

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-THIRD DAY

(Continued)

(Wednesday, May 15, 2019)

AFTER RECESS

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

**SESSION HELD FOR
LOCAL AND UNCONTESTED CALENDAR**

The Presiding Officer announced that the time had arrived to consider bills and resolutions placed on the Local and Uncontested Calendar. Notice of consideration of the local calendar was given by Senator Hughes yesterday.

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

HB 70 (Hall)

Relating to a strategic plan goal by the Department of Agriculture to prevent crop diseases and plant pests in this state.

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

HB 87 (Zaffirini)

Relating to information provided to minors during the driver's license application process.

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

HB 156 (Rodríguez)

Relating to the supervision by a personal bond office of individuals granted an occupational driver's license; providing for an administrative fee.

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

CSHB 234 (Nelson)

Relating to the local regulation of the sale of lemonade or other beverages by children.

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

HB 253 (Kolkhorst)

Relating to a strategic plan to address postpartum depression.

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

CSHB 293 (Seliger)

Relating to investment training requirements for school district financial officers.

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

CSHB 294 (Seliger)

Relating to a petition filed for a place on the ballot for the board of directors of the Muleshoe Area Hospital District.

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

HB 381 (Paxton)

Relating to eligibility for the Texas Peace Officers' Memorial Monument.

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

HB 389 (Nichols)

Relating to the regulation of game rooms in certain counties.

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

HB 403 (Huffman)

Relating to training requirements for a member of the board of trustees and the superintendent of an independent school district regarding sexual abuse, human trafficking, and other maltreatment of children.

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

HB 427 (Hughes)

Relating to the punishment for the offense of fraudulent destruction, removal, or concealment of a writing that is attached to tangible property; enhancing a criminal penalty.

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

HB 446 (Perry)

Relating to the criminal consequences of engaging in certain conduct with respect to certain instruments designed, made, or adapted for use in striking a person.

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

HB 468 (Seliger)

Relating to the authority of the Collingsworth County Hospital District to take certain actions regarding district property.

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

CSHB 511 (Schwertner)

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

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

HB 621 (Zaffirini)

Relating to prohibited adverse employment action against an employee who in good faith reports child abuse or neglect.

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

CSHB 692 (Watson)

Relating to the suspension of a student who is homeless from public school.
(viva voce vote) (31-0) (31-0)

HB 693 (Schwertner)

Relating to the designation of the portion of U.S. Highway 84 in Freestone County as the Trooper Damon Allen Memorial Highway.
(viva voce vote) (31-0) (31-0)

CSHB 812 (Whitmire)

Relating to the amount of the health care services fee paid by certain inmates.
(viva voce vote) (31-0) (31-0)

HB 833 (Menéndez)

Relating to the creation of a statewide alert system for missing military members.
(viva voce vote) (31-0) (31-0)

HB 869 (Hughes)

Relating to the prosecution of organized criminal activity involving the interception, use, or disclosure of certain communications.
(viva voce vote) (31-0) (31-0)

HB 886 (Fallon)

Relating to the Muenster Hospital District.
(viva voce vote) (31-0) (31-0)

HB 892 (Nichols)

Relating to county regulation of game rooms.
(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

HB 971 (Zaffirini)

Relating to proficiency certification of law enforcement officers with military service.
(viva voce vote) (31-0) (31-0)

HB 979 (Perry)

Relating to the creation of DNA records for certain defendants for inclusion in the DNA database system.
(viva voce vote) (31-0) (31-0)

HB 1031 (Creighton)

Relating to the regulation of game rooms in certain counties.
(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

HB 1039 (Nichols)

Relating to the designation of U.S. Highway 59 in Garrison as the Constable Darrell Lunsford Memorial Highway.
(viva voce vote) (31-0) (31-0)

HB 1074 (Zaffirini)

Relating to the prohibition against age discrimination in certain employment training programs.
(viva voce vote) (31-0) (31-0)

CSHB 1079 (Perry)

Relating to a study by the Texas Department of Transportation of the Ports-to-Plains Corridor, including an evaluation of the feasibility of certain improvements to Interstate Highway 27.

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

HB 1249 (Schwertner)

Relating to the designation of the portion of U.S. Highway 84 in Limestone County as the Trooper Damon Allen Memorial Highway.

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

CSHB 1251 (Creighton)

Relating to fraternal benefit societies in a hazardous financial condition.

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

HB 1256 (Kolkhorst)

Relating to access by certain persons to a first responder's immunization history.

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

CSHB 1262 (Nichols)

Relating to the extended registration of certain vehicles not subject to inspection.

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

HB 1279 (Menéndez)

Relating to jury instructions regarding parole eligibility.

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

CSHB 1346 (Powell)

Relating to the eligibility requirements for the diesel emissions reduction incentive program.

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

HB 1374 (Whitmire)

Relating to grants for the development and operation of pretrial intervention programs for pregnant defendants and defendants who are the primary caretaker of a child.

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

HB 1417 (Nichols)

Relating to a common characteristic or use project in a public improvement district in certain municipalities.

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

HB 1418 (Huffman)

Relating to disease prevention and preparedness information for emergency medical services personnel on certification or recertification.

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

HB 1443 (Hall)

Relating to the certification of an area's wet or dry status for the purpose of an alcoholic beverage permit or license.

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

HB 1488 (Bettencourt)

Relating to financing of recreational facilities by the Charterwood Municipal Utility District of Harris County; providing authority to issue bonds.

(viva voce vote) (28-3) "Nays" Creighton, Hall, Kolkhorst (28-3) "Nays" Creighton, Hall, Kolkhorst

HB 1516 (Miles)

Relating to the intercollegiate athletics fee at Texas Southern University; authorizing the continued imposition of a fee.

(viva voce vote) (28-3) "Nays" Fallon, Hall, Kolkhorst (28-3) "Nays" Fallon, Hall, Kolkhorst

HB 1570 (Nichols)

Relating to the board of directors of the Rayburn Country Municipal Utility District.

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

CSHB 1651 (Alvarado)

Relating to the care of pregnant women confined in county jail.

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

HB 1667 (Hancock)

Relating to the regulation of salvage vehicle dealers.

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

HB 1702 (Hancock)

Relating to services provided for students at public institutions of higher education who are or were in foster care.

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

HB 1757 (Schwertner)

Relating to the authority of an insured to select a pharmacist under the insured's health insurance policy.

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

HB 1779 (Nichols)

Relating to the designation of a portion of State Highway 21 in Nacogdoches County as the Sergeant Tom Sitton Memorial Highway.

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

HB 1820 (Nichols)

Relating to the creation of the Liberty County Drainage District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes; granting a limited power of eminent domain.

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

HB 1856 (Seliger)

Relating to the designation of a portion of U.S. Highway 287 as the Honorable Teel Bivins Memorial Highway.

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

HB 1858 (Nichols)

Relating to the designation of the portion of United States Highway 259 in Nacogdoches County as the Deputy Sheriff Raymond Bradley Jimmerson Memorial Highway.

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

CSHB 1894 (Hancock)

Relating to the repeal of the criminal penalty for a violation of the interior designers licensing law.

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

HB 1902 (Taylor)

Relating to maximum liability limits for windstorm and hail insurance coverage provided through the Texas Windstorm Insurance Association.

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

HB 1965 (Bettencourt)

Relating to the sales and use tax exemption for certain amusement services.

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

HB 1969 (Nichols)

Relating to the designation of the portion of State Highway 7 in Nacogdoches County as the Bataan and Corregidor Veterans Memorial Highway.

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

CSHB 1997 (Hancock)

Relating to the sampling of distilled spirits provided by the manufacturer to a retailer of distilled spirits.

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

HB 2107 (Hughes)

Relating to information provided by a local health jurisdiction on food regulation.

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

HB 2198 (Nichols)

Relating to the use of a perpetual trust fund for a cemetery by certain municipalities.

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

HB 2203 (Kolkhorst)

Relating to notice of a radioactive substance release.

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

HB 2240 (Hinojosa)

Relating to the payment of wages by an employer through a payroll card account.

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

HB 2246 (Rodríguez)

Relating to the fiduciary status of a directed trust advisor.

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

HB 2321 (Hinojosa)

Relating to the regulation of oyster harvesting; increasing a criminal penalty.

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

HB 2329 (Fallon)

Relating to the dissolution of the North Montague County Water Supply District.
(viva voce vote) (31-0) (31-0)

HB 2351 (Hughes)

Relating to the designation of a portion of Farm-to-Market Road 196 in Lamar County as the Nick S. Lingo Memorial Highway.
(viva voce vote) (31-0) (31-0)

HB 2380 (Nichols)

Relating to the creation of the Montgomery County Municipal Utility District No. 173; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

HB 2502 (Watson)

Relating to a mandatory term of confinement for defendants placed on community supervision for the criminal offense of leaving the scene of a motor vehicle accident resulting in the death of a person.
(viva voce vote) (31-0) (31-0)

(Senator Fallon in Chair)**HB 2529** (Watson)

Relating to the governance of public housing authorities.
(viva voce vote) (31-0) (31-0)

HB 2530 (Zaffirini)

Relating to the development by the Texas Veterans Commission of an online repository of information of use to active duty military relocating to this state.
(viva voce vote) (31-0) (31-0)

HB 2615 (Birdwell)

Relating to the designation of a portion of U.S. Highway 84 in McLennan County as the Waco Police Sgt. Bobby Vicha Memorial Highway.
(viva voce vote) (31-0) (31-0)

HB 2623 (Whitmire)

Relating to the requirements for a change of name for a person with a final felony conviction or a person required to register as a sex offender.
(viva voce vote) (31-0) (31-0)

HB 2624 (Zaffirini)

Relating to the prosecution of certain criminal offenses involving fraud.
(viva voce vote) (31-0) (31-0)

HB 2634 (Hughes)

Relating to municipal boundaries used to determine a cemetery location.
(viva voce vote) (31-0) (31-0)

HB 2684 (Nichols)

Relating to an exemption from the sales tax for items sold by a nonprofit organization at a county fair.

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

HB 2697 (Zaffirini)

Relating to the prosecution of the offense of fraudulent use or possession of identifying information.

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

CSHB 2775 (Hancock)

Relating to the movement of pedestrians in front of, under, between, or through rail cars at a railroad grade crossing.

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

HB 2779 (Rodríguez)

Relating to the exemption for certain savings plans from attachment, execution, or other seizure for a creditor's claim.

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

HB 2790 (Johnson)

Relating to prima facie evidence of the intent to sell certain alcoholic beverages.

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

CSHB 2837 (Hinojosa)

Relating to the operation of and equipment for vehicles.

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

HB 2899 (Hinojosa)

Relating to civil liability and responsibility for defects in the plans, specifications, or other documents for the construction or repair of roads, highways, and related improvements.

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

HB 2963 (Nichols)

Relating to the conveyance of certain state forest land in Cherokee County under the control of the board of regents of The Texas A&M University System.

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

HB 2979 (Nichols)

Relating to the creation of the Liberty Grand Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HB 3086 (Zaffirini)

Relating to the sales and use tax exemption for property used in the production of motion picture, video, or audio recordings and broadcasts.

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

CSHB 3171 (Watson)

Relating to the classification and operation of mopeds and certain motorcycles.

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

HB 3441 (Schwertner)

Relating to reimbursement under certain health benefit plans for certain services and procedures performed by pharmacists.

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

HB 3442 (Kolkhorst)

Relating to the creation of the Harris County Municipal Utility District No. 566; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

CSHB 3582 (Menéndez)

Relating to the punishment for certain intoxication offenses, the conditions of bond for defendants charged with certain intoxication offenses, and the eligibility for deferred adjudication community supervision of defendants who committed certain intoxication offenses.

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

HB 3954 (Hinojosa)

Relating to motor fuel taxes applicable to gasoline and diesel fuel within the bulk transfer system.

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

HB 4174 (Kolkhorst)

Relating to the nonsubstantive revision of the event reimbursement programs, including the Pan American Games trust fund, Olympic Games trust fund, Major Events reimbursement program fund, Motor Sports Racing trust fund, and Events trust fund; including conforming amendments.

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

HB 4465 (Bettencourt)

Relating to the student loan program administered by the Texas Higher Education Coordinating Board and to the repeal of a related bond program.

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

HB 4638 (Fallon)

Relating to the creation of the Bear Creek Ranch Municipal Utility District No. 1 of Parker County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HB 4641 (Nichols)

Relating to the creation of the Montgomery County Municipal Utility District No. 177 of Montgomery County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HB 4649 (Nichols)

Relating to the effect of municipal annexation of territory in the Montgomery County Municipal Utility District No. 147.

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

CSHB 4673 (Creighton)

Relating to the creation of the Chambers County 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.

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

CSHB 4674 (Creighton)

Relating to the creation of the Chambers County Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

HCR 19 (Huffman)

Urging Congress to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act.

(31-0)

HCR 42 (Alvarado)

Designating February 26 as Bone Marrow, Blood, and Organ Donation Registry Day for a 10-year period beginning in 2019.

(31-0)

HCR 74 (Campbell)

Urging Congress to enact H.R. 613/S. 164, the TRICARE Reserve Select Improvement Act.

(31-0)

HCR 131 (Watson)

Designating Bastrop County as the official Film Hospitality Capital of Texas for a 10-year period beginning in 2019.

(31-0)

HCR 137 (Menéndez)

Designating September as Suicide Prevention Month for a 10-year period beginning in 2019.

(31-0)

CSSB 808 (Nichols)

Relating to the construction manager-at-risk method of contracting for governmental construction projects.

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

SB 1325 (Hinojosa)

Relating to occupational licensing of certain military service members, military veterans, and military spouses by state agencies and political subdivisions.

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

SB 1355 (Powell)

Relating to the establishment of the work-based learning task force.

(viva voce vote) (27-4) "Nays" Bettencourt, Creighton, Fallon, Hughes (27-4) "Nays" Bettencourt, Creighton, Fallon, Hughes

SB 1458 (Johnson)

Relating to compliance with federal coding guidelines for certain divisions and offices within the Health and Human Services Commission.

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

CSSB 1980 (Hughes)

Relating to political contributions and political expenditures made to or by political committees or other persons.

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

CSSB 2470 (Kolkhorst)

Relating to the creation of the Richfield Ranch Management District of Harris County, Texas; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

CSSB 2472 (Kolkhorst)

Relating to the creation of the Richfield Ranch Water Control and Improvement District of Harris County, Texas; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SB 2474 (Kolkhorst)

Relating to the creation of the Harris County Municipal Utility District No. 569; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SB 2475 (Kolkhorst)

Relating to the powers and duties of the Harris County Municipal Utility District No. 380; providing authority to issue bonds.

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

SB 2477 (Kolkhorst)

Relating to the powers and duties of the Harris County Municipal Utility District No. 377; providing authority to issue bonds.

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

SB 2478 (Kolkhorst)

Relating to the powers and duties of the Harris County Municipal Utility District No. 378; providing authority to issue bonds.

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

SB 2548 (Campbell)

Relating to boundaries of the Anthem Municipal Utility District.

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

**BILLS REMOVED FROM
LOCAL AND UNCONTESTED CALENDAR**

Senator Creighton and Senator Hughes requested in writing that **SB 2333** be removed from the Local and Uncontested Calendar.

Senator Huffman and Senator Hughes requested in writing that **HB 1528** be removed from the Local and Uncontested Calendar.

Senator Hughes and Senator Menéndez requested in writing that **HB 2586** be removed from the Local and Uncontested Calendar.

**SESSION CONCLUDED FOR
LOCAL AND UNCONTESTED CALENDAR**

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

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 10:00 a.m. adjourned, in memory of Leslie Hoyt "Les" Hearron, until 11:00 a.m. today.