent federal income tax return that shows that the person's income or the person's household income does not exceed 125 percent of the applicable income level established by the federal poverty guidelines;

(2) a copy of the person's most recent statement of wages that shows that the person's income or the person's household income does not exceed 125 percent of the applicable income level established by the federal poverty guidelines; or

(3) documentation from a federal agency, state agency, or school district that indicates that the person or, if the person is a dependent as defined by Section 152, Internal Revenue Code of 1986, the taxpayer claiming the person as a dependent, receives assistance from:

(A) the food stamp program or the financial assistance program established under Chapter 31, Human Resources Code;

(B) the federal special supplemental nutrition program for women, infants, and children authorized by 42 U.S.C. Section 1786;

(C) the medical assistance program under Chapter 32, Human Resources Code;

(D) the child health plan program under Chapter 62, Health and Safety Code; or

(E) the national free or reduced-price lunch program established under 42 U.S.C. Section 1751 et seq.

The amendment to **HB 2048** 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. 3.

HB 2048 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 2048 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 **HB 2048** 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 1528 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **HB 1528** at this time on its second reading:

HB 1528, Relating to the reporting of certain information involving family violence offenses.

The motion prevailed.

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

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1528** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Article 27.14(b), Code of Criminal Procedure, is amended to read as follows:

(b) A defendant charged with a misdemeanor for which the maximum possible punishment is by fine only may, in lieu of the method provided in Subsection (a), mail or deliver in person to the court a plea of "guilty" or a plea of "nolo contendere" and a waiver of jury trial. The defendant may also request in writing that the court notify the defendant, at the address stated in the request, of the amount of an appeal bond that the court will approve. If the court receives a plea and waiver before the time the defendant is scheduled to appear in court, the court shall dispose of the case without requiring a court appearance by the defendant. If the court receives a plea and waiver after the time the defendant is scheduled to appear in court but at least five business days before a scheduled trial date, the court shall dispose of the case without requiring a court appearance by the defendant. The court shall notify the defendant either in person or by regular mail of the amount of any fine or costs assessed in the case, information regarding the alternatives to the full payment of any fine or costs assessed against the defendant, if the defendant is unable to pay that amount, and, if requested by the defendant, the amount of an appeal bond that the court will approve. Except as otherwise provided by this code, the defendant shall pay any fine or costs assessed or give an appeal bond in the amount stated in the notice before the 31st day after receiving the notice. This subsection does not apply to a defendant charged with a misdemeanor involving family violence, as defined by Section 71.004, Family Code.

SECTION _____. Article 27.14(e)(2), Code of Criminal Procedure, is amended to read as follows:

(2) The court may provide the admonishment under Subdivision (1) orally or in writing[, ~~except that if the defendant is charged with a misdemeanor punishable by fine only, the statement printed on a citation issued under Article 14.06(b) may serve as the court admonishment required by this subsection~~].

SECTION _____. Subchapter B, Chapter 45, Code of Criminal Procedure, is amended by adding Article 45.0211 to read as follows:

Art. 45.0211. PLEA BY DEFENDANT CHARGED WITH FAMILY VIOLENCE OFFENSE. (a) In this article, "family violence" has the meaning assigned by Section 71.004, Family Code.

(b) If a defendant is charged with an offense involving family violence, the judge or justice must take the defendant's plea in open court.

SECTION _____. Article 27.14, Code of Criminal Procedure, as amended by this Act, and Article 45.0211, Code of Criminal Procedure, as added by this Act, apply only to the entry of a plea with respect to an offense committed on or after the effective date of this Act. The entry of a plea with respect to an offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

The amendment to **HB 1528** 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 1528 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: Fallon.

HOUSE BILL 1528 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 1528** be placed on its third reading and final passage.

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

Nays: Fallon.

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

HOUSE BILL 65 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **HB 65** at this time on its second reading:

HB 65, Relating to reporting information regarding public school disciplinary actions.

The motion prevailed.

Senator Buckingham 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: Buckingham.

HOUSE BILL 65 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 65** be placed on its third reading and final passage.

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

Nays: Buckingham.

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

COMMITTEE SUBSTITUTE SENATE BILL 1492 ON SECOND READING

Senator Whitmire moved to suspend the regular order of business to take up for consideration **CSSB 1492** at this time on its second reading:

CSSB 1492, Relating to grand jury proceedings and establishing a commission to study improvements and alternatives to those proceedings.

The motion prevailed.

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

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

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

Nays: Creighton, Fallon.

COMMITTEE SUBSTITUTE SENATE BILL 1492 ON THIRD READING

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1492** be placed on its third reading and final passage.

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

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

Nays: Creighton, Fallon.

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

HOUSE BILL 674 ON SECOND READING

On motion of Senator Fallon and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 674** at this time on its second reading:

HB 674, Relating to soliciting from school districts served by a regional education service center certain information in conjunction with the annual evaluation of the center.

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 674 ON THIRD READING

Senator Fallon moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 674** 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 2650 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2650** at this time on its second reading:

HB 2650, Relating to the procedure for the sale by auction of real property pursuant to foreclosure of a tax lien.

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 2650 ON THIRD READING

Senator Bettencourt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2650** 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 2452 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 2452** at this time on its second reading:

HB 2452, Relating to complaints filed with the Texas Department of Licensing and Regulation.

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 2452 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 2452** 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 1439 ON SECOND READING

Senator Flores moved to suspend the regular order of business to take up for consideration **HB 1439** at this time on its second reading:

HB 1439, Relating to the intercollegiate athletics fee at Texas A&M University–San Antonio; authorizing a fee.

The motion prevailed.

Senators Creighton, Fallon, Hall, and Hancock 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: Creighton, Fallon, Hall, Hancock.

HOUSE BILL 1439 ON THIRD READING

Senator Flores moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1439** be placed on its third reading and final passage.

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

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

Nays: Creighton, Fallon, Hall, Hancock.

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

HOUSE BILL 121 ON SECOND READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **HB 121** at this time on its second reading:

HB 121, Relating to a defense to prosecution for the offense of trespass by certain persons carrying handguns.

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

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

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

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

HOUSE BILL 121 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 **HB 121** be placed on its third reading and final passage.

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

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

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

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

HOUSE BILL 4456 ON SECOND READING

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4456** at this time on its second reading:

HB 4456, Relating to the sale of alcoholic beverages in areas annexed or owned by certain municipalities.

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 4456 ON THIRD READING

Senator Hancock moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4456** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 185 ON SECOND READING**

Senator Miles moved to suspend the regular order of business to take up for consideration **CSSB 185** at this time on its second reading:

CSSB 185, Relating to the response to certain oil or gas well accidents by state agencies and responsible parties.

The motion prevailed.

Senators Bettencourt, Creighton, Fallon, and Seliger asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Miles offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 185** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Subchapter D, Chapter 91, Natural Resources Code, is amended by adding Section 91.118 to read as follows:

Sec. 91.118. APPLICATION FOR PERMIT FOR WELL ADJACENT TO WELL BLOWOUT SITE IN CERTAIN COUNTIES. (a) The commission by rule shall require that an applicant for a permit to drill an oil or gas well in a county with a population of more than 750,000 disclose to the commission in the application that the applicant was the operator of an oil or gas well:

(1) located at a site adjacent to the site of the proposed well;

(2) drilled through or into the same formations as the proposed well is to be drilled; and

(3) from which an uncontrolled release of a subterranean fluid containing oil, gas, or condensate or of a well fluid caused by a loss of well control occurred while the applicant operated the oil or gas well.

(b) The rules may include criteria for determining whether a site is adjacent to another site for the purposes of this section.

SECTION 2. This Act takes effect September 1, 2019.

The amendment to **CSSB 185** 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 185 as amended was passed to engrossment by a viva voce vote.

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

Nays: Bettencourt, Creighton, Fallon, Seliger.

- SB 579** Hughes Sponsor: VanDeaver
Relating to the exemption from ad valorem taxation of certain property owned by the TexAmericas Center.
- SB 601** Hall Sponsor: Flynn
Relating to the continuation and functions of the Texas Veterans Commission.
(Committee Substitute)
- SB 621** Nichols Sponsor: Lambert
Relating to the transfer of the regulation of plumbing to the Texas Department of Licensing and Regulation, following recommendations of the Sunset Advisory Commission; requiring an occupational license; authorizing a fee.
(Amended)
- SB 624** Nichols Sponsor: Thompson, Senfronia
Relating to the continuation and functions of the Texas Real Estate Commission and the Texas Appraiser Licensing and Certification Board; changing fees.
- SB 646** Birdwell Sponsor: Thompson, Senfronia
Relating to approval for purchases of property or construction projects by a state agency with self-directed semi-independent status.
- SB 683** Buckingham Sponsor: Allison
Relating to the licensing and regulation of pharmacists and pharmacies.
(Amended)
- SB 709** West Sponsor: Frullo
Relating to the allocation and use of the annual constitutional appropriation to certain agencies and institutions of higher education.
(Committee Substitute)
- SB 944** Watson Sponsor: Capriglione
Relating to the public information law.
(Amended)
- SB 1063** Hancock Sponsor: Paul
Relating to the operation of the Texas Property and Casualty Insurance Guaranty Association.
- SB 1113** Lucio Sponsor: Springer
Relating to a waiver authorizing the application of pesticides for mosquito control by certain municipal or county employees in an emergency.
- SB 1276** Powell Sponsor: Frullo
Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.
- SB 1306** Kolkhorst Sponsor: Burns
Relating to requiring a school district to post on the district's Internet website the contact information of the school administrator primarily responsible for student discipline at a district campus.

SB 1571 Campbell Sponsor: Stucky
Relating to recovery audits of payments made by state agencies to vendors.

SB 1928 Fallon Sponsor: Krause
Relating to a certificate of merit in certain actions against certain licensed or registered professionals.
(Amended)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

(President in Chair)

**COMMITTEE SUBSTITUTE
HOUSE BILL 1325 ON SECOND READING**

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1325** at this time on its second reading:

CSHB 1325, Relating to the production and regulation of hemp; requiring occupational licenses; authorizing fees; creating criminal offenses; providing civil and administrative penalties.

The bill was read second time.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 1325** (senate committee report) in SECTION 2 of the bill by striking added Section 122.303, Agriculture Code (page 8, lines 17 through 29), and substituting the following:

Sec. 122.303. RETAIL SALE OF OUT-OF-STATE PRODUCTS. A nonconsumable hemp product manufactured outside of this state may be sold at retail in this state unless:

- (1) the hemp used to manufacture the product was cultivated illegally; or
- (2) the retail sale of the product in this state violates federal law.

The amendment to **CSHB 1325** 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 Perry offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSHB 1325** (senate committee report) as follows:

(1) In SECTION 7 of the bill, strike added Sections 443.151(d) and (e), Health and Safety Code (page 13, lines 6 through 20), and substitute the following:

(d) Except as otherwise provided by Subsection (e), before a consumable hemp product is sold at retail or otherwise introduced into commerce in this state, a sample representing the hemp product must be tested:

(1) by a laboratory that is accredited by an accreditation body in accordance with International Organization for Standardization ISO/IEC 17025 or a comparable or successor standard to determine the delta-9 tetrahydrocannabinol concentration of the product; and

(2) by an appropriate laboratory to determine that the product does not contain a substance described by Subsection (b) or (c) in a quantity prohibited for purposes of those subsections.

(e) A consumable hemp product is not required to be tested under Subsection (d) if each hemp-derived ingredient of the product:

(1) has been tested in accordance with:

(A) Subsections (b) and (c); or

(B) Subsection (d); and

(2) does not have a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent.

(2) In SECTION 7 of the bill, strike added Section 443.2025, Health and Safety Code (page 14, lines 7 through 25), and substitute the following:

Sec. 443.2025. REGISTRATION REQUIRED FOR RETAILERS OF CERTAIN PRODUCTS. (a) This section does not apply to low-THC cannabis regulated under Chapter 487.

(b) A person may not sell consumable hemp products containing cannabidiol at retail in this state unless the person registers with the department each location owned, operated, or controlled by the person at which those products are sold. A person is not required to register a location associated with an employee or independent contractor described by Subsection (d).

(c) The department may issue a single registration under Subsection (b) covering multiple locations owned, operated, or controlled by a person.

(d) A person is not required to register with the department under Subsection (b) if the person is:

(1) an employee of a registrant; or

(2) an independent contractor of a registrant who sells the registrant's products at retail.

(e) A registration is valid for one year and may be renewed as prescribed by department rule.

(f) The department by rule may adopt a registration fee schedule that establishes reasonable fee amounts for the registration of:

(1) a single location at which consumable hemp products containing cannabidiol are sold; and

(2) multiple locations at which consumable hemp products containing cannabidiol are sold under a single registration.

(g) The department shall adopt rules to implement and administer this section.

(3) In SECTION 7 of the bill, strike added Section 443.206, Health and Safety Code (page 15, lines 16 through 27), and substitute the following:

Sec. 443.206. RETAIL SALE OF OUT-OF-STATE CONSUMABLE HEMP PRODUCTS. Retail sales of consumable hemp products processed or manufactured outside of this state may be made in this state when the products were processed or manufactured in another state or jurisdiction in compliance with:

(1) that state or jurisdiction's plan approved by the United States Department of Agriculture under 7 U.S.C. Section 1639p;

(2) a plan established under 7 U.S.C. Section 1639q if that plan applies to the state or jurisdiction; or

(3) the laws of that state or jurisdiction if the products are tested in accordance with, or in a manner similar to, Section 443.151.

(4) Strike SECTIONS 11 and 12 of the bill (page 16, lines 8 through 20) and substitute the following:

SECTION 11. Notwithstanding Chapter 443, Health and Safety Code, as added by this Act, a retailer may possess, transport, or sell a consumable hemp product, as defined by Section 443.001, Health and Safety Code, as added by this Act, that becomes part of the retailer's inventory before rules under Section 443.051, Health and Safety Code, as added by this Act, become effective unless the product:

(1) is unsafe for consumption based on the presence or quantity of heavy metals, pesticides, harmful microorganisms, or residual solvents; or

(2) has a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent.

SECTION 12. Notwithstanding Section 443.2025, Health and Safety Code, as added by this Act, a person is not required to register a location to sell a consumable hemp product containing cannabidiol at retail in this state before the 60th day after the date the Department of State Health Services begins issuing registrations.

The amendment to **CSHB 1325** 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.

Senator Rodriguez offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSHB 1325** (senate committee report) in SECTION 2 of the bill, in added Section 122.055, Agriculture Code (page 4, between lines 32 and 33), by inserting the following appropriately lettered subsection and relettering subsequent subsections accordingly:

() The department may coordinate with the Department of Public Safety to determine whether information included on a certificate or manifest issued under Subsection (a), including the unique identifying number, may be made available to law enforcement personnel through the Texas Law Enforcement Telecommunications System or a successor system of telecommunication used by law enforcement agencies and operated by the Department of Public Safety.

The amendment to **CSHB 1325** 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. 3.

CSHB 1325 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 1325 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1325** 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.

BILLS AND RESOLUTIONS SIGNED

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

HB 1326, HB 1592, HB 1628, HB 1769, HB 1960, HB 2196, HB 2496, HCR 169, HCR 171.

HOUSE BILL 929 ON SECOND READING

Senator Watson moved to suspend the regular order of business to take up for consideration **HB 929** at this time on its second reading:

HB 929, Relating to the duties of a magistrate to inform an arrested person of consequences of a plea of guilty or nolo contendere.

The motion prevailed.

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

The bill was read second time and was passed to 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: Creighton.

HOUSE BILL 929 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 929** be placed on its third reading and final passage.

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

Nays: Creighton.

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

**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 suspension of Senate Rule 11.13 to permit the Conference Committee on HB 1 to meet during today's session.

HUGHES

The Motion In Writing was read and prevailed without objection.

(Senator Bettencourt in Chair)

SENATE BILL 1978 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **SB 1978** at this time on its second reading:

SB 1978, Relating to the protection of religious beliefs and moral convictions, including beliefs and convictions regarding marriage.

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

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

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

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1978** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in the heading to added Chapter 2400, Government Code (page 1, lines 25 and 26), strike "**RELIGIOUS BELIEFS AND MORAL CONVICTIONS**" and substitute "**MEMBERSHIP IN AND SUPPORT TO RELIGIOUS ORGANIZATIONS**".

(2) In SECTION 1 of the bill, strike added Section 2400.001(3)(D), Government Code (page 2, lines 1 through 3), and substitute the following:

(D) a state judicial agency or the State Bar of Texas;

(3) In SECTION 1 of the bill, immediately following added Section 2400.001, Government Code (page 2, between lines 18 and 19), insert the following:

Sec. 2400.0015. APPLICABILITY. This chapter does not apply to an investment prohibited under Chapter 808 or a contract prohibited under Chapter 2270, as added by Chapter 1 (H.B. 89), Acts of the 85th Legislature, Regular Session, 2017.

(4) In SECTION 1 of the bill, in added Section 2400.002, Government Code (page 2, lines 21 through 24), strike "**a person's belief or action in accordance with the person's sincerely held religious belief or moral conviction, including beliefs or convictions regarding marriage**" and substitute "**the person's membership in, affiliation with, or contribution, donation, or other support provided to a religious organization**".

(5) In SECTION 1 of the bill, in added Section 2400.003(a), Government Code (page 2, lines 28 through 32), strike added Subdivisions (1) through (4) and substitute the following:

(1) injunctive relief;

(2) declaratory relief; and

(3) court costs and reasonable attorney's fees.

(6) In SECTION 1 of the bill, strike added Section 2400.005(c), Government Code (page 2, lines 51 through 55), and substitute the following:

(c) The attorney general may not recover expenses incurred in bringing, instituting, or intervening in an action under this section.

(7) In SECTION 1 of the bill, in added Section 2400.006(a), Government Code (page 2, lines 58-59 and 60-61), strike "and moral convictions" each time that phrase appears.

The amendment to **SB 1978** was read.

Question: Shall Floor Amendment No. 1 to **SB 1978** be adopted?

POINT OF ORDER

Senator Menéndez raised a point of order that Floor Amendment No. 1 to **SB 1978** was not germane to the bill as filed.

POINT OF ORDER RULING

The Presiding Officer stated that the point of order was respectfully overruled.

Question: Shall Floor Amendment No. 1 to **SB 1978** be adopted?

Senator Hughes offered the following amendment to Floor Amendment No. 1:

Floor Amendment No. 2

Amend Amendment No. 1 by Hughes to **SB 1978** (86r33917) by adding the following appropriately numbered subdivision to the amendment and renumbering subsequent subdivisions of the amendment accordingly:

() In SECTION 1 of the bill, immediately following added Section 2400.001(4), Government Code (page 2, between lines 18 and 19), insert the following:

(4) "Religious organization" means an organization that is a religious organization under Section 110.011(b), Civil Practices and Remedies Code.

The amendment to Floor Amendment No. 1 to **SB 1978** was read.

Senator Menéndez offered the following substitute to Floor Amendment No. 2:

Substitute Amendment No. 2

Amend **SB 1978** (house committee report) in SECTION 1 of the bill, immediately following added Section 2400.001(4), Government Code (page 2, between lines 18 and 19), by inserting the following:

(5) "Religious organization" means an organization that:

(A) is organized and operated exclusively for religious or other charitable purposes;

(B) the net earnings of which are not for the benefit of any individual or share holder;
(C) does not engage in activity that attempts to influence legislation;
(D) does not intervene in political campaigns; and
(E) does not engage in activities that are illegal or violate fundamental public policy.

The substitute amendment to Floor Amendment No. 2 to **SB 1978** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Question recurring on the adoption of Floor Amendment No. 2 to Floor Amendment No. 1 to **SB 1978**, the amendment to the amendment was adopted by the following vote: Yeas 21, Nays 10.

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

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

Question recurring on the adoption of Floor Amendment No. 1 to **SB 1978**, the amendment as amended 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, Lucio, Menéndez, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Whitmire, Zaffirini.

Nays: Miles, Watson, West.

(Senator Hancock in Chair)

Senator Rodríguez offered the following amendment to the bill:

Floor Amendment No. 3

Amend Amendment No. ____ by _____ to **SB 1978** in Item 3 of the amendment, by striking added Section 2400.0015, Government Code (page 1, lines 14-17), and substituting the following:

Sec. 2400.0015. APPLICABILITY. This chapter does not apply to an:

(1) investment prohibited under Chapter 808 or a contract prohibited under Chapter 2270, as added by Chapter 1 (H.B. 89), Acts of the 85th Legislature, Regular Session, 2017; or

(2) organization that discriminates against persons based on the persons' sexual orientation or gender identity or expression.

The amendment to **SB 1978** was read.

Senator Rodríguez withdrew Floor Amendment No. 3.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 4

Amend **SB 1978** (senate committee printing) in SECTION 1 of the bill, immediately following added Section 2400.002, Government Code (page 2, between lines 24 and 25), by inserting the following:

Sec. 2400.0025. CERTAIN PREFERENTIAL TREATMENTS PROHIBITED. Notwithstanding any other law, a governmental entity may not give preference in awarding a contract or in providing benefits to a person, including a contractor, corporation, or individual, based on the person's religious beliefs or donations to a religious organization.

The amendment to **SB 1978** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

Senator Rodríguez offered the following amendment to the bill:

Floor Amendment No. 5

Amend **SB 1978** (as amended), by striking added Section 2400.0015, and substituting the following:

Sec. 2400.0015 APPLICABILITY. This chapter does not apply to an:

(1) investment prohibited under Chapter 808 or a contract prohibited under Chapter 2270, as added by Chapter 1 (H.B. 89), Acts of the 85th Legislature, Regular Session, 2017; or

(2) organization that has been determined to have discriminated based upon a person's race, religion, color, sex, sexual orientation, sexual expression, or national origin.

The amendment to **SB 1978** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

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

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

SB 1978 as amended was passed to engrossment by the following vote: Yeas 19, Nays 12.

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

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

SENATE RESOLUTION ON FIRST READING

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

SCR 63 by Zaffirini

Designating San Marcos as the Mermaid Capital of Texas.

To Committee on Administration.

HOUSE BILLS ON FIRST READING

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

HB 217 to Committee on Business and Commerce.

HB 741 to Committee on Business and Commerce.

HB 876 to Committee on Education.

HB 993 to Committee on Business and Commerce.

HB 1365 to Committee on Health and Human Services.

HB 1387 to Committee on Education.

HB 1968 to Committee on Business and Commerce.

HB 2151 to Committee on Business and Commerce.

HB 2464 to Committee on Business and Commerce.

HB 2564 to Committee on Intergovernmental Relations.

HB 2969 to Committee on Business and Commerce.

HB 3293 to Committee on Business and Commerce.

HB 3657 to Committee on Higher Education.

HB 3950 to Committee on Health and Human Services.

HB 4270 to Committee on Education.

HB 4493 to Committee on Natural Resources and Economic Development.

HB 4665 to Committee on State Affairs.

HB 4730 to Committee on Intergovernmental Relations.

HB 4753 to Committee on Health and Human Services.

(President Pro Tempore Watson in Chair)

SENATE RULE 11.13 SUSPENDED

(Consideration of Bills in Committees)

On motion of Senator Hancock and by unanimous consent, Senate Rule 11.13 was suspended to grant the Committee on Business and Commerce permission to meet while the Senate was meeting tomorrow.

SENATE RULES SUSPENDED

(Posting Rules)

On motion of Senator Hancock and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Business and Commerce might meet in Room E1.016 and consider the following bills tomorrow:

HB 29, HB 1899, HB 2840, HB 3041, HB 3222, HB 2143, HB 3598, HB 4534, HB 3345, HB 2446, HB 3754, HB 1140, HB 3496.

**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 Education might meet in Room E1.028 and consider the following bills tomorrow:

HB 961, HB 2778, HB 2818, HB 3012, HB 3650.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Property Tax might meet in Room E1.026 and consider the following bills tomorrow:

HB 388, HB 2111, HB 2942, HB 3384.

**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 and consider the following bills tomorrow: **HB 866, HB 3838, HB 4158.**

**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 at his desk today.

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Perry and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Water and Rural Affairs might meet in the Betty King Committee Room and consider the following bills tomorrow:

HB 13, HB 510, HB 1090, HB 2218, HB 4166, HB 4350, HB 4712.

**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 at the brass rail today.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 6:37 p.m. agreed to adjourn, in memory of Alan E. Bentz and Carlos Everado Lerma, pending the receipt of committee reports, until 11:00 a.m. tomorrow.

CO-AUTHOR OF SENATE BILL 918

On motion of Senator Huffman, Senator Nichols will be shown as Co-author of **SB 918**.

CO-AUTHOR OF SENATE BILL 1116

On motion of Senator Lucio, Senator Watson will be shown as Co-author of **SB 1116**.

CO-AUTHOR OF SENATE BILL 1260

On motion of Senator Fallon, Senator Birdwell will be shown as Co-author of **SB 1260**.

CO-AUTHOR OF SENATE BILL 1355

On motion of Senator Powell, Senator Johnson will be shown as Co-author of **SB 1355**.

CO-AUTHOR OF SENATE BILL 1492

On motion of Senator Whitmire, Senator Alvarado will be shown as Co-author of **SB 1492**.

CO-AUTHORS OF SENATE BILL 1978

On motion of Senator Hughes, Senators Campbell, Kolkhorst, and Perry will be shown as Co-authors of **SB 1978**.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 61

On motion of Senator West, Senator Hinojosa will be shown as Co-author of **SCR 61**.

CO-SPONSOR OF HOUSE BILL 10

On motion of Senator Kolkhorst, Senator Zaffirini will be shown as Co-sponsor of **HB 10**.

CO-SPONSORS OF HOUSE BILL 16

On motion of Senator Kolkhorst, Senators Bettencourt and Nelson will be shown as Co-sponsors of **HB 16**.

CO-SPONSORS OF HOUSE BILL 18

On motion of Senator Watson, Senators Alvarado, Lucio, and Menéndez will be shown as Co-sponsors of **HB 18**.

CO-SPONSOR OF HOUSE BILL 403

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

CO-SPONSORS OF HOUSE BILL 449

On motion of Senator Watson, Senators Menéndez and West will be shown as Co-sponsors of **HB 449**.

CO-SPONSOR OF HOUSE BILL 463

On motion of Senator Perry, Senator Seliger will be shown as Co-sponsor of **HB 463**.

CO-SPONSOR OF HOUSE BILL 477

On motion of Senator Bettencourt, Senator Lucio will be shown as Co-sponsor of **HB 477**.

CO-SPONSOR OF HOUSE BILL 558

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

CO-SPONSOR OF HOUSE BILL 994

On motion of Senator Flores, Senator Zaffirini will be shown as Co-sponsor of **HB 994**.

CO-SPONSOR OF HOUSE BILL 1079

On motion of Senator Perry, Senator Seliger will be shown as Co-sponsor of **HB 1079**.

CO-SPONSOR OF HOUSE BILL 1374

On motion of Senator Whitmire, Senator Zaffirini will be shown as Co-sponsor of **HB 1374**.

CO-SPONSOR OF HOUSE BILL 1949

On motion of Senator West, Senator Zaffirini will be shown as Co-sponsor of **HB 1949**.

CO-SPONSORS OF HOUSE BILL 2099

On motion of Senator Campbell, Senators Powell and Whitmire will be shown as Co-sponsors of **HB 2099**.

CO-SPONSOR OF HOUSE BILL 2155

On motion of Senator Lucio, Senator Hinojosa will be shown as Co-sponsor of **HB 2155**.

CO-SPONSOR OF HOUSE BILL 2320

On motion of Senator Taylor, Senator Lucio will be shown as Co-sponsor of **HB 2320**.

CO-SPONSOR OF HOUSE BILL 2327

On motion of Senator Buckingham, Senator Schwertner will be shown as Co-sponsor of **HB 2327**.

CO-SPONSOR OF HOUSE BILL 2348

On motion of Senator Perry, Senator Zaffirini will be shown as Co-sponsor of **HB 2348**.

CO-SPONSOR OF HOUSE BILL 3011

On motion of Senator Powell, Senator West will be shown as Co-sponsor of **HB 3011**.

CO-SPONSOR OF HOUSE BILL 3301

On motion of Senator Perry, Senator Nichols will be shown as Co-sponsor of **HB 3301**.

CO-SPONSOR OF HOUSE BILL 3557

On motion of Senator Birdwell, Senator Fallon will be shown as Co-sponsor of **HB 3557**.

CO-SPONSOR OF HOUSE BILL 3652

On motion of Senator Creighton, Senator West will be shown as Co-sponsor of **HB 3652**.

CO-SPONSOR OF HOUSE BILL 3703

On motion of Senator Campbell, Senator Menéndez will be shown as Co-sponsor of **HB 3703**.

CO-SPONSOR OF HOUSE BILL 3745

On motion of Senator Birdwell, Senator Zaffirini will be shown as Co-sponsor of **HB 3745**.

CO-SPONSOR OF HOUSE BILL 4165

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

CO-SPONSOR OF HOUSE BILL 4347

On motion of Senator West, Senator Fallon will be shown as Co-sponsor of **HB 4347**.

CO-SPONSOR OF HOUSE BILL 4429

On motion of Senator Menéndez, Senator West will be shown as Co-sponsor of **HB 4429**.

CO-SPONSOR OF HOUSE CONCURRENT RESOLUTION 137

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

CO-SPONSORS OF HOUSE JOINT RESOLUTION 38

On motion of Senator Fallon, Senators Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Flores, Hall, Hancock, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, and Taylor will be shown as Co-sponsors of **HJR 38**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 741 by Hinojosa, In memory of Robert G. Gonzalez Sr.

SR 745 by Zaffirini, In memory of Martin Siller Cuellar Sr.

SR 747 by Zaffirini, Flores, and Watson, In memory of Judith Blanton Wilkerson.

Congratulatory Resolutions

SR 742 by Watson, Recognizing Clinton Simmons on the occasion of his retirement.

SR 743 by Watson, Recognizing The University of Texas Longhorn Alumni Band and The University of Texas Longhorn Band for commemorating D-Day in Normandy, France.

SR 744 by Seliger, Recognizing Ann Bradford for her service to Centers for Children and Families, Incorporated.

SR 746 by Birdwell, Recognizing the Lions Club International and the Waxahachie Lions Club for their service.

SR 748 by Flores, Campbell, and Menéndez, Recognizing Endeavors on the occasion of its 50th anniversary.

SR 749 by Taylor, Recognizing the 2019 Texas State Schools of Character.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 10:00 a.m. Thursday, May 16, 2019, adjourned, in memory of Alan E. Bentz and Carlos Everado Lerma, until 11:00 a.m. today.

APPENDIX

COMMITTEE REPORTS

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

May 15, 2019

INTERGOVERNMENTAL RELATIONS — **HB 4726**

WATER AND RURAL AFFAIRS — **HB 5, HB 6, HB 720, HB 807, HB 1052, HB 2038, HB 2794, HB 2805, HB 3142, HB 3339, HB 3656, HB 3663, HB 4705, HJR 4**

STATE AFFAIRS — **CSHB 1177, CSHB 888, CSHB 1048, CSHB 1421, CSHB 1999, CSHB 2757, CSHB 3965, CSHB 2763**

EDUCATION — **CSHB 1026, CSHB 2190, CSHB 963, CSHB 2424, CSHB 391**

TRANSPORTATION — CSHB 1711**BUSINESS AND COMMERCE — HB 1455, HB 259, HB 2791, HB 2792, HB 2950, HB 3175, HB 7, HB 3306, HB 3228, HB 3768****STATE AFFAIRS — CSHB 2706****TRANSPORTATION — HB 162, HB 310, HB 643, HB 653, HB 1130, HB 1505, HB 1543, HB 1810, HB 2092, HB 2290, HB 2475, HB 2809, HB 2810, HB 3068, HB 3760****EDUCATION — CSHB 1244, CSHB 1480, CSHB 2984****CRIMINAL JUSTICE — HB 51, HB 300, HB 452, HB 667, HB 881, HB 902, HB 918, HB 1099, HB 1191, HB 1343, HB 1661, HB 1789, HB 2229, HB 2481, HB 3116, HB 3529, HB 3688, HB 3689, HB 4173, HB 4195****INTERGOVERNMENTAL RELATIONS — CSHB 2155, HB 4696, HB 4718, HB 4723, HB 4724, HB 4729, HB 4733, HB 304, HB 1379, HB 1674, HB 1676, HB 1678, HB 2315, HB 2318, HB 2365, HB 2660, HB 3022, HB 3209, HB 3211, HB 3214, HB 3463, HB 3753, HB 4520, HB 4548, HB 4636, HB 4646, HB 4656, HB 4659, HB 4669, HB 4671, HB 4675, HB 4680, HB 4684, HB 4686, HB 4691, HB 4692, HB 4694****CRIMINAL JUSTICE — CSHB 3648, HB 2894****HEALTH AND HUMAN SERVICES — CSHB 19****INTERGOVERNMENTAL RELATIONS — CSHB 4637, CSHB 4662, CSHB 4635, HB 4687, HB 1697, HB 4678, HB 4679, HB 4682, HB 4688, HB 4677, HB 4643**May 16, 2019**HEALTH AND HUMAN SERVICES — HB 3552****NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — HB 1633, HB 1634, HB 2272, HB 3356, HB 2726, HB 3045, HB 1949, CSHB 3143****BILLS ENGROSSED**May 14, 2019**SB 2086, SB 2089****BILLS AND RESOLUTIONS ENROLLED**May 14, 2019**SB 281, SB 370, SB 467, SB 979, SB 1438, SB 2140, SR 317, SR 726, SR 732, SR 738, SR 739****SENT TO GOVERNOR**May 15, 2019**SB 281, SB 370, SB 467, SB 979, SB 1438, SB 2140**

In Memory
of
Carlos Everado Lerma
Senate Resolution 740

WHEREAS, Family and friends will long cherish their memories of U.S. Air Force Lieutenant Colonel (Ret.) Carlos Everado Lerma, who passed away on March 31, 2019, at the age of 84; and

WHEREAS, Born in Kingsville on October 12, 1934, Carlos Lerma was the son of Mauro and Francisca Lerma, and he was raised with four siblings, Mauro, Lucila, Nilda, and Ninfa; a standout athlete at Kingsville High School, he earned a football scholarship to Texas Tech University, where he graduated with a civil engineering degree; he began his career as a civil engineering laboratory instructor at Texas Tech, and he later worked for the State of Texas as an assistant highway project engineer; and

WHEREAS, Mr. Lerma subsequently joined the U.S. Air Force, serving two tours in Southeast Asia as operations officer for three squadrons; a skilled pilot, he received the "Top Gun" title, and he flew 300 combat missions without losing a plane or crew member; he ultimately retired at the rank of lieutenant colonel, and he was recognized for his valiant efforts with a number of commendations, including the Distinguished Flying Cross, the Meritorious Service Medal with 2 oak leaf clusters, the Air Medal with 14 oak leaf clusters, and the Vietnam Service Medal with oak leaf cluster; along the way, he also obtained a master's degree in public administration through the USAF Air War College; and

WHEREAS, Returning home to South Texas, Mr. Lerma was named city manager of Kingsville, and during his distinguished tenure, he helped secure millions of dollars in grants and projects for the community; an esteemed civic leader, he was the first Kleberg County resident to receive a Road Hand award from the Texas Department of Transportation; and

WHEREAS, In all his endeavors, Mr. Lerma enjoyed the love and support of his wife, Dr. Sandra Lanier-Lerma, with whom he shared more than three decades of marriage; he took great pride in his three children, Carlos, Lawrence, and Diana, and his cherished family grew to include eight grandchildren, Gretchen, Rachel, Elizabeth, Christopher, Cason, Caden, Haley, and Rhyan; known for his sense of adventure, Mr. Lerma found pleasure in fishing and hunting; and

WHEREAS, Carlos Lerma lived a rich and purposeful life devoted to the service of his country and his community, and he leaves behind a legacy that will continue to inspire those who were fortunate enough to know him; now, therefore, be it

RESOLVED, That the Senate of the 86th Texas Legislature hereby pay tribute to the life of U.S. Air Force Lieutenant Colonel (Ret.) Carlos Everado Lerma and extend sincere condolences to all who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Carlos Lerma.

FALLON
LUCIO