

# SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

---

---

AUSTIN, TEXAS

---

---

PROCEEDINGS

---

FIFTY-EIGHTH DAY

(Continued)

(Wednesday, May 22, 2019)

AFTER RECESS

The Senate met at 11:03 a.m. and was called to order by the President.

Rabbi Kelly L. Levy, Congregation Beth Israel, Austin, offered the invocation as follows:

*M'kor HaChayim*, source of life, we ask for Your blessing over these Texas state leaders as they continue to shape the lives of the millions of people who call Texas home. As these women and men gather today to determine the course of this great state, we are reminded of Rabbi Tarfon's words from hundreds of years ago: You are not obligated to complete the work, but neither are you free to abandon it. O God, we ask You to help these legislators persist in their work to protect the vulnerable amongst us, most especially those suffering from financial hardship, physical and emotional illness, and those burdened by the various challenges presented in their lives. May You guide these leaders to care for all of humanity as we were each created *b'tzelem Elohim*, in the image of God. And may the compassion You have for all of us be reflected in our leaders today and always. Together, may we all help to create a state filled with love for one another, a love that's bigger than anywhere else, because even love is bigger in Texas. 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.

**PHYSICIAN OF THE DAY**

Senator Birdwell was recognized and presented Dr. Lesca Hadley of Cleburne, accompanied by Micah Bigby, Clarence Sparks, and Diana Garcia-Garcia, as the Physician of the Day.

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

### GUESTS PRESENTED

Senator Buckingham was recognized and introduced to the Senate members of the Brownwood Middle School National Junior Honor Society.

The Senate welcomed its guests.

### SENATE RESOLUTION 737

Senator Powell offered the following resolution:

**SR 737**, Recognizing Freese and Nichols on the occasion of its 125th anniversary.

The resolution was read and was adopted without objection.

### GUESTS PRESENTED

Senator Powell was recognized and introduced to the Senate Freese and Nichols President and CEO Brian Coltharp, Christine Jacoby, and Charley Mock.

The Senate welcomed its guests.

### GUESTS PRESENTED

Senator Flores, joined by Senator Menéndez, was recognized and introduced to the Senate the Trinity University Police Department Chief Paul Chapa and John Rowsey.

The Senate welcomed its guests.

### HOUSE BILL 2536 ON SECOND READING

Senator Hancock moved to suspend the regular order of business to take up for consideration **HB 2536** at this time on its second reading:

**HB 2536**, Relating to transparency related to drug costs.

The motion prevailed.

Senators Bettencourt, Campbell, Hall, and Hughes asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **HB 2536** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 441.0002(c), Health and Safety Code (page 1, line 63), strike "five calendar years or 10" and substitute "three calendar years or 15".

(2) In SECTION 1 of the bill, in added Section 441.0002(c), Health and Safety Code (page 2, line 1), strike "12 months" and substitute "calendar year".

(3) In SECTION 1 of the bill, in added Section 441.0002(c)(5), Health and Safety Code (page 2, line 15), strike "five" and substitute "three".

(4) In SECTION 1 of the bill, in added Section 441.0002(c)(6), Health and Safety Code (page 2, line 18), strike "five" and substitute "three".

(5) In SECTION 1 of the bill, in added Section 441.0002(c)(6), Health and Safety Code (page 2, line 18), immediately following "calendar years;", insert "and".

(6) In SECTION 1 of the bill, in added Section 441.0002(c), Health and Safety Code, strike Subdivisions (7), (8), and (9) (page 2, lines 19-26) and substitute the following:

(7) a statement regarding the factor or factors that caused the increase in the wholesale acquisition cost and an explanation of the role of each factor's impact on the cost.

(7) In SECTION 2 of the bill, in added Section 1369.502, Insurance Code (page 3, between lines 23 and 24), between Subsections (a) and (b), insert the following:

(a-1) Notwithstanding Subsection (a), the report due not later than February 1, 2020, under that subsection must state the required information for the immediately preceding three calendar years in addition to stating the required information for the preceding calendar year. This subsection expires September 1, 2021.

(8) In SECTION 2 of the bill, in added Section 1369.502, Insurance Code, strike Subsection (c) (page 3, lines 30-32) and substitute the following:

(c) Not later than May 1 of each year, the commissioner shall publish the aggregated data from all reports for that year required by this section in an appropriate location on the department's Internet website. The combined aggregated data from the reports must be published in a manner that does not disclose or tend to disclose proprietary or confidential information of any pharmacy benefit manager.

(9) In SECTION 2 of the bill, in added Section 1369.503, Insurance Code, strike Subsection (c) (page 3, lines 51-53) and substitute the following:

(c) Not later than May 1 of each year, the commissioner shall publish the aggregated data from all reports for that year required by this section in an appropriate location on the department's Internet website. The combined aggregated data from the reports must be published in a manner that does not disclose or tend to disclose proprietary or confidential information of any health benefit plan issuer.

The amendment to **HB 2536** 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 2536** 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: Bettencourt, Campbell, Hall, Hughes.

### HOUSE BILL 2536 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 2536** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Campbell, Hall, Hughes.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4032 ON SECOND READING**

Senator Taylor moved to suspend the regular order of business to take up for consideration **CSHB 4032** at this time on its second reading:

**CSHB 4032**, Relating to the regulation, permitting, and taxation of certain boats and boat motors; imposing a fee.

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

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

Nays: Campbell, Creighton, Hall, Hughes, Schwertner, Watson.

The bill was read second time.

Senator Taylor offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 4032** (senate committee printing) as follows:

(1) In SECTION 4 of the bill, strike added Section 31.041(i), Parks and Wildlife Code (page 2, lines 8-10), and substitute the following:

(i) A person purchasing a vessel may use the temporary facsimile number issued under Subsection (f) for a period not to exceed 45 days from the date the dealer, distributor, or manufacturer applies for a certificate of number or a certificate of title under Subsection (h). The person shall retain the facsimile number on the vessel for the period described by this subsection.

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

SECTION \_\_\_\_\_. Section 31.037(c), Parks and Wildlife Code, is amended to read as follows:

(c) The new owner of a vessel shall, not later than the 45th [~~20th~~] day after the date ownership was transferred, submit an application to the department with:

- (1) evidence of ownership;
- (2) the new owner's name and address;
- (3) the number of the vessel; and
- (4) a fee of \$2 or an amount set by the commission, whichever amount is more.

SECTION \_\_\_\_\_. Sections 31.046(a) and (b), Parks and Wildlife Code, are amended to read as follows:

(a) Except as provided in Subsections (b) and (c) of this section, the purchaser of a vessel or an outboard motor shall apply to the department or to a county tax assessor-collector for a certificate of title not later than the 45th day [~~20 days~~] after the date of the sale of the vessel or outboard motor.

(b) A manufacturer or a dealer who sells a vessel or an outboard motor to a person other than a manufacturer or a dealer shall apply to the department or to a county tax assessor-collector for a certificate of title for the vessel or outboard motor in the name of the purchaser not later than the 45th day [~~20 days~~] after the date of the sale.

SECTION \_\_\_\_\_. Section 31.053(c), Parks and Wildlife Code, is amended to read as follows:

(c) The transferor shall provide the documents or evidence required by Subsection (a) of this section to the department or the transferee, as appropriate, in sufficient time to allow the transferee to register and obtain a certificate of title for the vessel or outboard motor not later than the 45th day [~~20 days~~] after the date of the sale.

SECTION \_\_\_\_\_. Sections 160.041(c) and (e), Tax Code, are amended to read as follows:

(c) The tax imposed by Section 160.021 is due on the 45th [~~20th~~] working day after the date that the taxable boat or motor is delivered to the purchaser. The purchaser or the seller, if the purchaser paid the tax to the seller, shall pay the tax to the department, to an agent of the department, or to a tax assessor-collector on or before the due date.

(e) The tax imposed by Section 160.022 or 160.023 is due on the 45th [~~20th~~] working day after the date that the taxable boat or motor is brought into this state. The person liable for the tax shall pay the tax to the department or to a tax assessor-collector on or before the due date.

The amendment to **CSHB 4032** 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 4032** as amended was passed to third reading by the following vote: Yeas 25, Nays 6.

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

Nays: Campbell, Creighton, Hall, Hughes, Seliger, West.

#### **COMMITTEE SUBSTITUTE HOUSE BILL 4032 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 **CSHB 4032** be placed on its third reading and final passage.

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

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

Nays: Campbell, Creighton, Hall, Hughes, Seliger, West.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 3703 ON SECOND READING**

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3703** at this time on its second reading:

**CSHB 3703**, Relating to the prescription of low-THC cannabis for medical use by certain qualified physicians to patients with certain medical conditions.

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 3703 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3703** 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.

**REMARKS ORDERED PRINTED**

On motion of Senator Birdwell and by unanimous consent, the remarks by Senators Birdwell and Campbell regarding **CSHB 3703** were ordered reduced to writing and printed in the *Senate Journal* as follows:

**President:** Senator Birdwell, for what purpose?

**Senator Birdwell:** Questions of the author.

**President:** Do you yield?

**Senator Campbell:** Yes, Sir.

**Senator Birdwell:** Thank you, Mr. President. Thank you, Senator Campbell. I want to have a very deliberate conversation with you about this issue, potential direction that we're taking the State of Texas. I want to ask some questions of you and then also provide some comments based upon what I've already heard and experiences. Is there any future objective to have medical practitioners who practice the specialties outside of those listed in your bill, epilepsy, seizure disorders, multiple sclerosis, the others, to have prescribing authority at some future?

**Senator Campbell:** No. I think it's very important that we have a specialist of the diseases that are listed—

**Senator Birdwell:** Okay.

**Senator Campbell:** —to have that interaction with the patient, so no family practice, no other—

**Senator Birdwell:** Okay, because I—

**Senator Campbell:** —it's limited.

**Senator Birdwell:** —I'm happy with that because I don't want to make my medical experience the center of gravity of our conversation, but it is an animator—

**Senator Campbell:** Yes.

**Senator Birdwell:** —of what I want to discuss—

**Senator Campbell:** Yes.

**Senator Birdwell:** —because I mean, there's a few specialties I've not seen. One of the reasons I like the way and the manner in which you and Representative Klick have written this bill is that it's a very tight shot group.

**Senator Campbell:** Yes, Sir.

**Senator Birdwell:** But my concern is, and while I share Senator Menéndez's desire for what you've expressed here in expanding who may receive such compassionate care, I come at this with a highly guarded sense of danger of the direction that this might take us to a recreational use. So, my second question is, do you intend for family practice or nurse practitioners working under doctors with these areas of specialty to have prescribing authority?

**Senator Campbell:** Absolutely not. And that can be, that'll be in the record.

**Senator Birdwell:** Because what you and I have seen, scope of practice bills are always extremely difficult, but in this case, because of the nature of the precedent that we are moving toward or that we are setting and the potential direction that this state might take with a future Legislature. I don't want to see this bill turn into a scope of practice battle between doctors in these specialties and nurse practitioners under those specialties or in areas of the state, as large as we are, that may not have these specialties in our more rural counties, to see family practice doctors or some other specialty authorized to do something outside of this scope of practice, simply because of the geographic nature of where those practitioners are in the State of Texas. So, it is not your intention to have nurse practitioners, physician's assistants that work under doctors in these licenses to have prescribing authorities, nor is it your intention that doctors outside of these specialties in parts of the state that don't have a density of these specialties, to at some point be given prescribing authority?

**Senator Campbell:** That is correct. So, it's not just an intent. We know intent can be one thing, but words on paper are something else, and this clearly, this bill clearly defines it as a physician, doctor, board certified in the specialist, and that specialist approved by the American Board of Medical Specialties.

**Senator Birdwell:** Okay.

**Senator Campbell:** This is not, does not apply to anyone practicing outside the medical specialties nor anyone that works for them or under them or that they supervise.

**Senator Birdwell:** Okay, the primary purpose of the CBD oil, as you have, I shouldn't say primary purpose, but the neurodegenerative diseases, but you also have terminal cancer listed—

**Senator Campbell:** Yes.

**Senator Birdwell:** —and it is the one diagnosis that is not neurodegenerative. You know epilepsy, seizures, MS, spastic ALS, autism, and other incurable neurodegen— all share neurology as their common theme. Cancers are a separate area of diagnosis, correct?

**Senator Campbell:** Well, let me just qualify that. Brain hits every, I mean, excuse me, cancer hits every specialty, if you will. Brain cancer, spinal cancer, neuroblastomas, so there is a portion of cancer that is terminal, neurodegenerative, but for the purpose of this, I am speaking in general about terminal cancer.

**Senator Birdwell:** Okay, so my concern is, are there terminal cancers, because you have, when we spoke about this earlier, it's terminal cancers primarily because of the pain generated by terminal cancers, not the fact that it's cancer in general, but that it is terminal, thus causing certain amounts of pain because of its terminal nature of cancer?

**Senator Campbell:** Right, that's a fair statement. We're dealing with the pain. Also, this can help nausea, that as you can have bowel obstruction and some other problems with where the cancer is, it can also help nausea, but again, that is left between the specialist and the patient.

**Senator Birdwell:** Okay, is the, are there cancers that, though terminal, are either less painful or not painful in your specialty, and as a medically trained doctor, I submit to your knowledge and authority here. What I'm very trying to hone in on—

**Senator Campbell:** Yes.

**Senator Birdwell:** —is that it's pain related to terminal cancers, and I don't want this, no pun intended meant whatsoever, but I don't want this bill to metastasize into a pain management bill.

**Senator Campbell:** Right.

**Senator Birdwell:** Where now it's not related to cancer, it's now just simply pain.

**Senator Campbell:** And that is a good question and for some that are concerned about whether this is a slippery slope and where are we—

**Senator Birdwell:** I'm more concerned it's a cliff—

**Senator Campbell:** Yeah.

**Senator Birdwell:** —Senator, but that's why we're having a very—

**Senator Campbell:** A very candid conversation.

**Senator Birdwell:** —very sound conversation.



**Senator Campbell:** Yes, yes, yes. There are, it is for, it's terminal cancer, pain associated with terminal cancer. And I think I may have lost—

**Senator Birdwell:** But the oncologist—

**Senator Campbell:** —your question.

**Senator Birdwell:** —the oncologist will be the one, because look, I've had a—

**Senator Campbell:** Yes, yes.

**Senator Birdwell:** —I've had a pain management doctor walk into my room the day after I came out of ICU. I don't want this to turn into, now we've added, we're going to add pain management specialists, and it's Katy, bar the door.

**Senator Campbell:** Well, so to your point, initially, I thought any doctor-patient relationship was good enough, but I put belt and suspenders and defined it to just those specialists that deal with those—

**Senator Birdwell:** Right, because here's—

**Senator Campbell:** —type of diagnosis, those type of patients.

**Senator Birdwell:** —here's the reason I ask the specificity of the question, and I'll revert to my personal medical experience. While my experience was not neurological, actually there was a part of it that was, because of the vestibulopathy I had, doctor, but—

**Senator Campbell:** Yes, Sir.

**Senator Birdwell:** —but there was a part of it that was, that I had to be referred to a neurologist for some of the, and an OTO doc, for some of the inner ear damage as a result of some of the aminoglycosides.

**Senator Campbell:** I can only imagine.

**Senator Birdwell:** But point I'm getting at is, all the medical professionals that I dealt with and I continue to deal with, none have ever said I needed CBD. Now, granted, the bulk of the rigor of my experience was 2001 to 2005. While that's very valid experience, its shelf life as it relates to advances in medical technology is very different. So, I'm open to this consideration that you've put in here, again, because I think you've crafted the bill very tightly. I'm just very concerned that we're going to rush, again, with all respect to Senator Menéndez, I wouldn't be comfortable going any further than this because of what I'm seeing in Colorado, Washington, and Oregon and what's happening in those states, I am highly guarded. And that's why I want to have this conversation with you.

**Senator Campbell:** And, Senator Birdwell, that's why we've put restraints on this bill, kept it narrowly crafted. So, I appreciate that. I share your concerns for any movement toward jumping, I mean, this going over the cliff for legalizing marijuana. I am not for legalizing marijuana. I don't think that's a surprise to anyone.

**Senator Birdwell:** Is there a, the reason I ask the question about types of cancer is are there cancers that are terminal that don't require CBD as a pain—

**Senator Campbell:** Pain, yes.

**Senator Birdwell:** –or do you know if there are?

**Senator Campbell:** You know, there's likely to be some out there. There are so many cancers, but even a squamous cell, which is a skin cancer gone wild, can have pain, because eventually, as cancer metastasizes, it starts affecting nerves, nerve endings, and that's where you start getting your pain. So, whether it's headaches from glioblastoma or belly pain because of cancer, so I cannot say that there are some cancers that do not have pain, but what I can say is that the decision between a doctor and a patient, the oncologist, the specialist and somebody who's got terminal cancer, it's up to them, and at some point, I've got to leave it to the doctor's discretion. There is, I hope nothing in this bill that–

**Senator Birdwell:** Okay.

**Senator Campbell:** –is the nose of the camel under the tent for legalizing marijuana.

**Senator Birdwell:** Is there any contemplation of CBD oil use for cancer that is nonterminal?

**Senator Campbell:** No.

**Senator Birdwell:** Is there any contemplation in the bill that you would intend at some future date that you mentioned you took research out–

**Senator Campbell:** Yes.

**Senator Birdwell:** –exactly what the research was, I don't know, but some sort of data analysis, is there any contemplation of changing the percentage from low THC at .5 to something that would be measured as moderate or high THC?

**Senator Campbell:** I can tell you I did start with that. I started with less than one percent. There's more information for .5, but what we've been able to see is the last four years when it was first passed in '15, we haven't seen any problems or movement toward legalizing marijuana any more by having that, so I think .5 is safe. Now, the bill does not imply that we're going any higher. Is it my intention, my intention is to watch for research, see what it shows. It's not my intention to go further, higher, that's probably not a good term. It's not my intention to increase the percentage of THC without some substantial data, good quality.

**Senator Birdwell:** Okay. You mentioned data–

**Senator Campbell:** And research, it's not just data, but it's research.

**Senator Birdwell:** But that takes me to my next question that, does the Texas Medical Board, or is there a private entity out there does it, because look, I've had, what makes this session different for me, in previous sessions, I've had individuals come in, talk to my staff that I knew that their ultimate end stake, based upon, you know, Facebook pages, other things, their ultimate end stake was full recreational legalization.

**Senator Campbell:** Yes.

**Senator Birdwell:** But they were in talking to me about medical use of marijuana.

**Senator Campbell:** Yes.

**Senator Birdwell:** So, that caused me suspect in their motivations for why they were, because it's, you win your battles in Ashkelon, and to get the full recreational, you know—

**Senator Campbell:** One step at a time.

**Senator Birdwell:** —are we going down that road as we've talked. But what made this session different for me was that I had some parents, parents of Blake—

**Senator Campbell:** The disorder.

**Senator Birdwell:** —others, people that aren't ness— you know, that have the same cautions that I do, that said there may be some potential here. So, it told me there's a different motivation. I was doing my best, as the Lord says, be discerning, and so that caused me some, a slightly different perspective in how I looked at what might be some potential here. But I want to make sure that it's research that is unbiased, that it's research that, because look, I have yet to have competent medical authority come in and tell me this is the right thing to do. You're the first doctor to tell me this is the right thing to do. I've had a bunch of people interested in something else tell me it's the right thing to do, but you're the first doctor to tell me that. And I've seen a lot of doctors in my last 18 years, doc, but so does the Medical Board have some mechanism to give us unbiased analysis of that research? Or is there some other entity that the state has to give us authenticated view of that research, as opposed to a biased, or partisan's not the right word, but an agenda-driven research result?

**Senator Campbell:** That's a good question. I will say that I don't believe the Texas Medical Board has that even on their radar. Their board is more complaint driven, trying to protect the public, the general welfare, and make sure doctors are doing what they're supposed to do.

**Senator Birdwell:** They were up for Sunset this go around. This wasn't any part of that, so.

**Senator Campbell:** Alright, no, so to answer your question specifically about the Texas Medical Board, no. Now, I can tell you that this has DPS oversight from the dispensaries to physicians, the registry. Now, again, since it was passed in '15, there doesn't seem to have been problem. We will now look what happens over the next two years, and sometimes you say you can't take the genie out of the bottle, but we most certainly can tighten up the neck of that if we find that there's misuse, mishandling, misprescribing by physicians. We've tried to tie it narrowly. Physicians really walk, you know, whenever you're talking about specialists, they're trying to walk the line, so—

**Senator Birdwell:** Well, here's the—

**Senator Campbell:** —I'd say DPS is probably the closest thing we have. Do we have a specific agency or group that's going to measure the data, monitor it, other than DPS, I don't think so.

**Senator Birdwell:** What I don't want to see happen is either CBD be the bridge to full recreational ma— you know—

**Senator Campbell:** Yes, yes.

**Senator Birdwell:** —recreational usage. I also don't want to see it, in its current format, become the next opioid crisis.

**Senator Campbell:** Yes.

**Senator Birdwell:** But what are the mechanisms in place to ensure that? And it sounds like we haven't contemplated that yet here.

**Senator Campbell:** Well, I think that we limited it. It's not as easy to get. It is, there's only three dispensaries that do this, sell this. It's expensive, but saying all that aside, we can do something today to help families even though we don't have, I mean, with these diagnoses, even though we don't have great data. And as I said at the onset, that's the arena I'm used to practicing in. We can't control what the next legislative body will do, what even the makeup of the Chamber would look like, so I can't speak to that. I can only speak to what this bill directs, and, you know, if I need to come back and do something more, because we have seen some missteps, I'll be the first to lead on that.

**Senator Birdwell:** I would certainly appreciate that.

**Senator Campbell:** You're welcome, Senator.

**Senator Birdwell:** I have another question, Madame Senator, and then there's a couple of points I want to make. Is there a possibility, you mentioned the ABM Specialties or the Bureau of Osteopathic Specialties, is there a possibility that those two organizations could make a change to their specializations and what they sanction that would inherently expand prescribing authority based upon your legislation here, that would expand medical professionals based upon their change in certifications, that would expand the medical professionals that you did not contemplate in this legislation?

**Senator Campbell:** No, because it says—

**Senator Birdwell:** Okay, two private boards will not be able to make a decision that has the inverse effect in the State of Texas law that you have not contemplated here?

**Senator Campbell:** Correct, I mean, you can become a specialist in THC, cannabis, treatment of cannabis, whatever, that is not a specialty that is, if a board opens it up for a specialty like that, that does not meet the diagnosis requirements for the specialists. So, it's not going to make them a cancer doctor.

**Senator Birdwell:** I just want to make sure that in the way you've structured the bill, decisions by a non-legislative body, but a medical board will inherently expand, as you've got it written in the state law.

**Senator Campbell:** A board can open up specialties however they want, whatever criteria they base it on. But the bill says you've got to be a specialist in that disease, so can't speak to what they would do. And let me tell you, Senator Birdwell, you're bringing up great questions, and it is definitely something that I think I need to come back with next session—it's late in the session—and maybe put, look at what we've talked about and bring in some legislation just to provide some security, some assurity of the bill.

**Senator Birdwell:** I also want to mention, I want to tell you something in your capacity, not just as a doctor, but as Chair of the Committee on Veteran Affairs and Border Security. There are challenges that you're seeing, and I mean no disrespect to our fellow sovereign states of Colorado, Oregon, Washington and others, but you're already seeing a black market for high THC in Colorado, the nature of destruction of lives and opportunity from the misuse of recreational marijuana. I've got employers in my district that tell me about their concerns, particularly with younger employees, but finding folks that can pass a drug test. I don't want the State of Texas to move to a future state endorsement of such challenges, and that's why I'm so concerned with this bill, not as it is—

**Senator Campbell:** But how it could be.

**Senator Birdwell:** —but the step of, that it must be to get to some future state, thus my concern with what Senator Menéndez has said. I don't think he wants full recreational use, but I am highly cautious at the direction in the state, the steps that we are taking here. What wounds my heart most, though, Senator, in your capacity as Chair of Veteran Affairs, is that there are those out there that would leverage in the name of compassion, veterans who wear the scars or the missing limbs that no one wants to say no to—

**Senator Campbell:** Yes, Sir.

**Senator Birdwell:** —that would leverage that compassion and that desire not to say no to veterans, that will use that leverage and as my discernment informs me to the full legalization of recreational marijuana. Members, I want you to understand what I'm about to tell you. We will do a major disservice to our state, and I would admonish this body to not let my scars or those of other veterans cause us to endorse such a policy. One of my most famous constituents, Chris Kyle, is deceased because of multi-year marijuana user who claimed in his murder trial to have PTSD. Fortunately, there were 12 Texans in that jury box from Stephenville that didn't buy that. And from the conversation you had with Senator Lucio about what we found in veterans who have committed suicide for THC, I want to make sure that we don't put us down that road. Senator, I think you have crafted the bill correctly. You and Representative Klick, I should say, have crafted the bill correctly. I will support it. But I will not allow it to become the road to perdition for Texas that has manifested itself in Colorado and other states. Thank you for your work, Madame, Ma'am.

**Senator Campbell:** Thank you, Senator Birdwell. I appreciate the comments, the questions, and I agree and will support that.

### **HOUSE BILL 2868 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **HB 2868** at this time on its second reading:

**HB 2868**, Relating to the procurement of interior design services by a governmental entity.

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

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

Nays: Birdwell, Campbell, Fallon, Hall, Hughes, Paxton.

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 2868 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 2868** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Campbell, Fallon, Hall, Hughes, Paxton.

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

**(President Pro Tempore Watson in Chair)**

### **HOUSE CONCURRENT RESOLUTION 133 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **HCR 133** at this time on its second reading:

**HCR 133**, Directing the Texas Higher Education Coordinating Board to conduct a study on the creation of a divinity program at Texas Southern University.

The motion prevailed.

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

The resolution was read second time and was adopted by the following vote: Yeas 30, Nays 1.

Nays: Hancock.

### **COMMITTEE SUBSTITUTE HOUSE BILL 2718 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSHB 2718** at this time on its second reading:

**CSHB 2718**, Relating to authorizing an increase in the student union fee at The University of Texas at Arlington.

The motion prevailed.

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

The bill was read second time and was passed to third reading by the following vote: Yeas 26, Nays 5.

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

Nays: Creighton, Fallon, Hall, Hughes, Paxton.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2718 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 **CSHB 2718** be placed on its third reading and final passage.

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

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

Nays: Creighton, Fallon, Hall, Hughes, Paxton.

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

**HOUSE BILL 4157 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **HB 4157** at this time on its second reading:

**HB 4157**, Relating to the definition of a designated law enforcement office or agency for purposes of certain laws governing the installation and use of tracking equipment and access to certain communications.

The motion prevailed.

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

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

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

Nays: Paxton.

**HOUSE BILL 4157 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 4157** be placed on its third reading and final passage.

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

Nays: Paxton.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4182 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSHB 4182** at this time on its second reading:

**CSHB 4182**, Relating to an intercollegiate athletics fee at the University of North Texas at Dallas.

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.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4182 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 **CSHB 4182** 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)

**COMMITTEE SUBSTITUTE  
HOUSE BILL 3317 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3317** at this time on its second reading:

**CSHB 3317**, Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of unappropriated money from use for general governmental purposes.

The bill was read second time.



Senator Nelson offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 3317** (senate committee printing) as follows:

(1) Strike SECTION 9 of the bill (page 2, lines 32-39) and renumber subsequent SECTIONS of the bill accordingly.

(2) In SECTION 11 of the bill (page 2, line 49), add the following appropriately numbered subdivision to that SECTION and renumber the subsequent subdivisions of that SECTION accordingly:

( ) the dedicated account in the general revenue fund for proceeds from the sale of certain historic property, created by House Bill No. 1422 or similar legislation;

(3) In SECTION 12 of the bill, strike Subdivision (1) of that SECTION (page 3, lines 33-35) and renumber the subsequent subdivisions of that SECTION accordingly.

(4) In SECTION 12 of the bill, strike Subdivision (5) of that SECTION (page 3, lines 43-45) and renumber the subsequent subdivisions of that SECTION accordingly.

(5) In SECTION 12 of the bill (page 3, line 24), add the following appropriately numbered subdivisions to that SECTION and renumber the subsequent subdivisions of that SECTION accordingly:

( ) the Texas infrastructure resiliency fund, created as a special fund in the treasury by Senate Bill No. 7 or similar legislation;

( ) the tax reduction and excellence in education fund, created as a special fund in the treasury by House Bill No. 3 or similar legislation;

(6) In SECTION 13 of the bill (page 3, line 66), add the following appropriately numbered subdivision to that SECTION and renumber the subsequent subdivisions of that SECTION accordingly:

( ) the dedication of the proceeds from the sale, lease, or other disposition of certain state property to the Texas capital trust fund provided by House Bill No. 4541 or similar legislation;

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

SECTION \_\_\_\_\_. COMMERCIAL GULF SHRIMP UNLOADING LICENSING FEE; DEDICATION OF REVENUE. (a) Section 77.034(d), Parks and Wildlife Code, is amended to read as follows:

(d) The fee for a commercial gulf shrimp unloading license is \$1485, or an amount set by the commission, whichever amount is more. Revenue from the fee shall be deposited to the credit of the game, fish, and water safety account established under Section 11.032.

(b) Section 2 of this Act does not apply to money dedicated to the game, fish, and water safety account by Section 77.034(d), Parks and Wildlife Code, as amended by this Act.

SECTION \_\_\_\_\_. CLEAN AIR ACCOUNT; DEDICATION OF REVENUE. (a) Section 382.05155(d), Health and Safety Code, is amended to read as follows:

(d) The commission by rule may add a surcharge to an application fee assessed under this chapter for an expedited application in an amount sufficient to cover the expenses incurred by the expediting, including overtime, contract labor, and other

costs. The surcharge is considered part of the application fee and shall be deposited with the fee to the credit of the clean air account established under Section 382.0622(b).

(b) Section 2 of this Act does not apply to the dedication of money made by Subsection (a) of this section.

SECTION \_\_\_\_\_. WATER RESOURCE MANAGEMENT ACCOUNT; DEDICATION OF REVENUE. (a) Section 28A.101(c), Water Code, is reenacted to read as follows:

(c) Registration fees collected under this section shall be deposited in the water resource management account and may be used only to implement this chapter.

(b) Money dedicated by Section 28A.101(c), Water Code, as added by Chapter 107 (H.B. 571), Acts of the 82nd Legislature, Regular Session, 2011, to the water resource management account for the purposes described by Section 28A.101(c) is rededicated by this Act, and Section 2 of this Act does not apply to the rededication of that money.

The amendment to **CSHB 3317** 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 3317** 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 3317 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3317** 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 4390 ON SECOND READING**

Senator Nelson moved to suspend the regular order of business to take up for consideration **CSHB 4390** at this time on its second reading:

**CSHB 4390**, Relating to the privacy of personal identifying information and the creation of the Texas Privacy Protection Advisory Council.

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.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4390 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 4390** be placed on its third reading and final passage.

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

Nays: Creighton.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4150 ON SECOND READING**

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 4150** at this time on its second reading:

**CSHB 4150**, Relating to safety and inspection requirements for certain utilities that provide electricity.

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 4150 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 4150** be placed on its third reading and final passage.

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

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

**(President in Chair)**

**HOUSE BILL 3285 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business to take up for consideration **HB 3285** at this time on its second reading:

**HB 3285**, Relating to programs and initiatives to prevent and respond to opioid addiction, misuse, abuse, and overdose and identify and treat co-occurring substance use disorders and mental illness.

The motion prevailed.

Senators Creighton and Hall 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 3285** (senate committee report) as follows:

(1) In SECTION 5 of the bill, in added Section 461A.058, Health and Safety Code (page 2, line 38) strike "implement" and substitute "operate".

(2) In SECTION 5 of the bill, in added Section 461A.059, Health and Safety Code (page 2, line 51) strike "establish" and substitute "operate".

(3) In SECTION 11 of the bill (page 4, line 18), between "SECTION 11." and "Not", insert "(a)".

(4) In SECTION 11 of the bill (page 4, between lines 24 and 25), insert the following:

(b) Notwithstanding Subsection (a) of this section, if an opioid misuse public awareness campaign described by Section 461.058, Health and Safety Code, as added by this Act, is already in operation as of the effective date of this Act, the Health and Human Services Commission and the Department of State Health Services may continue to operate that public awareness campaign to satisfy the requirements of that section.

(c) Notwithstanding Subsection (a) of this section, if an opioid antagonist program described by Section 461A.059, Health and Safety Code, as added by this Act, is already in operation as of the effective date of this Act, the Health and Human Services Commission may continue to operate that program to satisfy the requirements of that section.

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

SECTION \_\_\_\_\_. A state agency is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the state agency may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

The amendment to **HB 3285** 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 Watson offered the following amendment to the bill:

### Floor Amendment No. 2

Amend **HB 3285** (senate committee printing) by inserting the following appropriately numbered sections and renumbering the remaining sections accordingly:

SECTION \_\_\_\_\_. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9362 to read as follows:

Sec. 51.9362. OVERDOSE AWARENESS TRAINING FOR RESIDENTIAL ADVISORS AND STUDENT ORGANIZATION OFFICERS. (a) In this section:

(1) "Public or private institution of higher education" includes an "institution of higher education" and a "private or independent institution of higher education," as those terms are defined by Section 61.003.

(2) "Residential advisor" means a student who is employed by a public or private institution of higher education to serve in an advisory capacity for students living in a residential facility.

(3) "Residential facility" means a residence used exclusively for housing or boarding students or faculty of a public or private institution of higher education.

(4) "Student organization" includes any organization that is composed mostly of students enrolled at a public or private institution of higher education and that:

(A) is registered with the institution;

(B) receives student organization resource fee revenues or other funding from the institution; or

(C) is otherwise recognized as a student organization by the institution.

(b) A public or private institution of higher education that imposes any mandatory training requirements on residential advisors or officers of student organizations must ensure that overdose awareness and appropriate response training is included with that training.

SECTION \_\_\_\_ . Section 51.9362, Education Code, as added by this Act applies beginning with training required for the 2019-2020 academic year.

The amendment to **HB 3285** 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.

**HB 3285** 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: Creighton, Hall.

### **HOUSE BILL 3285 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 3285** be placed on its third reading and final passage.

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

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

Nays: Creighton, Hall.

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

### **COMMITTEE SUBSTITUTE HOUSE BILL 1941 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **CSHB 1941** at this time on its second reading:

**CSHB 1941**, Relating to unconscionable prices charged by certain health care facilities for medical care.

The motion prevailed.

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

The bill was read second time.

Senator Watson offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 1941** (senate committee printing), in SECTION 1 of the bill, by striking added Section 17.464(a)(2), Business & Commerce Code (page 1, lines 44 through 49), and substituting the following:

(2) "Emergency facility":

(A) means:

(i) a freestanding emergency medical care facility licensed under Chapter 254, Health and Safety Code; or

(ii) a hospital that does not meet the conditions of participation for certification under Title XVIII of the Social Security Act (42 U.S.C. Section 1395 et seq.); and

(B) does not include a hospital that:

(i) has been operating as a hospital for less than one year;

(ii) has submitted an application to a federally recognized accreditation program for certification under Title XVIII of the Social Security Act (42 U.S.C. Section 1395 et seq.); and

(iii) has not failed an accreditation for certification.

The amendment to **CSHB 1941** 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 1941** 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: Schwertner.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1941 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 **CSHB 1941** be placed on its third reading and final passage.

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

Nays: Schwertner.

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

**HOUSE BILL 2805 ON SECOND READING**

On motion of Senator Flores and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2805** at this time on its second reading:

**HB 2805**, Relating to regulations for taking marl, sand, gravel, shell, or mudshell.

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 2805 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 2805** 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.

**AT EASE**

The President at 1:11 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

**IN LEGISLATIVE SESSION**

The President at 1:39 p.m. called the Senate to order as In Legislative Session.

**COMMITTEE SUBSTITUTE****HOUSE BILL 3745 ON SECOND READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSHB 3745** at this time on its second reading:

**CSHB 3745**, Relating to the Texas emissions reduction plan fund and account.

The motion prevailed.

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

The bill was read second time.

Senator Birdwell offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 3745** (senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 151.0515(d), Tax Code, is amended to read as follows:

(d) This section expires August 31, 2021 [~~2019~~].

SECTION 2. Section 152.0215(c), Tax Code, is amended to read as follows:

(c) This section expires August 31, 2021 [~~2019~~].

SECTION 3. Section 501.138(b-3), Transportation Code, is amended to read as follows:

(b-3) This subsection and Subsection (b-2) expire August 31, 2021 [~~2019~~].

SECTION 4. Section 502.358(c), Transportation Code, is amended to read as follows:

(c) This section expires August 31, 2021 [~~2019~~].

SECTION 5. The heading to Section 548.5055, Transportation Code, is amended to read as follows:

Sec. 548.5055. TEXAS EMISSIONS [~~EMISSION~~] REDUCTION PLAN FEE.

SECTION 6. Sections 548.5055(b) and (c), Transportation Code, are amended to read as follows:

(b) The department shall remit fees collected under this section to the comptroller at the time and in the manner prescribed by the comptroller for deposit in the Texas emissions [~~emission~~] reduction plan fund.

(c) This section expires August 31, 2021 [~~2019~~].

SECTION 7. Sections 8(a-2) and (b), Chapter 755 (S.B. 1731), Acts of the 85th Legislature, Regular Session, 2017, are repealed.

SECTION 8. This Act takes effect August 30, 2019.

The amendment to **CSHB 3745** 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 3745** 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: Bettencourt, Creighton, Hall, Hughes.

**(Senator Hancock in Chair)**

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4258 ON SECOND READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **CSHB 4258** at this time on its second reading:

**CSHB 4258**, Relating to review and approval by the attorney general of certain bonds financing an educational facility for certain charter schools.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Alvarado, Bettencourt, Birdwell, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Lucio, Nelson, Nichols, Powell, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Buckingham, Johnson, Kolkhorst, Menéndez, Miles, Paxton, Perry, Rodríguez, Schwertner.

The bill was read second time and was passed to third reading by the following vote: Yeas 21, Nays 10.



Yeas: Alvarado, Bettencourt, Birdwell, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Miles, Nelson, Paxton, Schwertner, Seliger, Taylor, Watson, West, Zaffirini.

Nays: Buckingham, Johnson, Kolkhorst, Lucio, Menéndez, Nichols, Perry, Powell, Rodríguez, Whitmire.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4258 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 4258** be placed on its third reading and final passage.

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

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

Nays: Johnson, Menéndez, Nichols, Powell, Rodríguez, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 10.

Yeas: Alvarado, Bettencourt, Birdwell, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Miles, Nelson, Paxton, Schwertner, Seliger, Taylor, Watson, West, Zaffirini.

Nays: Buckingham, Johnson, Kolkhorst, Lucio, Menéndez, Nichols, Perry, Powell, Rodríguez, Whitmire.

**HOUSE BILL 3384 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 3384** at this time on its second reading:

**HB 3384**, Relating to the authority of the comptroller to conduct a limited-scope review of an appraisal district located in an area declared by the governor to be a disaster area.

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 3384 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 3384** 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 3371 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 3371** at this time on its second reading:

**HB 3371**, Relating to the regulation of certain battery-charged fences by municipalities and counties.

The bill was read second time.

Senator Taylor offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **HB 3371** (senate committee report) in SECTION 1 of the bill, in added Section 250.009(c)(2), Local Government Code (page 1, line 59), between "standards" and "described", by inserting the following:

:

(2) set by the International Electrotechnical Commission as published on June 29, 2018 or alarm system

(3)

The amendment to **HB 3371** 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 3371** 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 3371 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 3371** 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 4205 ON SECOND READING

Senator Perry moved to suspend the regular order of business to take up for consideration **HB 4205** at this time on its second reading:

**HB 4205**, Relating to accountability intervention provisions applicable to school district campuses, including the conditions under which a closed campus may be repurposed to serve students at that campus location and the creation of accelerated campus excellence turnaround plans.

The motion prevailed.

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

The bill was read second time.

Senator Perry offered the following amendment to the bill:

### Floor Amendment No. 1

Amend **HB 4205** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 39A.105(b)(3), Education Code, strike page 2, lines 1 through 7, and substitute the following:

(3) that at least 60 percent of the classroom teachers assigned to the campus be teachers who demonstrated instructional effectiveness during the previous school year, with instructional effectiveness determined by:

(A) for a teacher who taught in the district during the previous school year:

(i) the teacher's impact on student growth as determined using a locally developed value-added model that measures student performance on at least one assessment selected by the district;

(2) In SECTION 1 of the bill, in added Section 39A.105(b)(3)(B), Education Code (page 2, line 15), strike "quartile" and substitute "half".

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

SECTION \_\_\_\_\_. Subchapter C, Chapter 39A, Education Code, is amended by adding Section 39A.116 to read as follows:

Sec. 39A.116. COMMISSIONER AUTHORITY. A decision by the commissioner under this subchapter is final and may not be appealed.

The amendment to **HB 4205** 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 Watson offered the following amendment to the bill:

### Floor Amendment No. 2

Amend **HB 4205** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 39A.105(b)(5)(D), Education Code (page 2, line 30), strike "and" after the underlined semicolon.

(2) In SECTION 1 of the bill, following added Section 39A.105(b)(5)(E), Education Code (page 2, between lines 33 and 34), insert the following:

(F) providing student services before or after the instructional day that improve student performance, which may include tutoring, extracurricular activities, counseling services, and offering breakfast, lunch, and dinner to all students at the campus; and

The amendment to **HB 4205** 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.

**HB 4205** 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: Alvarado, Menéndez, Rodríguez, Whitmire.

**HOUSE BILL 4205 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 **HB 4205** be placed on its third reading and final passage.

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

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

Nays: Alvarado, Menéndez, Rodríguez, Whitmire.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 3231 ON SECOND READING**

Senator Fallon moved to suspend the regular order of business to take up for consideration **CSHB 3231** at this time on its second reading:

**CSHB 3231**, Relating to the regulation of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories by a county or municipality.

The motion prevailed by the following vote: Yeas 21, Nays 10.

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

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

The bill was read second time.

Senator Fallon offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 3231** (committee printing) on page 3 between lines 10 and 11 by adding subsection (g) as follows:

(g) This section does not limit the enforceability of any state or federal law.

The amendment to **CSHB 3231** 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 3231** as amended was passed to third reading by the following vote: Yeas 21, Nays 10.

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

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

**HOUSE BILL 2041 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 2041** at this time on its second reading:

**HB 2041**, Relating to the regulation of freestanding emergency medical care facilities.

The bill was read second time.

Senator Taylor offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 2041** (senate committee report) as follows:

(1) In SECTION 6 of the bill, immediately following added Section 254.156(i), Health and Safety Code (page 3, between lines 51 and 52), insert the following:

(j) A facility's failure to obtain the signed disclosure statement required by this section from the patient or the patient's legally authorized representative may not be a determining factor in the adjudication of liability for health care services provided to the patient at the facility.

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

SECTION \_\_\_\_. The Health and Human Services Commission and the Department of State Health Services are required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commission and department may, but are not required to, implement a provision of this Act using other appropriations available for that purpose.

The amendment to **HB 2041** 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 2041** 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 2041 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 2041** 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 1634 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **HB 1634** at this time on its second reading:

**HB 1634**, Relating to the imposition and rate of the county hotel occupancy tax in certain counties; authorizing the imposition of a tax.

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

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

Nays: Bettencourt, Campbell, Creighton, Hall, Hancock, Hughes.

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

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

Amend **HB 1634** (senate committee printing) in SECTION 1 of the bill, at the end of added Section 352.002(y), Tax Code (page 1, line 29), by inserting the following:

The tax imposed under this subsection does not apply to a hotel located in a municipality that:

(1) has a population of 50,000 or more;

(2) is the county seat of a county adjacent to the county to which this subsection applies; and

(3) imposes a tax under Chapter 351 applicable to the hotel.

The amendment to **HB 1634** 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 Taylor offered the following amendment to the bill:

### **Floor Amendment No. 2**

Amend **HB 1634** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 351.101, Tax Code, is amended by adding Subsection to read as follows:

(q) In addition to the purposes provided by Subsections (a) and (e), a municipality with a population of more than 10,000 that has a city hall located less than three miles from a space center operated by an agency of the federal government and that is wholly located in a county with a population of four million or more may use revenue from the hotel occupancy tax for the construction, improvement, enlarging, equipping, renovating, repairing, operation, and maintenance of a coliseum or multiuse facility and related infrastructure or a venue, as defined by Section 334.001(4), Local Government Code, that is related to the promotion of tourism, including a hotel, resort, or convention center facility located on land owned by the municipality or a nonprofit corporation acting on behalf of the municipality.

The amendment to **HB 1634** 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.

**HB 1634** as amended was passed to third reading by the following vote: Yeas 26, Nays 5.

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

Nays: Bettencourt, Creighton, Hall, Hancock, Hughes.

### **HOUSE BILL 1634 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 1634** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Creighton, Hall, Hancock, Hughes.

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

### **GUESTS PRESENTED**

Senator Hinojosa, joined by Senators Lucio and Birdwell, was recognized and introduced to the Senate members of The University of Texas Rio Grande Valley chess team and congratulated them for winning the President's Cup.

The Senate welcomed its guests.

### **GUESTS PRESENTED**

Senator Fallon was recognized and introduced to the Senate students and teachers from Gunter Middle School in Grayson County.

The Senate welcomed its guests.

### **COMMITTEE SUBSTITUTE**

### **HOUSE BILL 3231 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 3231** be placed on its third reading and final passage:

**CSHB 3231**, Relating to the regulation of firearms, air guns, knives, ammunition, or firearm or air gun supplies or accessories by a county or municipality.

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

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

Nays: Alvarado, Menéndez, Powell, Rodríguez, West, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 10.

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

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

### **COMMITTEE SUBSTITUTE HOUSE BILL 2978 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **CSHB 2978** at this time on its second reading:

**CSHB 2978**, Relating to granting an easement to the City of Austin.

The motion prevailed.

Senator Birdwell 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: Birdwell.

### **COMMITTEE SUBSTITUTE HOUSE BILL 2978 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 **CSHB 2978** be placed on its third reading and final passage.

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

Nays: Birdwell.

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

### **HOUSE BILL 2188 ON SECOND READING**

Senator Alvarado moved to suspend the regular order of business to take up for consideration **HB 2188** at this time on its second reading:

**HB 2188**, Relating to the operation of electric and nonelectric bicycles.

The motion prevailed.



Senators Hall and Hughes 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: Hall, Hughes.

#### **HOUSE BILL 2188 ON THIRD READING**

Senator Alvarado moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2188** 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, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Hall, Hughes.

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

#### **COMMITTEE SUBSTITUTE HOUSE BILL 492 ON SECOND READING**

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 492** at this time on its second reading:

**CSHB 492**, Relating to a temporary exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by 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.

#### **COMMITTEE SUBSTITUTE HOUSE BILL 492 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 **CSHB 492** 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 1399 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSHB 1399** at this time on its second reading:

**CSHB 1399**, Relating to the creation and storage of DNA records for a person arrested for certain felony offenses.

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

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

Nays: Campbell, Hall, Hancock, Perry, West.

The bill was read second time.

Senator Creighton, on behalf of Senator West, offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 1399** (senate committee printing) as follows:

On page 2, line 55, between "," and "the", insert "or after an individual has been granted relief in accordance with a writ of habeas corpus that is based on a court finding or determination that the person is actually innocent of a crime for which the person was sentenced,".

The amendment to **CSHB 1399** 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 Hughes offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSHB 1399** (senate committee report) in SECTION 6 of the bill, by striking amended Section 411.1471(e), Government Code (page 2, lines 53-58), and substituting the following:

(e) Notwithstanding Subsection (d), on acquittal of a defendant described by Subsection (a)(1) [~~or (2)~~] or dismissal of the case against the defendant, [~~the court shall order~~] the law enforcement agency taking the specimen shall [~~to~~] immediately destroy the record of the collection of the specimen, and [~~require~~] the department shall [~~to~~] destroy the specimen and the record of its receipt. As soon as practicable after the acquittal of the defendant or the dismissal of the case, the court shall provide notice of the acquittal or dismissal to the applicable law enforcement agency and the department.

The amendment to **CSHB 1399** was read and was adopted by a viva voce vote.

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

**CSHB 1399** as amended was passed to third reading by the following vote: Yeas 26, Nays 5.

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

Nays: Campbell, Hall, Hancock, Perry, West.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1399 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1399** be placed on its third reading and final passage.

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

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

Nays: Campbell, Hall, Hancock, Perry, West.

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

**HOUSE CONCURRENT RESOLUTION 140  
ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **HCR 140** at this time on its second reading:

**HCR 140**, Recognizing 2020 as "The Year to Embrace the Gulf."

The resolution was read second time and was adopted by the following vote: Yeas 31, Nays 0.

**HOUSE BILL 4765 ON SECOND READING**

Senator Bettencourt moved to suspend the regular order of business to take up for consideration **HB 4765** at this time on its second reading:

**HB 4765**, Relating to the creation of the Harris County Improvement District No. 27; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

The motion prevailed.

Senator Hall 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: Hall.

### **HOUSE BILL 4765 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 4765** be placed on its third reading and final passage.

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

Nays: Hall.

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

### **COMMITTEE SUBSTITUTE HOUSE BILL 2524 ON SECOND READING**

On motion of Senator Miles and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2524** at this time on its second reading:

**CSHB 2524**, Relating to the prosecution of the criminal offense of theft of service.

The bill was read second time.

Senator Miles offered the following amendment to the bill:

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

Amend **CSHB 2524** (senate committee report) in SECTION 1 of the bill as follows:

(1) In amended Section 31.04(d), Penal Code (page 2, line 10), between "and (B)" and the underlined comma, insert "and (b)(5)".

(2) In added Section 31.04(d-3)(1), Penal Code (page 2, line 32), strike "and" and substitute "~~and~~".

(3) In added Section 31.04(d-3)(2), Penal Code (page 2, line 35), between "service" and the period, insert the following:  
; and

(3) the term "service" does not include leasing personal property under an agreement described by Subsections (d-2)(1)-(3)

The amendment to **CSHB 2524** 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 2524** 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 2524 ON THIRD READING**

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2524** 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 996 ON SECOND READING**

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 996** at this time on its second reading:

**CSHB 996**, Relating to the collection of consumer debt by debt buyers.

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 996 ON THIRD READING**

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 996** 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.

**REMARKS ORDERED PRINTED**

On motion of Senator Hughes and by unanimous consent, the remarks by Senators Paxton and Hughes regarding **CSHB 996** were ordered reduced to writing and printed in the *Senate Journal* as follows:

**Presiding Officer:** Senator Hughes. Are you wish— for what purpose?

**Senator Hughes:** Mr. President, will the gentlelady yield for some legislative intent questions?

**Presiding Officer:** Senator Paxton, do you yield?

**Senator Paxton:** Of course.

**Senator Hughes:** Thank you. Thank you, Senator Paxton. And you just mentioned this in your layout, I want to make sure we're clear and we can get it in in case anyone has questions later. I, so I understand that this bill explicitly only applies to debt

buyers and the definition in the act does not apply to third-party debt collectors who are not debt buyers or not collecting on behalf of debt buyers. Is, is that not, is that correct?

**Senator Paxton:** That is exactly correct. Your understanding is right on point.

**Senator Hughes:** Thank you, Senator.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2486 ON SECOND READING**

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSHB 2486** at this time on its second reading:

**CSHB 2486**, Relating to certain required disclosures and prohibited practices of certain employee benefit plans and health insurance policies that provide benefits for dental care services.

The motion prevailed.

Senator Hall 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 on the passage to third reading except as follows:

Nays: Hall.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2486 ON THIRD READING**

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2486** be placed on its third reading and final passage.

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

Nays: Hall.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2856 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2856** at this time on its second reading:

**CSHB 2856**, Relating to restrictions under disaster remediation contracts; creating a criminal offense.

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 2856 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2856** 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 2210 ON SECOND READING**

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2210** at this time on its second reading:

**HB 2210**, Relating to the consideration for public school accountability purposes of certain students receiving residential services in state hospitals.

The bill was read second time.

Senator Powell offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 2210** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, strike added Section 39.0552 (page 1, lines 28 through 34), and substitute the following:

Sec. 39.0552. MEMORANDUM OF UNDERSTANDING BETWEEN SCHOOL DISTRICT AND STATE HOSPITAL FOR ACCOUNTABILITY PURPOSES. A memorandum of understanding between a school district and a state hospital under which the district provides educational services to a student who resides in the state hospital must provide that the school district include the performance of the student on an assessment instrument or other achievement indicator adopted under Section 39.053 or a reporting indicator adopted under Section 39.301 in determining the performance of that school district.

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

SECTION \_\_\_\_\_. This Act applies to a memorandum of understanding entered into between a school district and a state hospital before, on, or after the effective date of this Act. A memorandum of understanding entered into before the effective date of this Act must be amended as soon as practicable after the effective date of this Act.

The amendment to **HB 2210** 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 2210** 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 2210 ON THIRD READING**

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2210** 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 1869 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 1869** at this time on its second reading:

**HB 1869**, Relating to the composition of the Governor's EMS and Trauma Advisory Council.

The bill was read second time.

Senator Buckingham offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 1869** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 773.012(b), Health and Safety Code (page 1, line 25), strike "17" and substitute "19".

(2) In SECTION 1 of the bill, in amended Section 773.012(b), Health and Safety Code (page 1, line 25), add the following appropriately numbered subdivisions to that section and renumber subsequent subdivisions accordingly:

( ) a representative of a stand-alone emergency medical services agency in a municipality or taxing district, appointed from a list of names recommended by a statewide association representing emergency medical services agencies;

( ) a certified paramedic, appointed from a list of names recommended by a statewide association representing emergency medical services agencies or emergency medical services personnel;

(3) In SECTION 2 of the bill, in amended Section 773.012(f), Health and Safety Code (page 2, line 14), strike "five or six" and substitute "six or seven [~~five~~]".

The amendment to **HB 1869** 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 1869** 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 1869 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 1869** 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 3041 ON SECOND READING**

Senator Buckingham moved to suspend the regular order of business to take up for consideration **HB 3041** at this time on its second reading:

**HB 3041**, Relating to the renewal of a preauthorization for a medical or health care service.

The motion prevailed.

Senator Hall 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: Hall.

### **HOUSE BILL 3041 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 3041** be placed on its third reading and final passage.

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

Nays: Hall.

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

### **HOUSE BILL 1885 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 1885** at this time on its second reading:

**HB 1885**, Relating to the waiver of penalties and interest if an error by a mortgagee results in failure to pay an ad valorem tax.

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 1885 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 1885** 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 2195 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 2195** at this time on its second reading:

**HB 2195**, Relating to an active shooter emergency policy for school districts and required active shooter training for school district peace officers and school resource officers.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

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

Amend **HB 2195** (senate committee printing) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 26), strike "(f)" and substitute "(g)".

(2) In SECTION 1 of the bill, amending Section 37.108, Education Code (page 1, line 27), strike "f" and substitute "g".

The amendment to **HB 2195** 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 2195** 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 2195 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 2195** 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 4428 ON SECOND READING**

Senator Fallon moved to suspend the regular order of business to take up for consideration **HB 4428** at this time on its second reading:

**HB 4428**, Relating to the application for and expiration of a license to carry a handgun.

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

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

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

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 3012 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 3012** at this time on its second reading:

**HB 3012**, Relating to the disposition of certain students to alternative education settings and the provision of educational services to students in those settings or subject to in-school or out-of-school suspension.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

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

Amend **HB 3012** (senate committee report) in SECTION 2 of the bill, in amended Section 37.011(b), Education Code (page 1, line 42), by striking "under Section 22.07" and substituting "as described by Section 22.07(c-1), (d), or (e)".

The amendment to **HB 3012** 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 3012** 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 3012 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 3012** 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 1063 ON SECOND READING**

Senator Buckingham moved to suspend the regular order of business to take up for consideration **CSHB 1063** at this time on its second reading:

**CSHB 1063**, Relating to telemedicine medical, telehealth, and home telemonitoring services under Medicaid.

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 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: Fallon.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1063 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 **CSHB 1063** 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 4428 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 4428** be placed on its third reading and final passage:

**HB 4428**, Relating to the application for and expiration of a license to carry a handgun.

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, Miles, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Taylor, Watson, West, Zaffirini.

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

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

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

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 170 ON SECOND READING**

Senator Alvarado moved to suspend the regular order of business to take up for consideration **CSHB 170** at this time on its second reading:

**CSHB 170**, Relating to coverage for mammography under certain health benefit plans.

The motion prevailed.

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

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

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

Nays: Bettencourt, Creighton, Hall, Hughes, Kolkhorst.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 170 ON THIRD READING**

Senator Alvarado moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 170** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Creighton, Hall, Hughes, Kolkhorst.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1962 ON SECOND READING**

On motion of Senator Hall and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1962** at this time on its second reading:

**CSHB 1962**, Relating to the continuation and functions of the Texas State Library and Archives Commission, including the custody and ownership of certain state records.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 1962** by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Subject to Subsection (b) of this section, as soon as practicable after the effective date of this Act, the General Land Office on behalf of the State of Texas shall grant to the City of Austin, by an appropriate instrument of conveyance, a permanent easement in the property owned by the State of Texas and described by Subsection (d) of this section.

(b) Consideration for the easement to be granted under Subsection (a) of this section is the requirement that the City of Austin use the easement primarily to promote a public purpose of the state by using the easement primarily as a sidewalk, trail, and recreation easement and thereby promoting public health and general welfare and providing recreation, beautification, and civic improvement. The easement automatically terminates if the City of Austin:

(1) uses the easement in a manner that fails to promote a public purpose of the state described by this subsection of this section; or

(2) sells or transfers all or any part of the easement.

(c) The City of Austin shall reimburse the General Land Office for the expenses incurred by the General Land Office in connection with granting the easement under this section of this Act.

(d) The easement referred to in this section is in the property described as follows:

DESCRIPTION OF A 0.667 OF ONE ACRE TRACT OF LAND LOCATED IN THE GEORGE W. SPEAR SURVEY, ABSTRACT NO. 697, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO S. ROSS, GOVERNOR OF THE STATE OF TEXAS AND HIS SUCCESSORS IN OFFICE FOR THE USE AND BENEFIT OF THE STATE OF TEXAS AS RECORDED IN VOLUME 76, PAGE 225, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 60d nail found in the north line of that 1.51 acre tract of land conveyed to the City of Austin in a Gift Deed Of Land recorded in Volume 5154, Page 2230, of said Deed Records, same being a corner in the easterly line of THE GROVE AT SHOAL CREEK, according to the map or plat thereof recorded in Document No. 201800146, of the Official Public Records of said County, and the northwest corner of the herein described tract, from which a 1/2 inch iron rod found for the northwest corner of said 1.51 acre tract, bears North 62°26'39" West, a distance of 41.93 feet;

THENCE, North 01°22'52" East (bearing basis), with said easterly line of THE GROVE AT SHOAL CREEK, a distance of 151.80 feet to the northwest corner of the herein described tract, from which a, X mark in rock found for a corner in said easterly line bears, North 01°22'52" East, a distance of 362.51 feet;

THENCE, departing said easterly line and over and across said State of Texas tract the following four (4) courses and distances:

1. South 85°36'10" East,, a distance of 130.18 feet;

2. South 01°22'52" West, a distance of 149.86 feet to the to the beginning of a curve to the left;

3. With said curve to the left, having a radius of 50.00 feet, an arc length of 55.70 feet, a delta angle of 63°49'31", and a chord which bears South 30°31'53 East, a distance of 52.86 feet to the end of said curve;

4. South 62°26'39" East, a distance of 191.49 feet to the northeast corner of the herein described tract, being in the curving west right-of-way line of Shoal Creek Boulevard (80' right-of-way - no dedication found), from which a 1/2 inch iron rod found for the common west corner of Lot 1 and Lot 2, SHOAL CREEK VILLAGE, according to the map or plat thereof recorded in Volume 97, Page 35, of said Plat Records, bears South 83°30'05" East a distance of 84.97 feet;  
THENCE, with said west right-of-way line and with said non-tangent curve to the left, having a radius of 318.41 feet, an arc length of 25.15 feet, a delta angle of 04°31'32", and a chord which bears South 21°25'26" West, a distance of 25.14 feet to the southeast corner of the herein described tract, same being the northeast corner of Lot 5, SHOAL COURTS, according to the map or plat thereof recorded in Volume 6, Page 280, of said Plat Records;  
THENCE, North 62°26'39" West, with the north line of said Lot 5, passing a 1/2 inch iron rod found in a concrete retaining wall for the northwest corner of said Lot 5 and the northeast corner of said 1.51 acre tract at a distance of 155.49 (record 155.75) feet and continuing for a total distance of 357.88 feet the POINT OF BEGINNING containing 0.667 of one acre of land within these metes and bounds.  
Subject tract described herein is an easement. No monumentation set for corners.  
Bearing Basis: Easterly line of said THE GROVE AT SHOAL CREEK. North 01°22'52" East

The amendment to **CSHB 1962** 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 1962** 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 1962 ON THIRD READING**

Senator Hall moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1962** 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 1669 ON SECOND READING**

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSHB 1669** at this time on its second reading:

**CSHB 1669**, Relating to increasing and improving the mental health and substance use disorder workforce in this state and increasing the capacity of local mental health authorities to provide access to mental health services in certain counties.

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

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

Nays: Bettencourt, Creighton, Fallon, Hall, Hancock, Nelson, Paxton, Schwertner.

The bill was read second time.

Senator Lucio offered the following amendment to the bill:

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

Amend **CSHB 1669** (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 555, Health and Safety Code, is amended by adding Section 555.004 to read as follows:

Sec. 555.004. ADDITIONAL METHODS TO PROTECT RIGHTS OF CENTER RESIDENTS AND CLIENTS. In addition to other methods required by law, rule, or policy to protect the rights of residents and clients in centers, the executive commissioner shall:

(1) develop formal methods to more fully educate executives, administrators, supervisors, and direct care employees of centers and residents, clients, and guardians on:

(A) the rights of residents and clients;

(B) the health and medical obligations and responsibilities and the legal obligations and responsibilities toward residents and clients of executives, administrators, and direct care employees of centers;

(C) the categories and types of specific needs and complex behavioral challenges of various populations of residents and clients that may require additional attention and specialized training, including:

(i) alleged criminal offenders, including sexual offenders;

(ii) residents and clients living with dementia;

(iii) aging or geriatric residents and clients; and

(iv) adolescent residents and clients;

(D) the circumstances under which a resident's or client's rights may be restricted, the circumstances under which a resident's or client's rights may not be restricted, and the processes and procedures that must be followed to restrict a right; and

(E) the manner in which a person may file a complaint; and

(2) specify processes and procedures, including the use of flowcharts, that centers and direct care employees must use and the specialized training direct care employees must receive to ensure that centers comply fully with laws, rules, and policies relating to:

(A) the rights of residents and clients;

(B) the circumstances under which a resident's or client's rights may be restricted, the circumstances under which a resident's or client's rights may not be restricted, and the processes and procedures that must be followed to restrict a right;



(C) the categories and types of specific needs and complex behavioral challenges of various populations of residents and clients that may require additional attention and specialized training, including:

- (i) alleged criminal offenders, including sexual offenders;
- (ii) residents and clients living with dementia;
- (iii) aging or geriatric residents and clients; and
- (iv) adolescent residents and clients; and

(D) the manner in which a person may file a complaint.

SECTION \_\_\_\_\_. Section 555.024, Health and Safety Code, is amended by adding Subsections (d-1) and (f) to read as follows:

(d-1) In addition to the training provided to direct care employees under Subsections (a), (c), and (d), each center shall develop and implement additional initial and refresher specialized training for all executives, administrators, supervisors, and direct care employees to support populations of residents and clients that may require additional attention and specialized training, including:

- (1) alleged criminal offenders, including sexual offenders;
- (2) residents and clients living with dementia;
- (3) aging or geriatric residents and clients; and
- (4) adolescent residents and clients.

(f) The executive commissioner by rule shall develop standards for the training provided to executives, administrators, supervisors, and direct care employees under this section, including the length of the training and the manner in which the training is provided. In developing standards relating to the manner in which training is provided, the executive commissioner shall ensure that the training is competency-based and, to the extent possible, provided in an interactive manner such as on a one-on-one basis, by a group discussion, or by a demonstration.

SECTION \_\_\_\_\_. The executive commissioner of the Health and Human Services Commission shall comply with Section 555.004, Health and Safety Code, as added by this Act, as soon as possible after the effective date of this Act.

SECTION \_\_\_\_\_. (a) Not later than January 1, 2020, each state supported living center shall develop and implement the additional training required by Section 555.024(d-1), Health and Safety Code, as added by this Act. Each state supported living center shall ensure that each direct care employee receives the additional training, regardless of when the employee was hired, not later than September 1, 2020.

(b) Not later than January 1, 2020, the executive commissioner of the Health and Human Services Commission shall develop the training standards required by Section 555.024(f), Health and Safety Code, as added by this Act. The executive commissioner shall ensure that each state supported living center implements the training standards as soon as possible.

The amendment to **CSHB 1669** 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 Lucio offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSHB 1669** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 12, Health and Safety Code, is amended by adding Subchapter K to read as follows:

SUBCHAPTER K. PUBLIC HEALTH LABORATORY CAPABILITIES IN CERTAIN COUNTIES

Sec. 12.151. PUBLIC HEALTH LABORATORY REPORT. (a) Not later than September 1, 2020, the department shall prepare and submit a written or electronic report to the legislature on public laboratories in this state's counties that are adjacent to an international border. The report must include:

(1) information on the existing testing capabilities of the public laboratories, focusing on clinical, environmental, and zoonotic testing capabilities; and

(2) recommendations to increase the efficiency, effectiveness, and productivity of the public laboratories through administrative action and legislation.

(b) The department shall collaborate with local health departments established under Subchapter D, Chapter 121, and public and private testing laboratories to collect information and develop recommendations for the report described by Subsection (a).

(c) This section expires September 1, 2021.

Sec. 12.152. LOCAL AGREEMENTS. Using available resources and as determined appropriate by the department, the department shall enter into agreements with institutions of higher education as defined by Section 61.003, Education Code, and public and private testing laboratories in this state to increase the availability of public health laboratory services for local health departments established under Subchapter D, Chapter 121, in counties adjacent to an international border. The agreements must establish protocols that:

(1) ensure confidentiality of the laboratory testing;

(2) require the testing procedures to satisfy state standards for laboratory testing;

(3) provide cost-effective resources to the local health departments to increase the availability of laboratory testing in the border counties;

(4) enhance the laboratory testing capacity, including testing of human and nonhuman specimens, in the border counties; and

(5) ensure the efficiency, effectiveness, and accuracy of laboratory test results.

Sec. 12.153. YEAR-ROUND ACCESS TO LABORATORY TESTING FOR VECTOR-BORNE INFECTIOUS DISEASES. Using available resources and as determined appropriate by the department, the department shall support access to year-round laboratory testing for vector-borne infectious diseases to record and address local outbreaks of vector-borne infectious diseases in the counties of this state that are most at risk for the year-round outbreaks, including Maverick, Val Verde,

Webb, Zapata, Starr, Hidalgo, Willacy, and Cameron Counties. The department may make the access directly available or through a local agreement entered into under Section 12.152. The testing may include, as appropriate:

- (1) arboviral testing;
- (2) speciation testing;
- (3) PCR testing;
- (4) IgM testing;
- (5) IgG testing; and
- (6) any other testing the department determines appropriate.

SECTION \_\_\_\_\_. Subtitle C, Title 2, Health and Safety Code, is amended by adding Chapter 65 to read as follows:

CHAPTER 65. BORDER PUBLIC HEALTH INITIATIVE

Sec. 65.0001. DEFINITIONS. In this chapter:

(1) "Border county" means a county adjacent to this state's international border with Mexico.

(2) "Promotora" or "community health worker" has the meaning assigned by Section 48.001.

Sec. 65.0002. BORDER PUBLIC HEALTH INITIATIVE. (a) The department shall develop an initiative to reduce the adverse health impacts of diabetes, hypertension, and obesity for adults and children in border counties. The initiative must promote:

- (1) educational resources designed to prevent those conditions;
- (2) screenings of persons at risk for those conditions; and
- (3) referrals to and treatment by health care providers for those conditions.

(b) In developing the border public health initiative, the department may consult and collaborate with:

- (1) other health and human services agencies;
- (2) other appropriate state or federal agencies;
- (3) health science centers and medical schools; and
- (4) public and private health care providers and hospitals.

Sec. 65.0003. OUTREACH CAMPAIGNS. To implement the border public health initiative described by Section 65.0002, the department shall conduct bilingual, culturally appropriate outreach campaigns in consultation and collaboration with appropriate individuals and entities that may include:

- (1) promotoras and community health workers;
- (2) academic centers located in border counties;
- (3) nonprofit organizations;
- (4) public schools;
- (5) public and private health care providers and hospitals;
- (6) worksite wellness programs;
- (7) local business and health care providers that provide early detection of prediabetes, prehypertension, and obesity; and
- (8) other local entities, as the department determines appropriate.

Sec. 65.0004. REPORT. Not later than January 1, 2023, the department shall prepare and electronically submit to the lieutenant governor, the speaker of the house of representatives, and the legislature a report describing:

(1) health outcomes and health care savings resulting from prevention, screenings, and treatment of chronic diseases under the border public health initiative; and

(2) other relevant findings, as determined by the department, resulting from the border public health initiative.

Sec. 65.0005. EXPIRATION. This chapter expires December 31, 2031.

SECTION \_\_\_\_. Chapter 81, Health and Safety Code, is amended by adding Subchapter K to read as follows:

SUBCHAPTER K. HEALTH PROFESSIONAL CONTINUING EDUCATION TO ADDRESS COMMUNICABLE AND OTHER DISEASES IN BORDER COUNTIES

Sec. 81.451. DEFINITIONS. In this subchapter:

(1) "Community health worker" has the meaning assigned by Section 48.001.

(2) "Health professional" means an individual whose:

(A) vocation or profession is directly or indirectly related to the maintenance of the health of another individual; and

(B) duties require a specified amount of formal education and may require a special examination, certificate or license, or membership in a regional or national association.

(3) "HIV" means human immunodeficiency virus.

Sec. 81.452. APPLICABILITY OF SUBCHAPTER. This subchapter applies only to a county adjacent to the international border with Mexico.

Sec. 81.453. HEALTH PROFESSIONAL CONTINUING EDUCATION.

(a) To the extent funds are available, the department, in collaboration with health authorities, local health departments, and public health districts, shall provide to community health workers, health professionals, and applicable employees of a local health department or public health district continuing education designed to reduce the incidence of communicable and other diseases in counties described by Section 81.452.

(b) The continuing education described by Subsection (a) may address:

(1) the diagnosis and treatment of communicable and other diseases, including:

(A) tuberculosis, tuberculosis meningitis, multidrug resistant tuberculosis, and tuberculosis and HIV coinfections;

(B) sexually transmitted diseases and HIV; and

(C) liver diseases;

(2) methods for increasing pediatric and adult immunization rates;

(3) strategies for improving health care system operations related to public health, including identifying, monitoring, tracking, and responding to communicable and other diseases occurring in the counties described by Section 81.452; and

(4) any other matter that the department determines will assist health professionals, local health departments, and public health districts with addressing public health challenges existing in those counties.

(c) The department shall identify and assess the accessibility of continuing education resources and programs for local health departments in counties described by Section 81.452 that may provide the continuing education described by this section.

Sec. 81.454. FUNDING. (a) The department may solicit or accept gifts, grants, or donations to fund health professional continuing education under this subchapter.

(b) The department shall collaborate with state and federal agencies, nonprofit organizations, public and private hospitals, institutions of higher education, and the private sector to identify, apply for, and solicit sources of funding for health professional continuing education under this subchapter.

SECTION \_\_\_\_ . Subtitle D, Title 2, Health and Safety Code, is amended by adding Chapter 90 to read as follows:

CHAPTER 90. DEMONSTRATION PROGRAMS ADDRESSING CHILDHOOD OBESITY AND CHRONIC DISEASE IN CERTAIN BORDER COUNTIES

Sec. 90.0001. DEFINITION. In this chapter, "border county" means a county adjacent to this state's international border with Mexico.

Sec. 90.0002. ESTABLISHMENT. The department shall establish the childhood obesity prevention demonstration program and the chronic disease prevention demonstration program under this chapter in counties that:

- (1) are adjacent to the international border with Mexico; and
- (2) have a population of less than 800,000 and more than 400,000.

Sec. 90.0003. CHILDHOOD OBESITY PREVENTION DEMONSTRATION PROGRAM. (a) To the extent funds are available, the department shall develop and implement a school-based demonstration program to address childhood obesity and related chronic diseases in each county to which this chapter applies.

(b) The demonstration program must be evidence-based and culturally appropriate.

(c) In developing the childhood obesity prevention demonstration program under Subsection (a), the department shall prioritize appropriate collaborations with:

- (1) medical professionals specializing in obesity prevention;
- (2) experts in public health;
- (3) representatives of health science centers;
- (4) experts in public and higher education;
- (5) representatives of local school health advisory councils;
- (6) interested parties from the counties participating in the program;
- (7) a representative from the Texas Education Agency;
- (8) a representative from the Texas Higher Education Coordinating Board;

and

- (9) representatives from other appropriate state agencies.

Sec. 90.0004. CHRONIC DISEASE PREVENTION DEMONSTRATION PROGRAM. (a) To the extent funds are available, the department shall establish a chronic disease prevention demonstration program for adults residing in each county to which this chapter applies.

(b) In establishing the chronic disease prevention demonstration program under Subsection (a), the department shall prioritize appropriate collaboration with:

- (1) medical professionals specializing in chronic disease treatment;

- (2) representatives from hospitals licensed under Chapter 241;
- (3) representatives from academic centers located in border counties; and
- (4) a representative from a medical school in the immediate border region.

Sec. 90.0005. RECOMMENDATIONS FOR SCHOOLS AND OTHER ENTITIES. The department, based on the results of the demonstration programs established under this chapter, shall share the strategies, best practices, and recommendations the department determines are successful in addressing childhood obesity and chronic disease prevention with public schools and other appropriate entities in each county to which this chapter applies.

Sec. 90.0006. EVALUATION. The department shall evaluate the effectiveness of the demonstration programs established under this chapter not later than September 1, 2029.

Sec. 90.0007. REPORT. Not later than November 1, 2029, the department shall submit a written or electronic report on the demonstration programs established under this chapter to the lieutenant governor, the speaker of the house of representatives, and each member of the legislature. The report must include:

- (1) a summary of the programs;
- (2) an evaluation of the effectiveness of the programs; and
- (3) recommendations on whether the programs should be continued, expanded to other border counties, or terminated.

Sec. 90.0008. RULES. The executive commissioner shall adopt rules as necessary to implement this chapter.

SECTION \_\_\_\_\_. Subchapter A, Chapter 121, Health and Safety Code, is amended by adding Section 121.0055 to read as follows:

Sec. 121.0055. SANITARIAN RECRUITMENT AND RETENTION PROGRAM IN BORDER COUNTIES. (a) This section applies only to a local health unit, local health department, or public health district that is:

- (1) located in a county along the international border with Mexico; and
- (2) affiliated with the department under Section 121.005.

(b) To the extent funds are available, the department shall develop a program under which the department:

(1) provides grants to local health units, local health departments, and public health districts to improve recruitment and retention of sanitarians registered under Chapter 1953, Occupations Code; and

(2) expands opportunities for training and registration of sanitarians to improve disease response and prevent foodborne, waterborne, vector-borne, and zoonotic diseases.

(c) The department shall administer the grant program described by Subsection (b) in coordination with local health units, local health departments, public health districts, and appropriate state agencies, federal agencies, nonprofit organizations, public and private hospitals, institutions of higher education, and other private entities.

(d) The department may provide a grant under Subsection (b) only in accordance with a contract between the department and the recipient. The contract must include provisions under which the department is granted sufficient control to ensure the public purpose of improved public health is accomplished and the state receives the return benefit.

(e) The department may solicit and accept gifts, grants, and donations to operate the program established under this section. The department shall coordinate with appropriate state agencies, federal agencies, nonprofit organizations, public and private hospitals, institutions of higher education, and other private entities in identifying and soliciting funding to implement this section.

SECTION \_\_\_\_. Chapter 161, Health and Safety Code, is amended by adding Subchapter X to read as follows:

SUBCHAPTER X. BORDER PUBLIC HEALTH RESPONSE TEAM

Sec. 161.701. DEFINITIONS. In this subchapter:

(1) "Border county" means a county adjacent to the international border with Mexico.

(2) "Disaster" has the meaning assigned by Section 418.004, Government Code. The term includes a state of disaster declared by:

(A) the president of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Section 5121 et seq.);

(B) the governor under Section 418.014, Government Code; or

(C) the presiding officer of the governing body of a political subdivision under Section 418.108, Government Code.

(3) "Response team" means the border public health response team established under Section 161.702.

(4) "Sanitarian" has the meaning assigned by Section 1953.001, Occupations Code.

Sec. 161.702. BORDER PUBLIC HEALTH RESPONSE TEAM. The department shall establish a border public health response team to deploy in response to public health threats declared by the commissioner and declared disasters in border counties.

Sec. 161.703. COMPOSITION OF RESPONSE TEAM. The response team may be composed of the following members appointed by the commissioner:

(1) an epidemiologist;

(2) a sanitarian;

(3) a nurse;

(4) a public health specialist; and

(5) any other person the commissioner considers appropriate.

Sec. 161.704. DEPARTMENT DUTIES. (a) The department, in consultation with the response team, shall, as necessary, enter into memoranda of understanding with other state agencies to develop policies, plans, and procedures to facilitate an effective response to a declared public health threat or disaster.

(b) The department shall provide, or contract to provide, training, equipment, and support staff to the response team to enhance the team's response efforts, as appropriate.

Sec. 161.705. RESPONSE TEAM DUTIES. During a declared public health threat or disaster in a border county, the response team shall, as appropriate:

(1) assess health infrastructure and response capabilities for the threat or disaster in a border county;

(2) develop appropriate responses for the threat or disaster in a border county; and

(3) address language, cultural, and environmental factors that are unique to responding to the threat or disaster in a border county.

Sec. 161.706. FUNDING. (a) The department shall coordinate with the commission, the office of the governor, the federal government, and any other appropriate entity for funding to support the response team's activities.

(b) The department may accept on behalf of the response team a gift, grant, or donation from any source to carry out the purposes of this subchapter.

SECTION \_\_\_\_\_. Not later than December 1, 2019, the Department of State Health Services shall establish the border public health response team as required by Subchapter X, Chapter 161, Health and Safety Code, as added by this Act.

SECTION \_\_\_\_\_. The Department of State Health Services is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the department may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

The amendment to **CSHB 1669** was read and was adopted by a viva voce vote.

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

**CSHB 1669** as amended was passed to third reading by the following vote: Yeas 23, Nays 8.

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

Nays: Bettencourt, Creighton, Fallon, Hall, Hancock, Nelson, Paxton, Schwertner.

### **COMMITTEE SUBSTITUTE HOUSE BILL 1669 ON THIRD READING**

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1669** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Creighton, Hall, Nelson, Paxton, Schwertner.



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

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

Nays: Bettencourt, Creighton, Fallon, Hall, Hancock, Nelson, Paxton, Schwertner.

### HOUSE BILL 3842 ON SECOND READING

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **HB 3842** at this time on its second reading:

**HB 3842**, Relating to the requirement that a motor vehicle dealer obtain a general distinguishing number for a consignment location.

The motion prevailed.

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

The bill was read second time.

Senator Flores offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **HB 3842** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 501, Transportation Code, is amended by adding Section 501.0236 to read as follows:

Sec. 501.0236. ISSUANCE OF TITLE AND PERMITS WHEN DEALER GOES OUT OF BUSINESS. (a) This section applies only to a person who is the purchaser of a motor vehicle for which the dealer:

(1) is required to apply for a title for the vehicle under Section 501.0234;  
and

(2) does not apply for the title because the dealer has gone out of business.

(b) A purchaser to whom this section applies may apply for:

(1) a title in the manner prescribed by the department by rule; and

(2) on expiration of the buyer's tag issued to the purchaser under Section 503.063, a 30-day permit under Section 502.095.

(c) An application for a title under this section must include a release of any recorded lien on the motor vehicle unless the only recorded lienholder is a dealer described by Subsection (a).

(d) The department shall waive the payment of fees for:

(1) a title issued to a purchaser described by this section, if the purchaser can show that fees for a title were paid to the dealer; and

(2) one 30-day permit issued to a purchaser described by this section.

(e) Notwithstanding Section 503.033(e), the department may recover against the surety bond executed by the dealer under Section 503.033 the amount of any fee waived for a title or permit issued under this section.

(f) The department shall adopt the rules necessary to implement this section.

SECTION \_\_\_\_\_. The heading to Section 503.033, Transportation Code, is amended to read as follows:

Sec. 503.033. SURETY BOND REQUIRED; LIABILITY OF SURETY  
~~[SECURITY REQUIREMENT].~~

SECTION \_\_\_\_\_. Sections 503.033(a) and (d), Transportation Code, are amended to read as follows:

(a) The department may not issue or renew a motor vehicle dealer general distinguishing number or a wholesale motor vehicle auction general distinguishing number unless the applicant provides to the department[+]

~~[(+)]~~ satisfactory proof that the applicant has purchased a properly executed surety bond in the amount of \$50,000 ~~[\$25,000]~~ with a good and sufficient surety approved by the department~~[- or~~

~~[(2) other security under Subsection (c)].~~

(d) A person may recover against a surety bond ~~[or other security]~~ if the person obtains against a person issued a motor vehicle dealer general distinguishing number or a wholesale motor vehicle auction general distinguishing number a judgment assessing damages and reasonable attorney's fees based on an act or omission on which the bond is conditioned that occurred during the term for which the general distinguishing number was valid.

The amendment to **HB 3842** 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 3842** 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: Bettencourt, Creighton, Fallon, Hall.

### HOUSE BILL 3842 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 3842** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Creighton, Fallon, Hall.

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

**(President in Chair)****COMMITTEE SUBSTITUTE  
HOUSE BILL 1025 ON SECOND READING**

Senator Whitmire moved to suspend the regular order of business to take up for consideration **CSHB 1025** at this time on its second reading:

**CSHB 1025**, Relating to membership on and the eligibility of certain persons to serve on the board of certain property owners' associations.

The motion prevailed.

Senators Hall and Taylor 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: Hall, Taylor.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1025 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 **CSHB 1025** 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, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Watson, West, Whitmire, Zaffirini.

Nays: Hall, Taylor.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2143 ON SECOND READING**

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2143** at this time on its second reading:

**CSHB 2143**, Relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.

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 2143 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 **CSHB 2143** 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 4388 ON SECOND READING**

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4388** at this time on its second reading:

**HB 4388**, Relating to the management of the permanent school fund by the School Land Board and the State Board of Education.

The bill was read second time.

Senator Fallon offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 4388** (senate committee printing), in SECTION 1 of the bill, in added Section 43.0052, Education Code, as follows:

(1) On page 1, line 33, strike "and".

(2) On page 1, line 34, between "performances" and the underlined period, insert the following:

; and

(4) costs of implementing and administering the permanent school fund liquid account under Section 51.414, Natural Resources Code, including costs associated with contracts for:

(A) professional investment management;

(B) investment advisory services; and

(C) custodial services for the account

The amendment to **HB 4388** 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 Taylor offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **HB 4388** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) The legislature finds that the periodic examination of distributions made from the permanent school fund to the available school fund is necessary for the effective management of permanent school fund investments.

(b) The Texas Education Agency, in consultation with the General Land Office, shall conduct a study regarding distributions from the permanent school fund to the available school fund. The study must:

(1) examine historical patterns in the real value of distributions made from all assets and revenues of the permanent school fund and historical patterns in the real value of permanent school fund assets relative to the number of students enrolled in the public education system;

(2) analyze the impact of underlying data and methodological assumptions on actual and projected distributions from the permanent school fund;

(3) seek input from state government officials involved in public education policy or in the appropriation of state funds to support the public education system;

(4) examine current and alternative approaches to balance the needs and interests of present and future beneficiaries of the permanent school fund and the available school fund;

(5) develop options to maximize available revenue distributions for the education of students enrolled in the public education system while preserving the permanent school fund for future generations; and

(6) consider any other subjects relevant to the purpose of the study.

(c) The Texas Education Agency may contract for investment management expertise for the purpose of implementing this section.

(d) Not later than June 1, 2020, the Texas Education Agency shall prepare and submit a report regarding the results of the study to the governor, the State Board of Education, the Legislative Budget Board, the lieutenant governor, the speaker of the house of representatives, and each legislative standing committee with primary jurisdiction over public education.

(e) This section expires January 1, 2021.

The amendment to **HB 4388** 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.

**HB 4388** 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 4388 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4388** 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 3195 ON SECOND READING**

Senator Whitmire moved to suspend the regular order of business to take up for consideration **HB 3195** at this time on its second reading:

**HB 3195**, Relating to juveniles committed to the Texas Juvenile Justice Department.

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 3195** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.023 to read as follows:

Sec. 37.023. TRANSITION FROM ALTERNATIVE EDUCATION PROGRAM TO REGULAR CLASSROOM. (a) In this section:

(1) "Alternative education program" includes:

(A) a disciplinary alternative education program operated by a school district or open-enrollment charter school;

(B) a juvenile justice alternative education program; and

(C) a residential program or facility operated by or under contract with the Texas Juvenile Justice Department, a juvenile board, or any other governmental entity.

(2) "Licensed clinical social worker" has the meaning assigned by Section 505.002, Occupations Code.

(b) As soon as practicable after an alternative education program determines the date of a student's release from the program, the alternative education program administrator shall:

(1) provide written notice of that date to:

(A) the student's parent or a person standing in parental relation to the student; and

(B) the administrator of the campus to which the student intends to transition; and

(2) provide the campus administrator:

(A) an assessment of the student's academic growth while attending the alternative education program; and

(B) the results of any assessment instruments administered to the student.

(c) Not later than five instructional days after the date of a student's release from an alternative education program, the campus administrator shall coordinate the student's transition to a regular classroom. The coordination must include assistance and recommendations from:

(1) school counselors;

(2) school district peace officers;

(3) school resource officers;

(4) licensed clinical social workers;

(5) campus behavior coordinators;  
(6) classroom teachers who are or may be responsible for implementing the student's personalized transition plan developed under Subsection (d); and  
(7) any other appropriate school district personnel.

(d) The assistance required by Subsection (c) must include a personalized transition plan for the student developed by the campus administrator. A personalized transition plan:

(1) must include recommendations for the best educational placement of the student; and

(2) may include:

(A) recommendations for counseling, behavioral management, or academic assistance for the student with a concentration on the student's academic or career goals;

(B) recommendations for assistance for obtaining access to mental health services provided by the district or school, a local mental health authority, or another private or public entity;

(C) the provision of information to the student's parent or a person standing in parental relation to the student about the process to request a full individual and initial evaluation of the student for purposes of special education services under Section 29.004; and

(D) a regular review of the student's progress toward the student's academic or career goals.

(e) If practicable, the campus administrator, or the administrator's designee, shall meet with the student's parent or a person standing in parental relation to the student to coordinate plans for the student's transition.

(f) This section applies only to a student subject to compulsory attendance requirements under Section 25.085.

SECTION \_\_\_\_. Section 37.023, Education Code, as added by this Act, applies beginning with the 2019-2020 school year.

The amendment to **HB 3195** 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 3195** 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 3195 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 **HB 3195** 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 1313 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1313** at this time on its second reading:

**HB 1313**, Relating to the authority of the chief appraiser of an appraisal district to increase the appraised value of property in the tax year following the year in which the appraised value of the property is lowered as a result of a protest or appeal.

The bill was read second time.

Senator Birdwell offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **HB 1313** (senate committee printing) by striking SECTIONS 2 and 3 of the bill (page 1, lines 43-46) and substituting the following appropriately numbered SECTIONS:

SECTION \_\_\_\_. Section 11.26, Tax Code, is amended by amending Subsection (i) and adding Subsection (i-1) to read as follows:

(i) If an individual who qualifies for the exemption provided by Section 11.13(c) ~~[for an individual 65 years of age or older]~~ dies, the surviving spouse of the individual is entitled to the limitation applicable to the residence homestead of the individual if:

(1) the surviving spouse is 55 years of age or older when the individual dies; and

(2) the residence homestead of the individual:

(A) is the residence homestead of the surviving spouse on the date that the individual dies; and

(B) remains the residence homestead of the surviving spouse.

(i-1) A limitation under Subsection (i) applicable to the residence homestead of the surviving spouse of an individual who was disabled and who died before January 1, 2020, is calculated as if the surviving spouse was entitled to the limitation when the individual died.

SECTION \_\_\_\_. This Act applies only to a tax year beginning on or after the effective date of this Act.

SECTION \_\_\_\_. (a) Except as provided by Subsection (b) of this section, this Act takes effect January 1, 2020.

(b) Section 11.26, Tax Code, as amended by this Act, takes effect only if the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, to allow the surviving spouse of a person who is disabled to receive a limitation on the school district ad valorem taxes on the spouse's residence homestead if the spouse is 55 years of age or older at the time of the person's death is approved by the voters. If that constitutional amendment is not approved by the voters, Section 11.26, Tax Code, as amended by this Act, has no effect.

The amendment to **HB 1313** 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 Buckingham offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **HB 1313** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 41.41, Tax Code, is amended by adding Subsection (c) to read as follows:

(c) An appraisal district or the appraisal review board for an appraisal district may not require a property owner to pay a fee in connection with a protest filed by the owner with the board.

The amendment to **HB 1313** 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.

**HB 1313** 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 1313 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1313** 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 3388 ON SECOND READING**

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **CSHB 3388** at this time on its second reading:

**CSHB 3388**, Relating to the reimbursement of prescription drugs under Medicaid and the child health plan program.

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.

Senator Kolkhorst offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 3388** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 533.005(a)(23)(K)(i), Government Code (page 5, line 9), between "renewal" and "[", insert ", if applicable"."

(2) In SECTION 2 of the bill, in added Section 533.00514, Government Code (page 7, between lines 8 and 9), insert the following:

(f) Notwithstanding any other provision of this section, the executive commissioner by rule may establish a minimum dispensing fee that is less than the fee required under Subsections (a) and (d) and may implement the minimum fee amount only after publishing the adopted rule.

(g) The commission shall encourage a managed care organization that contracts with the commission to provide health care services to recipients under this chapter to include in the organization's network all pharmacies that will promote value under an alternative payment model or other quality-based payment system developed by the organization in accordance with rules adopted by the executive commissioner. The payment system may include shared savings and incentive medication adherence, disease management, and comprehensive medication management.

(h) This section expires September 1, 2023.

(3) In SECTION 3 of the bill, in added Section 62.160, Health and Safety Code (page 7, line 16), after the underlined period, insert the following:  
This section expires September 1, 2023.

(4) Strike SECTION 5 of the bill (page 7, lines 19-24) and substitute the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. (a) If before implementing a provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing all provisions of this Act until the waiver or authorization is granted.

(b) Notwithstanding any other provision of this Act:

(1) if Health and Human Services Commission delays implementation of the provisions of this Act under Subsection (a) of this section, the changes in law made by those provisions apply beginning on the 180th day after the date the commission receives the authorization described that subsection; and

(2) until the changes in law made by this Act apply, the law as it existed immediately before the effective date of this Act applies, and the former law is continued in effect for that purpose.

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

SECTION \_\_\_\_\_. (a) Not later than December 31, 2022, the Health and Human Services Commission shall submit a report to the legislature on the impact of this Act on and the changes made to prescription drug pricing and reimbursement under the Medicaid managed care program under Chapter 533, Government Code, and the child health plan program under Chapter 62, Health and Safety Code. The report must include an analysis and comparison of drug price deflation, professional fees, and trends in other public benefits programs, including Medicare under Title XVIII of the Social Security Act (42 U.S.C. Section 1395 et seq.).

(b) This section expires September 1, 2023.

The amendment to **CSHB 3388** 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 3388** 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: Creighton.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 3388 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3388** 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)

**HOUSE BILL 2764 ON SECOND READING**

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2764** at this time on its second reading:

**HB 2764**, Relating to minimum standards and caregiver training for substitute care providers for children in the conservatorship of the Department of Family and Protective Services.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 2764** (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter D, Chapter 261, Family Code, is amended by adding Section 261.3072 to read as follows:

Sec. 261.3072. REQUIRED NOTIFICATIONS DURING INVESTIGATION AND INTERVIEW. (a) As soon as possible after initiating an investigation of a report of child abuse or neglect, the department shall notify the parent or conservator of the child who is the subject of the report of abuse or neglect and the person alleged to have committed the abuse or neglect of:

(1) the specific facts made in the report of abuse or neglect;  
(2) the date the report of abuse or neglect was made; and  
(3) whether the department is considering previously closed investigations against the person alleged to have committed the abuse or neglect.

(b) Before the department conducts an interview regarding a report of child abuse or neglect, the department shall:

(1) provide the person being interviewed with the contact information of the department employee conducting the interview, including the employee's name, e-mail address, and phone number;

(2) notify the person being interviewed of the person's right to:

(A) record the interview using an audio recording device;

(B) consult with an attorney during the interview and have an attorney present during the interview; and

(C) file a complaint relating to the department's conduct during the investigation with the department's office of consumer relations; and

(3) inform the person being interviewed that any information collected during the investigation may be used as evidence in a proceeding to remove the child or in a criminal proceeding.

(c) A department employee may not threaten adverse action or otherwise retaliate against a person who exercises a right described by Subsection (b)(2).

(d) The department employee conducting the interview shall obtain written verification from the person being interviewed that the department provided the person with the information required by Subsection (b).

SECTION \_\_\_\_\_. Subchapter B, Chapter 40, Human Resources Code, is amended by adding Section 40.045 to read as follows:

Sec. 40.045. NOTICE REGARDING RECORDING OF INVESTIGATIVE INTERVIEWS. (a) This section applies to all investigations conducted by the department, including investigations conducted by the adult protective services division and the child protective services division.

(b) Except as provided by Subsection (c), before a department employee conducts an interview as part of a department investigation, the employee shall:

(1) orally notify the person who is the subject of the interview that the person has the right to record the interview using an audio recording device; and

(2) obtain written verification from the person who is the subject of the interview that the department employee provided the notice required by Subdivision (1).

(c) A department employee is not required to provide the notice described by Subsection (b) to:

(1) an alleged victim of self-neglect; or

(2) a person who the department employee suspects is incapacitated.

The amendment to **HB 2764** 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 2764** 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 2764 ON THIRD READING

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2764** 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 1973 ON SECOND READING

Senator Nelson moved to suspend the regular order of business to take up for consideration **HB 1973** at this time on its second reading:

**HB 1973**, Relating to the system by which an application for a low income housing tax credit is scored.

The motion prevailed.

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

The bill was read second time.

Senator Watson offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **HB 1973** (senate committee report) as follows:

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

SECTION \_\_\_\_\_. Sections 2306.111(c), (c-1), and (c-2), Government Code, are amended to read as follows:

(c) In administering federal housing funds provided to the state under the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. Section 12701 et seq.), the department shall allocate ~~expend~~:

(1) 95 percent of these funds for the benefit of non-participating small cities and rural areas that do not qualify to receive funds under the Cranston-Gonzalez National Affordable Housing Act directly from the United States Department of Housing and Urban Development, except that an amount not to exceed 15 percent of the funds allocated under this subdivision may be allocated to participating jurisdictions as necessary to meet the requirements of federal law; and

(2) at least five percent of these funds for the benefit of persons with disabilities who live in any area of this state.

(c-1) Eligibility to apply for set-aside funds under Subsection (c) is determined by federal law ~~[The following entities are eligible to apply for set-aside funds under Subsection (c):~~

~~[(1) nonprofit providers of affordable housing, including community housing development organizations; and~~

~~[(2) for profit providers of affordable housing].~~

(c-2) In allocating set-aside funds under Subsection (c), the department:

(1) may not give preference to nonprofit providers of affordable housing, except as necessary to meet the requirements of ~~[required by]~~ federal law; and

(2) shall allocate funds:

(A) in accordance with any applicable spending plan required under federal law; and

(B) in a manner that ensures that, to the greatest extent possible, an allocation required only under state law is made before an allocation is made solely to meet the requirements of federal law.

SECTION \_\_\_\_\_. The change in law made by this Act in amending Section 2306.111, Government Code, applies only to an application for financial assistance that is submitted to the Texas Department of Housing and Community Affairs on or after January 1, 2020. An application for financial assistance that is submitted to the department before January 1, 2020, is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

(2) In SECTION 2 of the bill (page 1, line 38), between "Act" and "applies", insert "in amending Section 2306.6710, Government Code,".

The amendment to **HB 1973** 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 Watson offered the following amendment to the bill:

### **Floor Amendment No. 2**

Amend **HB 1973** (senate committee report) as follows:

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

SECTION 1. Section 2306.6711(f), Government Code, is amended to read as follows:

(f) The board may allocate housing tax credits to more than one development in a single community, as defined by department rule, in the same calendar year ~~[only]~~ if:

(1) the developments are or will be located more than two linear miles apart;

or

(2) the following conditions are met:

(A) at least one of the developments will be located wholly within a census tract:

(i) that has a poverty rate above 15 percent; and

(ii) in which the median value of owner-occupied homes has increased by 15 percent or more within the five years preceding the date of the application; and

(B) the applicant for the development:

(i) has obtained prior approval of the development from the governing body of the appropriate municipality or county containing the development; and

(ii) has included in the application a written statement of support from that governing body referencing this section and authorizing an allocation of housing tax credits for the development. [~~This subsection applies only to communities contained within counties with populations exceeding one million.~~]

(2) In SECTION 2 of the bill (page 1, line 38), strike "change" and substitute "changes".

(3) In SECTION 2 of the bill (page 1, line 38), strike "applies" and substitute "apply".

The amendment to **HB 1973** 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.

**HB 1973** 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: Bettencourt, Creighton.

#### **HOUSE BILL 1973 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1973** be placed on its third reading and final passage.

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

Yeas: Alvarado, Birdwell, Buckingham, Campbell, 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.

Nays: Bettencourt, Creighton.

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

#### **HOUSE BILL 3496 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **HB 3496** at this time on its second reading:

**HB 3496**, Relating to the licensing and regulation of certain pharmacies; providing an administrative penalty.

The motion prevailed.

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

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

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

Nays: Bettencourt.

#### **HOUSE BILL 3496 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 3496** be placed on its third reading and final passage.

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

Nays: Bettencourt.

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

**(Senator Menéndez in Chair)**

**HOUSE BILL 3750 ON SECOND READING**

Senator Schwertner moved to suspend the regular order of business to take up for consideration **HB 3750** at this time on its second reading:

**HB 3750**, Relating to the applicability of certain municipal ordinances in the municipality's extraterritorial jurisdiction.

The motion prevailed.

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

The bill was read second time.

Senator Schwertner offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 3750** (senate committee printing) in SECTION 1 of the bill, in added Section 212.003(d), Local Government Code (page 1, lines 29-32), by striking ", or in the drainage basin of a river designated by the Texas Commission on Environmental Quality as having high or exceptional aquatic life use in the Texas Surface Water Quality Standards".

The amendment to **HB 3750** 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 except as follows:

Nays: Watson.

Senator Campbell offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **HB 3750** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter Z, Chapter 42, Local Government Code, is amended by adding Section 42.9025 to read as follows:

Sec. 42.9025. RESTRICTION ON IMPOSING FINE OR FEE IN CERTAIN AREAS IN EXTRATERRITORIAL JURISDICTION. (a) This section applies only to an area that is located in a municipality's extraterritorial jurisdiction and:

(1) that has been disannexed from the municipality under Subchapter G, Chapter 43; or

(2) for which the municipality has attempted and failed to obtain consent for annexation under Subchapter C-4 or C-5, Chapter 43.



(b) Notwithstanding any other law, a municipality may not impose under a municipal ordinance a fine or fee on a person on the basis of:

(1) an activity that occurs wholly in an area described by Subsection (a); or  
(2) the management or ownership of property located wholly in an area described by Subsection (a).

(c) This section does not limit a municipality from adopting and enforcing rates, fines, and fees for retail water, wastewater, or drainage utility services provided to the area described by Subsection (a).

(d) This section does not apply to development or redevelopment in an area in which an election was held under Section 43.0117.

The amendment to **HB 3750** 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 except as follows:

Nays: Birdwell.

**HB 3750** 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: Rodríguez, Watson, Zaffirini.

#### **HOUSE BILL 3750 ON THIRD READING**

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3750** be placed on its third reading and final passage.

The motion prevailed 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, Miles, Nelson, Nichols, Paxton, Perry, Powell, Schwertner, Seliger, Taylor, West, Whitmire.

Nays: Rodríguez, Watson, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

#### **COMMITTEE SUBSTITUTE HOUSE BILL 1078 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSHB 1078** at this time on its second reading:

**CSHB 1078**, Relating to waiving certain driver's license and handgun license fees for certain applicants who hold a certification in cardiopulmonary resuscitation.

The motion prevailed.

Senators Birdwell and Johnson 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 on the passage to third reading except as follows:

Nays: Birdwell, Johnson.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1078 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1078** be placed on its third reading and final passage.

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

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

Nays: Birdwell, Johnson.

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

**HOUSE BILL 3834 ON SECOND READING**

On motion of Senator Paxton and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3834** at this time on its second reading:

**HB 3834**, Relating to the requirement that certain state and local government employees and state contractors complete a cybersecurity training program certified by the Department of Information Resources.

The bill was read second time.

Senator Paxton offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 3834** (senate committee printing) in SECTION 3 of the bill as follows:

(1) In added Section 2054.519(b), Government Code (page 2, lines 12-13), strike "include activities, case studies, hypothetical situations, and other methods that".

(2) In added Section 2054.519, Government Code (page 2, between lines 17 and 18), add the following appropriately lettered subsection, reletter subsequent subsections of the section accordingly, and conform any cross-references to those provisions:

( ) The department may identify and certify under Subsection (a) training programs provided by state agencies and local governments that satisfy the training requirements described by Subsection (b).

(3) Strike added Sections 2054.5191(a) and (a-1), Government Code (page 2, lines 29-37), and substitute the following:

(a) Each state agency shall identify state employees who use a computer to complete at least 25 percent of the employee's required duties. At least once each year, an employee identified by the state agency and each elected or appointed officer of the agency shall complete a cybersecurity training program certified under Section 2054.519.

(a-1) At least once each year, a local government shall identify local government employees who have access to a local government computer system or database and require those employees and elected officials of the local government to complete a cybersecurity training program certified under Section 2054.519 or offered under Section 2054.519(e).

(4) In added Section 2054.5191(d), Government Code (page 2, lines 54-55), strike "audit the agency to ensure compliance with this section and send the results to the department" and substitute "require an internal review of the agency to ensure compliance with this section".

(5) In added Section 2054.5192(e), Government Code (page 3, lines 2-3), strike "agency's contract manager" and substitute "person who oversees contract management for the agency".

(6) In added Section 2054.5192(e)(2), Government Code (page 3, line 6), strike "conduct periodic audits" and substitute "periodically review agency contracts".

The amendment to **HB 3834** 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 3834** 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 3834 ON THIRD READING**

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3834** 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 1495 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **HB 1495** at this time on its second reading:

**HB 1495**, Relating to authorization for the creation of a county ethics commission in certain counties and to authorizing counties to adopt a code of ethics for their commissioners courts.

The motion prevailed.

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

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

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

Amend **HB 1495** (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 161, Local Government Code, is amended by adding Section 161.107 to read as follows:

Sec. 161.107. DISCLOSURE OF CERTAIN CONTRACTS. (a) The commission shall prominently display on the county's Internet website the following regarding contracts for services executed by the county that would require a person to register as a lobbyist under Chapter 305, Government Code:

- (1) the execution dates;
- (2) the contract duration terms, including any extension options;
- (3) the effective dates;
- (4) the final amount of money the county paid in the previous fiscal year;
- (5) the identity of all parties to the contract;
- (6) the identity of all subcontractors in the contract; and
- (7) the legislative agenda of the county.

(b) In lieu of displaying the items described by Subsections (a)(1)-(6) regarding a contract for services that would require a person to register as a lobbyist under Chapter 305, Government Code, the commission may post on the county's Internet website the contract executed by the county for those services.

(c) Information required to be displayed on a county's Internet website under this section is public information subject to disclosure under Chapter 552, Government Code.

SECTION \_\_\_\_\_. Section 2252.908(b), Government Code, is amended to read as follows:

(b) This section applies only to a contract of a governmental entity or state agency that:

- (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed; ~~[or]~~
- (2) has a value of at least \$1 million; or
- (3) is for services that would require a person to register as a lobbyist under

Chapter 305.

SECTION \_\_\_\_\_. Section 140.0045, Local Government Code, is amended to read as follows:

Sec. 140.0045. ITEMIZATION OF CERTAIN ~~[PUBLIC NOTICE]~~ EXPENDITURES REQUIRED IN CERTAIN POLITICAL SUBDIVISION BUDGETS. (a) Except as provided by Subsection (b), the proposed budget of a political subdivision must include, in a manner allowing for as clear a comparison as practicable between those expenditures in the proposed budget and actual expenditures for the same purpose in the preceding year, a line item indicating expenditures for:

(1) notices required by law to be published in a newspaper by the political subdivision or a representative of the political subdivision; and

(2) directly or indirectly influencing or attempting to influence the outcome of legislation or administrative action, as those terms are defined in Section 305.002, Government Code [~~that allows as clear a comparison as practicable between those expenditures in the proposed budget and actual expenditures for the same purpose in the preceding year~~].

(b) Subsection (a)(1) [~~This section~~] does not apply to a junior college district.

The amendment to **HB 1495** 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 except as follows:

Nays: Powell.

Senator Creighton offered the following amendment to the bill:

### **Floor Amendment No. 2**

Amend **HB 1495** (senate committee printing) as follows:

(1) Strike SECTION 2 of the bill, amending Section 161.001, Local Government Code (page 1, lines 25 through 43), and substitute the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. Section 161.001, Local Government Code, is repealed.

(2) Strike SECTION 3 of the bill, amending Section 161.002(8), Local Government Code (page 1, line 44 through page 2, line 3).

(3) Strike SECTION 4 of the bill, adding Section 170.002, Local Government Code (page 2, lines 4 through 17).

(4) Renumber the SECTIONS of the bill accordingly.

The amendment to **HB 1495** 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 except as follows:

Nays: Powell.

**HB 1495** 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: Bettencourt, Hughes, Paxton, Powell.

### **HOUSE BILL 1495 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 1495** be placed on its third reading and final passage.

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

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

Nays: Bettencourt, Hughes, Paxton, Powell.

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

### SENATE BILL 7 WITH HOUSE AMENDMENTS

Senator Creighton called **SB 7** from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the House amendments before the Senate.

#### Amendment

Amend **SB 7** by substituting in lieu thereof the following:

#### A BILL TO BE ENTITLED AN ACT

relating to flood planning, mitigation, and infrastructure projects; making an appropriation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 15.405, Water Code, is amended to read as follows:

Sec. 15.405. FLOOD CONTROL PLANNING CONTRACTS.

SECTION 2. Section 15.405, Water Code, is amended by amending Subsections (a), (f), and (g) and adding Subsection (a-1) to read as follows:

(a) In this section, "flood control planning" means any work related to:

(1) planning for flood protection;

(2) preparing applications for and obtaining regulatory approvals at the local, state, or federal level;

(3) activities associated with administrative or legal proceedings by regulatory agencies; and

(4) preparing engineering plans and specifications to provide structural or nonstructural flood mitigation and drainage.

(a-1) The board may enter into contracts with political subdivisions to pay from the research and planning fund all or part of the cost of [developing] flood control planning [plans] for the political subdivision.

(f) The board shall adopt rules establishing criteria of eligibility for flood control planning money that considers:

(1) the relative need of the political subdivision for the money, giving greater importance to a county that has a median household income that is not greater than 85 percent of the median state household income;

(2) the legal authority of the political subdivision to plan for and control flooding; and

(3) the effect of flood control planning by the political subdivision on overall flood control in the state and within the area in which the political subdivision is located.

(g) The board shall require that flood control planning documents [~~plans~~] developed under contracts entered into under this section be made available to the commission.

SECTION 3 Chapter 15, Water Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. FLOOD INFRASTRUCTURE FUND

Sec. 15.531. DEFINITIONS. In this subchapter:

(1) "Eligible political subdivision" means a district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, a municipality, or a county.

(2) "Flood project" means a drainage, flood mitigation, or flood control project, including:

(A) planning and design activities;

(B) work to obtain regulatory approval to provide nonstructural and structural flood mitigation and drainage;

(C) construction of structural flood mitigation and drainage infrastructure; and

(D) construction and implementation of nonstructural projects, including projects that use nature-based features to protect, mitigate, or reduce flood risk.

(3) "Infrastructure fund" means the flood infrastructure fund.

(4) "Metropolitan statistical area" means an area so designated by the United States Office of Management and Budget.

Sec. 15.532. FINDINGS. The legislature finds that:

(1) the creation of the infrastructure fund and the administration of the fund by the board will encourage the development of nonstructural and structural flood mitigation in the state;

(2) the use of the infrastructure fund is in furtherance of the public purpose of mitigating the effects of flooding in the state; and

(3) the use of the infrastructure fund for the purposes provided by this subchapter is for the benefit of both the state and the political subdivisions to which the board makes financial assistance available in accordance with this subchapter and constitutes a program under Sections 49-d-3 and 52-a, Article III, Texas Constitution.

Sec. 15.533. FLOOD INFRASTRUCTURE FUND. (a) The flood infrastructure fund is a special fund in the state treasury outside the general revenue fund.

(b) The infrastructure fund may be used by the board, without further legislative appropriation, only as provided by this subchapter.

(c) The infrastructure fund consists of:

(1) appropriations from the legislature for a purpose of the infrastructure fund;

(2) proceeds of general obligation bonds issued for a purpose of the infrastructure fund;

(3) any fees or other sources of revenue that the legislature dedicates for deposit to the infrastructure fund;

(4) repayments of loans made from the infrastructure fund;

(5) interest earned on money credited to the infrastructure fund;

(6) depository interest allocable to the infrastructure fund;

(7) money from gifts, grants, or donations to the infrastructure fund; and

(8) money from revenue bonds or other sources designated by the board for deposit to the infrastructure fund.

Sec. 15.534. USE OF INFRASTRUCTURE FUND. (a) The board may use the infrastructure fund only:

(1) to make a loan to an eligible political subdivision at or below market interest rates for a flood project;

(2) to make a grant, low interest loan, or zero interest loan to an eligible political subdivision for:

(A) a flood project to serve an area outside of a metropolitan statistical area in order to ensure that the flood project is implemented; or

(B) a flood project to serve an economically distressed area;

(3) to make a loan at or below market interest rates for planning and design costs, permitting costs, and other costs associated with state or federal regulatory activities with respect to a flood project;

(4) to make a grant to an eligible political subdivision to provide matching funds to enable the eligible political subdivision to participate in a federal program for a flood project;

(5) as a source of revenue or security for the payment of principal and interest on bonds issued by the board if the proceeds of the sale of the bonds will be deposited in the infrastructure fund; and

(6) to pay the necessary and reasonable expenses of the board in administering the infrastructure fund.

(b) Principal and interest payments on loans made under Subsection (a)(3) may be deferred for not more than 10 years or until construction of the flood project is completed, whichever is earlier.

Sec. 15.535. APPLICATION REQUIREMENTS. (a) Except as provided by Subsection (c), an eligible political subdivision applying for financial assistance under this subchapter for a proposed flood project must demonstrate in the application that:

(1) the eligible political subdivision has acted cooperatively with other political subdivisions to address flood control needs in the area in which the eligible political subdivisions are located;

(2) all eligible political subdivisions substantially affected by the proposed flood project have participated in the process of developing the proposed flood project;

(3) the eligible political subdivisions, separately or in cooperation, have held public meetings to accept comment on proposed flood projects from interested parties; and

(4) the technical requirements for the proposed flood project have been completed and compared against any other potential flood projects in the same area.



(b) The application must include an analysis of whether the proposed flood project could use floodwater capture techniques for water supply purposes, including floodwater harvesting, detention or retention basins, or other methods of capturing storm flow or unappropriated flood flow.

(c) An eligible political subdivision applying for assistance under Section 15.534(a)(3) is not required to make the demonstration described by Subsection (a)(4) of this section.

Sec. 15.536. APPROVAL OF APPLICATIONS. On review and recommendation by the executive administrator, the board may approve an application only if the board finds that:

(1) the application and the assistance applied for meet the requirements of this subchapter and board rules;

(2) the application demonstrates a sufficient level of cooperation among eligible political subdivisions and includes all of the eligible political subdivisions substantially affected by the flood project; and

(3) the taxes or other revenue, or both the taxes and other revenue, pledged by the applicant will be sufficient to meet all the obligations assumed by the eligible political subdivision.

Sec. 15.537. RULES. The board shall adopt rules necessary to carry out this subchapter, including rules:

(1) that establish procedures for an application for and for the award of financial assistance;

(2) for the investment of money; and

(3) for the administration of the infrastructure fund.

Sec. 15.538. INFORMATION CLEARINGHOUSE. The board shall act as a clearinghouse for information about state and federal flood planning, mitigation, and control programs that may serve as a source of funding for flood projects.

Sec. 15.539. LIABILITY. Participation in cooperative flood planning to obtain money under this subchapter does not subject an eligible political subdivision to civil liability in regard to a flood project.

SECTION 4. Subchapter H, Chapter 49, Water Code, is amended by adding Section 49.239 to read as follows:

Sec. 49.239. COOPERATIVE FLOOD CONTROL. A district, including a river authority, may participate in cooperative flood control planning for the purpose of obtaining financial assistance as an eligible political subdivision for a flood control project under Subchapter I, Chapter 15.

SECTION 5. Contingent on legislation of the 86th Legislature, Regular Session, 2019, that requires the creation of a state flood plan passing and becoming law, on the date that the Texas Water Development Board adopts the initial state flood plan in accordance with that law:

(1) Section 15.534, Water Code, as added by this Act, expires; and

(2) Subchapter I, Chapter 15, Water Code, is amended by adding Section 15.5341 to read as follows:

Sec. 15.5341. USE OF INFRASTRUCTURE FUND. (a) The board may use the infrastructure fund only to provide financing for flood projects included in the state flood plan.

(b) Money from the infrastructure fund may be awarded to several eligible political subdivisions for a single flood project.

SECTION 6. (a) The amount of \$3.26 billion is appropriated out of the economic stabilization fund to the flood infrastructure fund for purposes of implementing Subchapter I, Chapter 15, Water Code, as added by this Act.

(b) This section takes effect only if this Act is approved by a vote of two-thirds of the members present in each house of the legislature, as provided by Section 49-g(m), Article III, Texas Constitution.

SECTION 7. This Act takes effect January 1, 2020, but only if the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, authorizing the legislature to provide for the creation of the flood infrastructure fund to assist in the financing of drainage, flood mitigation, and flood control projects is approved by the voters. If that amendment is not approved by the voters, this Act has no effect.

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

Amend **CSSB 7** (house committee printing) by striking all below the enacting clause and substituting the following:

#### ARTICLE 1. FLOOD CONTROL PLANNING

SECTION 1.01. The heading to Section 15.405, Water Code, is amended to read as follows:

Sec. 15.405. FLOOD CONTROL PLANNING CONTRACTS.

SECTION 1.02. Section 15.405, Water Code, is amended by amending Subsections (a), (f), and (g) and adding Subsection (a-1) to read as follows:

(a) In this section, "flood control planning" means any work related to:

(1) planning for flood protection;

(2) preparing applications for and obtaining regulatory approvals at the local, state, or federal level;

(3) activities associated with administrative or legal proceedings by regulatory agencies; and

(4) preparing engineering plans and specifications to provide structural or nonstructural flood mitigation and drainage.

(a-1) The board may enter into contracts with political subdivisions to pay from the research and planning fund all or part of the cost of [developing] flood control planning [plans] for the political subdivision.

(f) The board shall adopt rules establishing criteria of eligibility for flood control planning money that considers:

(1) the relative need of the political subdivision for the money, giving greater importance to a county that has a median household income that is not greater than 85 percent of the median state household income;

(2) the legal authority of the political subdivision to plan for and control flooding; and

(3) the effect of flood control planning by the political subdivision on overall flood control in the state and within the area in which the political subdivision is located.

(g) The board shall require that flood control planning documents [plans] developed under contracts entered into under this section be made available to the commission.

ARTICLE 2. FLOOD INFRASTRUCTURE FUND

SECTION 2.01. Chapter 15, Water Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. FLOOD INFRASTRUCTURE FUND

Sec. 15.531. DEFINITIONS. In this subchapter:

(1) "Eligible political subdivision" means a district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, a municipality, or a county.

(2) "Flood project" means a drainage, flood mitigation, or flood control project, including:

(A) planning and design activities;

(B) work to obtain regulatory approval to provide nonstructural and structural flood mitigation and drainage;

(C) construction of structural flood mitigation and drainage infrastructure; and

(D) construction and implementation of nonstructural projects, including projects that use nature-based features to protect, mitigate, or reduce flood risk.

(3) "Infrastructure fund" means the flood infrastructure fund.

(4) "Metropolitan statistical area" means an area so designated by the United States Office of Management and Budget.

Sec. 15.532. FINDINGS. The legislature finds that:

(1) the creation of the infrastructure fund and the administration of the fund by the board will encourage the development of nonstructural and structural flood mitigation in the state;

(2) the use of the infrastructure fund is in furtherance of the public purpose of mitigating the effects of flooding in the state; and

(3) the use of the infrastructure fund for the purposes provided by this subchapter is for the benefit of both the state and the political subdivisions to which the board makes financial assistance available in accordance with this subchapter and constitutes a program under Sections 49-d-3 and 52-a, Article III, Texas Constitution.

Sec. 15.533. FLOOD INFRASTRUCTURE FUND. (a) The flood infrastructure fund is a special fund in the state treasury outside the general revenue fund.

(b) The infrastructure fund may be used by the board, without further legislative appropriation, only as provided by this subchapter.

(c) The infrastructure fund consists of:

(1) appropriations from the legislature for a purpose of the infrastructure fund;

(2) proceeds of general obligation bonds issued for a purpose of the infrastructure fund;

(3) any fees or other sources of revenue that the legislature dedicates for deposit to the infrastructure fund;

(4) repayments of loans made from the infrastructure fund;

(5) interest earned on money credited to the infrastructure fund;

(6) depository interest allocable to the infrastructure fund;

(7) money from gifts, grants, or donations to the infrastructure fund; and

(8) money from revenue bonds or other sources designated by the board for deposit to the infrastructure fund.

Sec. 15.534. USE OF INFRASTRUCTURE FUND. (a) The board may use the infrastructure fund only:

(1) to make a loan to an eligible political subdivision at or below market interest rates for a flood project;

(2) to make a grant, low interest loan, or zero interest loan to an eligible political subdivision for:

(A) a flood project to serve an area outside of a metropolitan statistical area in order to ensure that the flood project is implemented; or

(B) a flood project to serve an economically distressed area;

(3) to make a loan at or below market interest rates for planning and design costs, permitting costs, and other costs associated with state or federal regulatory activities with respect to a flood project;

(4) to make a grant to an eligible political subdivision to provide matching funds to enable the eligible political subdivision to participate in a federal program for a flood project;

(5) as a source of revenue or security for the payment of principal and interest on bonds issued by the board if the proceeds of the sale of the bonds will be deposited in the infrastructure fund; and

(6) to pay the necessary and reasonable expenses of the board in administering the infrastructure fund.

(b) Principal and interest payments on loans made under Subsection (a)(3) may be deferred for not more than 10 years or until construction of the flood project is completed, whichever is earlier.

Sec. 15.535. APPLICATION REQUIREMENTS. (a) Except as provided by Subsection (c), an eligible political subdivision applying for financial assistance under this subchapter for a proposed flood project must demonstrate in the application that:

(1) the eligible political subdivision has acted cooperatively with other political subdivisions to address flood control needs in the area in which the eligible political subdivisions are located;

(2) all eligible political subdivisions substantially affected by the proposed flood project have participated in the process of developing the proposed flood project;

(3) the eligible political subdivisions, separately or in cooperation, have held public meetings to accept comment on proposed flood projects from interested parties; and

(4) the technical requirements for the proposed flood project have been completed and compared against any other potential flood projects in the same area.

(b) The application must include an analysis of whether the proposed flood project could use floodwater capture techniques for water supply purposes, including floodwater harvesting, detention or retention basins, or other methods of capturing storm flow or unappropriated flood flow.

(c) An eligible political subdivision applying for assistance under Section 15.534(a)(3) is not required to make the demonstration described by Subsection (a)(4) of this section.

Sec. 15.536. APPROVAL OF APPLICATIONS. On review and recommendation by the executive administrator, the board may approve an application only if the board finds that:

(1) the application and the assistance applied for meet the requirements of this subchapter and board rules;

(2) the application demonstrates a sufficient level of cooperation among eligible political subdivisions and includes all of the eligible political subdivisions substantially affected by the flood project; and

(3) the taxes or other revenue, or both the taxes and other revenue, pledged by the applicant will be sufficient to meet all the obligations assumed by the eligible political subdivision.

Sec. 15.537. RULES. The board shall adopt rules necessary to carry out this subchapter, including rules:

(1) that establish procedures for an application for and for the award of financial assistance;

(2) for the investment of money; and

(3) for the administration of the infrastructure fund.

Sec. 15.538. INFORMATION CLEARINGHOUSE. The board shall act as a clearinghouse for information about state and federal flood planning, mitigation, and control programs that may serve as a source of funding for flood projects.

Sec. 15.539. LIABILITY. Participation in cooperative flood planning to obtain money under this subchapter does not subject an eligible political subdivision to civil liability in regard to a flood project.

SECTION 2.02. Subchapter H, Chapter 49, Water Code, is amended by adding Section 49.239 to read as follows:

Sec. 49.239. COOPERATIVE FLOOD CONTROL. A district, including a river authority, may participate in cooperative flood control planning for the purpose of obtaining financial assistance as an eligible political subdivision for a flood control project under Subchapter I, Chapter 15.

SECTION 2.03. Contingent on legislation of the 86th Legislature, Regular Session, 2019, that requires the creation of a state flood plan passing and becoming law, on the date that the Texas Water Development Board adopts the initial state flood plan in accordance with that law:

(1) Section 15.534, Water Code, as added by this Act, expires; and

(2) Subchapter I, Chapter 15, Water Code, is amended by adding Section 15.5341 to read as follows:

Sec. 15.5341. USE OF INFRASTRUCTURE FUND. (a) The board may use the infrastructure fund only to provide financing for flood projects included in the state flood plan.

(b) Money from the infrastructure fund may be awarded to several eligible political subdivisions for a single flood project.

ARTICLE 3. TEXAS INFRASTRUCTURE RESILIENCY FUND

SECTION 3.01. Chapter 16, Water Code, is amended by adding Subchapter L to read as follows:

SUBCHAPTER L. FLOOD PROJECT FUNDING

Sec. 16.451. DEFINITIONS. In this subchapter:

(1) "Advisory committee" means the Texas Infrastructure Resiliency Fund Advisory Committee.

(2) "Eligible political subdivision" means a district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, a municipality, or a county.

(3) "Flood project" means a drainage, flood mitigation, or flood control project, including:

(A) planning and design activities;

(B) work to obtain regulatory approval to provide structural and nonstructural flood mitigation and drainage;

(C) construction of structural flood mitigation and drainage infrastructure;

(D) nonstructural or natural flood control strategies; and

(E) a federally authorized project to deepen a ship channel affected by a flooding event.

(4) "Resiliency fund" means the Texas infrastructure resiliency fund.

Sec. 16.452. TEXAS INFRASTRUCTURE RESILIENCY FUND. (a) The Texas infrastructure resiliency fund is a special fund in the state treasury outside the general revenue fund.

(b) The resiliency fund shall be administered by the board in accordance with this subchapter.

(c) The board may invest, reinvest, and direct the investment of any available money in the resiliency fund as provided by law for the investment of public funds.

(d) Investment earnings, interest earned on amounts credited to the resiliency fund, and interest earned on loans made from the fund shall be deposited to the credit of the fund.

Sec. 16.453. FLOODPLAIN MANAGEMENT ACCOUNT. (a) The floodplain management account is an account of the resiliency fund.

(b) The account consists of:

(1) money deposited to the credit of the account under Section 251.004, Insurance Code;

(2) money directly appropriated to the board; and

(3) money from gifts or grants from the United States government, local or regional governments, private sources, or other sources.

(c) The board may use the account to provide financing for activities related to:

(1) the collection and analysis of flood-related information;

(2) flood planning, protection, mitigation, or adaptation;

(3) the provision of flood-related information to the public through educational or outreach programs; or

(4) evaluating the response to and mitigation of flood incidents affecting residential property, including multifamily units, located in floodplains.

Sec. 16.454. HURRICANE HARVEY ACCOUNT. (a) The Hurricane Harvey account is an account in the resiliency fund.

(b) The board may use the account only to provide financing for flood projects related to Hurricane Harvey. Financing under this section includes making a:

(1) grant, low-interest loan, or zero-interest loan to an eligible political subdivision to provide nonfederal matching funds to enable the subdivision to participate in a federal program for the development of a:

(A) hazard mitigation project, under guidelines issued by the Federal Emergency Management Agency or the Texas Division of Emergency Management or the successor in function to those entities; or

(B) public assistance project, under guidelines issued by the Federal Emergency Management Agency or the Texas Division of Emergency Management or the successor in function to those entities; and

(2) loan to an eligible political subdivision at or below market interest rates for the political subdivision's planning or design costs, permitting costs, or other costs associated with state or federal regulatory activities with respect to a flood project.

(c) A grant or loan awarded under this section:

(1) may be awarded only after the applicant demonstrates that any available insurance, other state funds, and eligible federal funds have been exhausted and that Community Development Block Grant Disaster Recovery funds from the United States Department of Housing and Urban Development have been applied toward the cost of eligible matching funds; and

(2) may not provide more than 75 percent of the portion of the cost of the project that is paid with money other than money from a federal program.

(d) In collaboration with the Texas Division of Emergency Management, the board shall establish a point system for prioritizing flood projects for which money from the Hurricane Harvey account is sought. The system must include:

(1) a standard for the board to apply in determining whether a flood project qualifies for funding at the time the application for funding is filed with the board; and

(2) a method to account for the relative need of the political subdivision for the funding.

(e) The board shall give the highest consideration in awarding points to a flood project that will have a substantial effect, including a flood project that:

(1) is recommended or approved by the director of the Texas Division of Emergency Management or the successor in function to that entity; and

(2) meets an emergency need in a county where the governor has declared a state of disaster.

(f) After review and recommendation by the executive administrator and with input from the director of the Texas Division of Emergency Management or the successor in function to that entity, the board may approve an application for financial assistance under this section only if the board finds that:

(1) the application and assistance applied for meet the requirements of this subchapter and board rules;

(2) the application demonstrates a sufficient level of cooperation among applicable political subdivisions and includes all of the political subdivisions substantially affected by the flood project; and

(3) the taxes or other revenue, or both the taxes and other revenue, pledged by the applicant, if applicable, will be sufficient to meet all the obligations assumed by the applicant.

(g) Principal and interest payments on loans made under Subsection (b)(2) may be deferred for not more than 10 years or until construction of the flood project is completed, whichever is the shorter period.

(h) Money from the account may be awarded to several eligible political subdivisions for a single flood project.

(i) An eligible political subdivision that receives a grant for a flood project also may receive a loan from the account.

(j) This section expires September 1, 2031. The remaining balance of the account on that date is transferred to the flood plan implementation account.

Sec. 16.455. FEDERAL MATCHING ACCOUNT. (a) The federal matching account is an account in the resiliency fund.

(b) The board may use the account only to meet matching requirements for projects funded partially by federal money, including projects funded by the United States Army Corps of Engineers.

(c) The board may use the account to make a loan to an eligible political subdivision below market interest rates and under flexible repayment terms, including a line of credit or loan obligation with early prepayment terms, to provide financing for the local share of a federally authorized ship channel improvement project.

Sec. 16.456. TEXAS INFRASTRUCTURE RESILIENCY FUND ADVISORY COMMITTEE. (a) The Texas Infrastructure Resiliency Fund Advisory Committee is composed of the seven members that serve on the State Water Implementation Fund for Texas Advisory Committee described by Section 15.438, with the co-presiding officers of that committee serving as presiding officers of the advisory committee. The director of the Texas Division of Emergency Management or the successor in function to that entity serves as a nonvoting member of the advisory committee, as an additional duty of the director's office.

(b) The advisory committee may hold public hearings, formal meetings, or work sessions. Either co-presiding officer of the advisory committee may call a public hearing, formal meeting, or work session of the advisory committee at any time. The advisory committee may not take formal action at a public hearing, formal meeting, or work session unless a quorum of the committee is present.

(c) Except as otherwise provided by this subsection, a member of the advisory committee is not entitled to receive compensation for service on the committee or reimbursement for expenses incurred in the performance of official duties as a member of the committee. Service on the advisory committee by a member of the senate or house of representatives is considered legislative service for which the member is entitled to reimbursement and other benefits in the same manner and to the same extent as for other legislative service.

(d) The advisory committee may submit comments and recommendations to the board regarding the use of money in the resiliency fund and for use by the board in adopting rules.

(e) The advisory committee shall review the overall operation, function, and structure of the resiliency fund at least semiannually and may provide comments and recommendations to the board on any matter.

(f) The advisory committee may adopt rules, procedures, and policies as needed to administer this section and implement its responsibilities.



(g) The advisory committee shall make recommendations to the board regarding information on the resiliency fund to be posted on the board's Internet website.

(h) The advisory committee may evaluate and may provide comments or recommendations on the feasibility of the state owning, constructing, operating, and maintaining flood projects, including reservoirs and coastal barriers.

(i) The board shall provide an annual report to the advisory committee on:

(1) the board's compliance with statewide annual goals relating to historically underutilized businesses; and

(2) the participation level of historically underutilized businesses in flood projects that receive money from the resiliency fund.

(j) If the aggregate level of participation by historically underutilized businesses in flood projects that receive money from the resiliency fund does not meet statewide annual goals adopted under Chapter 2161, Government Code, the advisory committee shall make recommendations to the board to improve the participation level.

(k) The board shall supply staff support to the advisory committee.

(l) Chapter 2110, Government Code, does not apply to the size, composition, or duration of the advisory committee.

Sec. 16.457. REPORT REQUIRED. (a) In this section, "state agency" means:

(1) a department, commission, board, office, or other agency in the executive branch of state government created by the state constitution or a state statute; and

(2) a general academic teaching institution as defined by Section 61.003, Education Code.

(b) A state agency that uses or disburses federal money for flood research, planning, or mitigation projects shall submit a report to the board on a quarterly basis.

(c) The report must include the following information about federal money used or disbursed for flood research, planning, or mitigation projects:

(1) the original total of federal money received;

(2) the amount of the federal money spent or disbursed to date; and

(3) the eligibility requirements for receiving the federal money.

Sec. 16.458. APPLICABLE LAW. Subchapter E, Chapter 17, applies to financial assistance made available from the resiliency fund, except that the board may execute contracts as necessary to evidence grant agreements.

Sec. 16.459. TRANSPARENCY REQUIREMENTS. The board shall post the following information on the board's Internet website regarding the use of the resiliency fund and regularly update the information posted:

(1) the progress made in developing flood projects statewide;

(2) a description of each flood project that receives money from the resiliency fund, including:

(A) the expected date of completion of the flood project;

(B) the current status of the flood project;

(C) the proposed benefit of the flood project;

(D) the initial total cost estimate of the flood project and variances to the initial cost estimate exceeding five percent;

(E) a listing of the eligible political subdivisions receiving money from the resiliency fund;

- (F) a listing of each political subdivision served by each flood project;
- (G) an estimate of matching funds that will be available for the flood project resulting from the use of the resiliency fund; and
- (H) the status of repayment of each loan provided in connection with a flood project, including an assessment of the risk of default based on a standard risk rating system;
- (3) a description of the point system for prioritizing flood projects and the number of points awarded by the board for each flood project;
- (4) any nonconfidential information submitted to the board as part of an application for funding under this subchapter that is approved by the board;
- (5) the administrative and operating expenses incurred by the board in administering the resiliency fund; and
- (6) any other information required by board rule.

Sec. 16.460. RULES. The board shall adopt rules necessary to carry out this subchapter, including rules:

- (1) that establish procedures for an application for and for the award of financial assistance;
- (2) that establish the prioritization system for flood projects that receive money from the resiliency fund;
- (3) for the repayment of a loan from the resiliency fund; and
- (4) for the administration of the resiliency fund.

SECTION 3.02. Section 251.004(b), Insurance Code, is amended to read as follows:

(b) Each state fiscal year, the comptroller shall reallocate to the floodplain management account established under Section 16.453 [~~16.3164~~], Water Code, the first \$3.05 million of the maintenance taxes collected under Chapter 252 and deposited in the general revenue fund.

SECTION 3.03. Section 16.3161, Water Code, is repealed.

SECTION 3.04. On the effective date of this Act, the Floodplain Management Account No. 0330 is transferred to the Texas infrastructure resiliency fund as an account of that fund and the balance of the Floodplain Management Account No. 0330 is transferred to the floodplain management account of the Texas infrastructure resiliency fund.

SECTION 3.05. (a) Not later than the 90th day after the effective date of this Act, the Texas Infrastructure Resiliency Fund Advisory Committee shall submit recommendations to the Texas Water Development Board on the rules to be adopted by the board under Section 16.460, Water Code, as added by this Act.

(b) Not later than the 90th day after the date the Texas Water Development Board receives the recommendations described by Subsection (a) of this section, the board shall adopt rules under Section 16.460, Water Code, as added by this Act.

SECTION 3.06. Contingent on legislation of the 86th Legislature, Regular Session, 2019, that requires the creation of a state flood plan passing and becoming law, on the date that the Texas Water Development Board adopts the initial state flood plan in accordance with that law, Subchapter L, Chapter 16, Water Code, as added by this Act, is amended by adding Section 16.4545 to read as follows:

Sec. 16.4545. FLOOD PLAN IMPLEMENTATION ACCOUNT. (a) The flood plan implementation account is an account in the resiliency fund.

(b) The board may use the account only to provide financing for projects included in the state flood plan.

(c) Money from the account may be awarded to several eligible political subdivisions for a single flood project.

#### ARTICLE 4. REVENUE BONDS

SECTION 4.01. Section 17.852(5), Water Code, is amended to read as follows:

(5) "Project" includes water supply projects, treatment works, and flood ~~control~~ projects, as defined by Section 15.531 or 16.451.

SECTION 4.02. Section 17.853(c), Water Code, is amended to read as follows:

(c) The board may use the fund only:

(1) to provide state matching funds for federal funds provided to the state water pollution control revolving fund or to any additional state revolving fund created under Subchapter J, Chapter 15;

(2) to provide financial assistance from the proceeds of taxable bond issues to water supply corporations organized under Chapter 67, and other participants;

(3) to provide financial assistance to participants for the construction of water supply projects and treatment works;

(4) to provide financial assistance for an interim construction period to participants for projects for which the board will provide long-term financing through the water development fund;

(5) to provide financial assistance for water supply and sewer service projects in economically distressed areas as provided by Subchapter K, Chapter 17, to the extent the board can make that assistance without adversely affecting the current or future integrity of the fund or of any other financial assistance program of the board;

(6) to provide funds to the water infrastructure fund created under Section 15.973; ~~and~~

(7) to provide funds to the state water implementation revenue fund for Texas;

(8) to provide funds to the flood infrastructure fund created under Section 15.533; and

(9) to provide funds to the Texas infrastructure resiliency fund created under Section 16.452.

#### ARTICLE 5. EFFECTIVE DATE

SECTION 5.01. This Act takes effect January 1, 2020, but only if the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, authorizing the legislature to provide for the creation of the flood infrastructure fund to assist in the financing of drainage, flood mitigation, and flood control projects is approved by the voters. If that amendment is not approved by the voters, this Act has no effect.

#### **Floor Amendment No. 2**

Amend Amendment No. 1 by Phelan to **CSSB 7** on page 18, by striking lines 11 through 17 and substituting the following:

SECTION 5.01. (a) Except as provided by Subsection (b) of this section, this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

(b) Article 2 of this Act takes effect January 1, 2020, but only if the constitutional amendment proposed by the 86th Legislature, Regular Session, 2019, authorizing the legislature to provide for the creation of the flood infrastructure fund to assist in the financing of drainage, flood mitigation, and flood control projects is approved by the voters. If that amendment is not approved by the voters, Article 2 has no effect.

### Floor Amendment No. 3

Amend Amendment No. 1 by Phelan to **CSSB 7** as follows:

(1) On page 4, strike lines 9 through 15, and substitute the following:

(2) to make a grant or loan at or below market interest rates to an eligible political subdivision for a flood project to serve an area outside of a metropolitan statistical area in order to ensure that the flood project is implemented;

(2) On page 4, between lines 23 and 24, insert the following:

(5) to make a grant to an eligible political subdivision for a flood project if the board determines that the eligible political subdivision does not have the ability to repay a loan;

(3) On page 4, line 24, strike "(5)" and substitute "(6)".

(4) On page 4, line 28, strike "(6)" and substitute "(7)".

(5) On page 6, between lines 22 and 23, insert the following:

Sec. 15.540. ADVISORY COMMITTEE. (a) In this section, "advisory committee" means the State Water Implementation Fund for Texas Advisory Committee described by Section 15.438.

(b) The advisory committee shall:

(1) review the overall operation, function, and structure of the infrastructure fund at least semiannually and may provide comments and recommendations to the board on any matter; and

(2) make recommendations to the board regarding information on the infrastructure fund to be posted on the board's Internet website.

(c) The advisory committee may:

(1) submit comments and recommendations to the board regarding the use of money in the infrastructure fund and for use by the board in adopting rules; and

(2) adopt rules, procedures, and policies as needed to administer this section and implement its responsibilities.

(6) On page 9, strike line 7 through 9, and substitute the following:

(b) The board may use the account only to provide moneys to the Texas Division of Emergency Management for the Division to provide financing for projects related to Hurricane Harvey. Financing under this section includes making a:

(7) On page 10, line 6, strike "In collaboration with".

(8) On page 10, line 7, strike "the board".

(9) On page 10, line 10, strike "board" and substitute "Texas Department of Emergency Management".

(10) On page 10, line 12, strike "board" and substitute "Texas Department of Emergency Management".

(11) On page 10, line 15, strike "board" and substitute "Texas Department of Emergency Management".

(12) On page 10, line 26, strike "board" and substitute "Texas Department of Emergency Management".

(13) On page 10, line 27, strike "board" and substitute "Texas Department of Emergency Management".

(14) On page 10, line 29, strike "board" and substitute "Texas Department of Emergency Management".

(15) On page 6, line 20, between "subject" and "an", insert "the State or".

(16) On page 4, between lines 29 and 30, insert the following:

(7) to make transfers to the research and planning fund created under section 15.402 of this chapter.

#### **Floor Amendment No. 4**

Amend Amendment No. 1 by Phelan to **CSSB 7** as follows:

(2) On page 9, line 10, strike ", low-interest loan, or zero-interest loan".

(3) On page 9, line 13, strike "development of a" and substitute "participation in or development of".

(4) On page 9, line 14, between "(A)" and "hazard", insert "a".

(5) On page 9, line 17, strike "or".

(6) On page 9, line 18, between "(B)" and "public", insert "a".

(7) On page 9, line 21, between "entities" and the underlined semicolon, insert the following:

; or

(C) assistance under guidelines issued by the Natural Resources Conservation Service, the United States Economic Development Administration, or the United States Department of Housing and Urban Development, or the successor in function to those entities

(8) On page 9, line 24, between "permitting costs," and "or other" insert "construction costs,".

(9) Strike page 9, line 27 through page 10, line 14 and substitute the following:

(c) A grant or loan awarded under this section may not provide more than 75 percent of the portion of the cost of the project that is paid with money other than money from a federal program.

(d) In collaboration with the Texas Division of Emergency Management, the board shall establish a point system for prioritizing flood projects other than public assistance grants for which money from the Hurricane Harvey account is sought. The system must include a standard for the board to apply in determining whether a flood project qualifies for funding at the time the application for funding is filed with the board.

The amendments were read.

Senator Creighton moved to concur in the House amendments to **SB 7**.

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

**HOUSE JOINT RESOLUTION 4 ON SECOND READING**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **HJR 4** at this time on its second reading:

**HJR 4**, Proposing a constitutional amendment providing for the creation of the flood infrastructure fund to assist in the financing of drainage, flood mitigation, and flood control projects.

The resolution 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 JOINT RESOLUTION 4 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 **HJR 4** be placed on its third reading and final passage.

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

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

**RECESS**

On motion of Senator Whitmire, the Senate at 5:40 p.m. recessed until 6:00 p.m. today.

**AFTER RECESS**

The Senate met at 6:20 p.m. and was called to order by President Pro Tempore Watson.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1731 ON SECOND READING**

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1731** at this time on its second reading:

**CSHB 1731**, Relating to the payment for funeral services performed by a transferring funeral home under a purchase agreement for funeral services or merchandise.

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 1731 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 **CSHB 1731** 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 2327 ON SECOND READING**

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2327** at this time on its second reading:

**CSHB 2327**, Relating to preauthorization of certain medical care and health care services by certain health benefit plan issuers and to the regulation of utilization review, independent review, and peer review for health benefit plan and workers' compensation coverage.

The bill was read second time.

Senator Buckingham offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 2327** (senate committee printing) as follows:

(1) In SECTION 1.02 of the bill, in added Section 843.3481(b)(4)(D), Insurance Code (page 2, line 14), between "preceding" and "year", insert "calendar".

(2) In SECTION 1.02 of the bill, in added Section 843.3481(c), Insurance Code (page 2, lines 26-28), strike "is required to supply, in lieu of any information withheld on the basis of copyright law or a licensing agreement," and substitute "may, instead of making that information publicly available on the health maintenance organization's Internet website, supply".

(3) In SECTION 1.04 of the bill, in added Section 1301.1351(b)(4)(D), Insurance Code (page 3, line 57), between "preceding" and "year", insert "calendar".

(4) In SECTION 1.04 of the bill, in added Section 1301.1351(c), Insurance Code (page 3, line 68, through page 4, line 1), strike "is required to supply, in lieu of any information withheld on the basis of copyright law or a licensing agreement," and substitute "may, instead of making that information publicly available on the insurer's Internet website, supply".

(5) In SECTION 2.03 of the bill, strike amended Section 4201.153(d), Insurance Code (page 5, lines 10-21), and substitute the following:

(d) Screening criteria must be used to determine only whether to approve the requested treatment. Before issuing an adverse determination, a utilization review agent must obtain a determination of medical necessity and appropriateness by referring a proposed [A] denial of requested treatment [must be referred] to an appropriate physician, dentist, or other health care provider [to determine medical necessity].

(6) In SECTION 2.04 of the bill, in added Section 4201.206(b), Insurance Code (page 5, lines 46-47), strike "who is of the same or a similar specialty as that physician".

(7) In SECTION 2.07 of the bill, in added Section 4201.357(a-1)(3)(A), Insurance Code (page 6, lines 56-57), strike "in this state to provide the service in this state" and substitute "in the United States".

(8) In SECTION 2.07 of the bill, in added Section 4201.357(a-1)(3)(B), Insurance Code (page 6, line 59), strike "in this state" and substitute "in the United States".

The amendment to **CSHB 2327** 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 2327** 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 2327 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 **CSHB 2327** 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 3222 ON SECOND READING**

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3222** at this time on its second reading:

**CSHB 3222**, Relating to the creation of a nonresident brewer's or nonresident manufacturer's agent's permit; authorizing a fee.

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 3222** (senate committee printing) by striking SECTION 2 of the bill (page 2, line 19), and substituting the following:

SECTION 2. (a) Subtitle A, Title 3, Alcoholic Beverage Code, is amended by adding Chapter 57 to read as follows:

CHAPTER 57. NONRESIDENT BREWER'S OR NONRESIDENT  
MANUFACTURER'S AGENT

Sec. 57.001. AUTHORIZED ACTIVITIES. A nonresident brewer's or nonresident manufacturer's agent may:

(1) represent one or more:

(A) nonresident brewers; and

(B) nonresident manufacturers; and

(2) on behalf of a nonresident brewer or nonresident manufacturer whom the agent represents:

(A) perform any activity the nonresident brewer or nonresident manufacturer whom the agent represents could perform in this state; and

(B) apply for a permit, license, or other authorization required by the commission.



Sec. 57.002. RESTRICTION AS TO REPRESENTATION. (a) A nonresident brewer's or nonresident manufacturer's agent may not represent a nonresident brewer or a nonresident manufacturer unless the agent is the primary American source of supply for a product produced by the nonresident brewer or nonresident manufacturer.

(b) In this section, "primary American source of supply" means the nonresident brewer or nonresident manufacturer or the exclusive agent of the nonresident brewer or nonresident manufacturer. To be the "primary American source of supply" the nonresident brewer's or nonresident manufacturer's agent must be the first source, that is, the brewer or manufacturer or the source closest to the brewer or manufacturer, in the channel of commerce from whom the product can be secured by Texas wholesalers and distributors.

Sec. 57.003. AUTHORIZATION BY NONRESIDENT BREWER OR NONRESIDENT MANUFACTURER REQUIRED. A nonresident brewer's or nonresident manufacturer's agent must be authorized to act as the agent of a nonresident brewer or nonresident manufacturer the person proposes to represent.

Sec. 57.004. TERRITORIAL AGREEMENT NOT AFFECTED. Nothing in this chapter affects a territorial agreement entered into under Subchapter C, Chapter 102.

Sec. 57.005. RESPONSIBILITY FOR AGENT'S ACTIONS. A nonresident brewer or nonresident manufacturer is responsible for any action taken by a nonresident brewer's or nonresident manufacturer's agent in the course of the agent's representation of the nonresident brewer or nonresident manufacturer under this chapter to the same extent and in the same manner as if the action had been taken by the nonresident brewer or nonresident manufacturer.

(b) Effective September 1, 2021, Subtitle A, Title 3, Alcoholic Beverage Code, is amended by adding Chapter 57 to read as follows:

#### CHAPTER 57. NONRESIDENT BREWER'S AGENT

Sec. 57.001. AUTHORIZED ACTIVITIES. A nonresident brewer's agent may:

(1) represent one or more nonresident brewers; and

(2) on behalf of a nonresident brewer whom the agent represents:

(A) perform any activity the nonresident brewer whom the agent represents could perform in this state; and

(B) apply for a permit, license, or other authorization required by the commission.

Sec. 57.002. RESTRICTION AS TO REPRESENTATION. (a) A nonresident brewer's agent may not represent a nonresident brewer unless the agent is the primary American source of supply for a product produced by the nonresident brewer.

(b) In this section, "primary American source of supply" means the nonresident brewer or the exclusive agent of the nonresident brewer. To be the "primary American source of supply" the nonresident brewer's agent must be the first source, that is, the brewer or the source closest to the brewer, in the channel of commerce from whom the product can be secured by Texas distributors.

Sec. 57.003. AUTHORIZATION BY NONRESIDENT BREWER REQUIRED. A nonresident brewer's agent must be authorized to act as the agent of a nonresident brewer the person proposes to represent.

Sec. 57.004. TERRITORIAL AGREEMENT NOT AFFECTED. Nothing in this chapter affects a territorial agreement entered into under Subchapter C, Chapter 102.

Sec. 57.005. RESPONSIBILITY FOR AGENT'S ACTIONS. A nonresident brewer is responsible for any action taken by a nonresident brewer's agent in the course of the agent's representation of the nonresident brewer under this chapter to the same extent and in the same manner as if the action had been taken by the nonresident brewer.

SECTION 3. (a) Except as otherwise provided by this Act, this Act takes effect September 1, 2019.

(b) Section 1 of this Act takes effect only if H.B. 1545 or S.B. 623, Acts of the 86th Legislature, Regular Session, 2019, or similar legislation of the 86th Legislature, Regular Session, 2019, relating to the continuation and functions of the Texas Alcoholic Beverage Commission is not enacted or does not become law. If H.B. 1545 or S.B. 623, Acts of the 86th Legislature, Regular Session, 2019, or similar legislation of the 86th Legislature, Regular Session, 2019, relating to the continuation and functions of the Texas Alcoholic Beverage Commission is enacted and becomes law, Section 1 of this Act has no effect.

(c) Section 2 of this Act takes effect only if H.B. 1545 or S.B. 623, Acts of the 86th Legislature, Regular Session, 2019, or similar legislation of the 86th Legislature, Regular Session, 2019, relating to the continuation and functions of the Texas Alcoholic Beverage Commission is enacted and becomes law. If H.B. 1545 or S.B. 623, Acts of the 86th Legislature, Regular Session, 2019, or similar legislation of the 86th Legislature, Regular Session, 2019, relating to the continuation and functions of the Texas Alcoholic Beverage Commission is not enacted or does not become law, Section 2 of this Act has no effect.

The amendment to **CSHB 3222** 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 3222** 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 3222 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 **CSHB 3222** 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 1833 ON SECOND READING**

On motion of Senator Hughes and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1833** at this time on its second reading:

**CSHB 1833**, Relating to the authority to transfer real property in the name of an entity.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 1833** (senate committee report) as follows:

(1) In SECTION 1 of the bill, strike added Section 12.019(a), Property Code (page 1, lines 26-29), and substitute the following:

(a) In this section:

(1) "Domestic entity," "foreign entity," "jurisdiction of formation," and "nonprofit entity" have the meanings assigned by Section 1.002, Business Organizations Code.

(2) "Transfer" means a transaction to sell, exchange, convey with or without covenants, quitclaim, release, surrender, mortgage, encumber, partition or consent to partitioning, subdivide, apply for zoning, rezoning, or other governmental permits, plat or consent to platting, develop, grant options concerning, lease or sublet, or otherwise dispose of an estate or interest in real property or a right incident to real property.

(2) In SECTION 1 of the bill, in added Section 12.019(m)(2), Property Code (page 3, line 24), strike "; or" and substitute ";".

(3) In SECTION 1 of the bill, in added Section 12.019(m)(3), Property Code (page 3, line 28), between "(c)" and the underlined period, insert the following:

; or

(4) shall be construed to validate a transfer of an estate or interest in real property that is void by other law

The amendment to **CSHB 1833** 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 1833** 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 1833 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1833** 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.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Wednesday, May 22, 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:

**HCR 168** Goldman  
Directing the Texas Alcoholic Beverage Commission to conduct a study on control label products.

**SB 41** Zaffirini Sponsor: Smithee  
Relating to exemptions to reporting and list requirements for certain attorneys ad litem, guardians ad litem, amicus attorneys, mediators, and guardians.

**SB 54** Zaffirini Sponsor: González, Mary  
Relating to a study regarding the appropriate methods and standards to evaluate certain students participating in regional day school programs for the deaf.

**SB 71** Nelson Sponsor: Thompson, Senfronia  
Relating to the establishment of a statewide telehealth center for sexual assault forensic medical examination.

**SB 212** Huffman Sponsor: Morrison  
Relating to a reporting requirement for certain incidents of sexual harassment, sexual assault, dating violence, or stalking at certain public and private institutions of higher education; creating a criminal offense; authorizing administrative penalties.

**SB 230** Perry Sponsor: Guillen  
Relating to a landowner's liability for injuries incurred during certain recreational activities.

**SB 237** Nelson Sponsor: Goldman  
Relating to the criteria for review by the Sunset Advisory Commission of an agency that licenses an occupation.

**SB 384** Nelson Sponsor: Sheffield  
Relating to the reporting of health care-associated infections and preventable adverse events at health care facilities.

- SB 405** Birdwell Sponsor: Moody  
Relating to the criminal offense of making a false report to a peace officer, federal special investigator, law enforcement employee, corrections officer, or jailer.
- SB 511** Rodríguez Sponsor: Clardy  
Relating to the installation of unsafe motor vehicle tires; providing a civil penalty.
- SB 563** Perry Sponsor: Metcalf  
Relating to the reporting of information about the use of federal money for flood research, planning, and mitigation projects.
- SB 569** Huffman Sponsor: Bonnen, Greg  
Relating to the regulation of listed family homes.
- SB 662** Campbell Sponsor: Paddie  
Relating to the availability of personal information of a statewide elected official or member of the legislature.
- SB 706** Watson Sponsor: Guerra  
Relating to an investigation unit within the Health and Human Services Commission for certain illegally operating child-care facilities.
- SB 741** Hughes Sponsor: Landgraf  
Relating to restrictive covenants regarding firearms or firearm ammunition.
- SB 819** Nelson Sponsor: Phelan  
Relating to state agency electronic information and processes.
- SB 869** Zaffirini Sponsor: Parker  
Relating to guidelines for policies of school districts and open-enrollment charter schools for the care of certain students at risk for anaphylaxis.
- SB 1056** Zaffirini Sponsor: Raney  
Relating to the authority of physicians to delegate to certain pharmacists the implementation and modification of a patient's drug therapy.
- SB 1177** Menéndez Sponsor: Rose  
Relating to offering certain evidence-based services in lieu of other mental health or substance use disorder services by a Medicaid managed care organization.
- SB 1184** Perry Sponsor: Klick  
Relating to eligible participants in the Texas Achieving a Better Life Experience (ABLE) Program.
- SB 1219** Alvarado Sponsor: Thompson, Senfronia  
Relating to human trafficking signs at certain transportation hubs.
- SB 1231** Bettencourt Sponsor: Meyer  
Relating to providing certain public and private school administrators with information regarding certain child abuse and neglect investigations and allegations.
- SB 1303** Bettencourt Sponsor: Bell, Cecil  
Relating to maps of the actual or proposed boundaries and extraterritorial jurisdiction of a municipality and certain notices related to expanding the boundaries.

- SB 1311** Bettencourt Sponsor: Raney  
Relating to the electronic transmission of an invoice or notice of toll nonpayment by a toll project entity.
- SB 1404** Powell Sponsor: Klick  
Relating to consent to the disclosure of certain information and to other matters relating to newborn and infant screening tests.
- SB 1636** Zaffirini Sponsor: Price  
Relating to an annual report prepared by the Health Professions Council.
- SB 1702** Whitmire Sponsor: Dutton  
Relating to the powers and duties of the office of independent ombudsman for the Texas Juvenile Justice Department.
- SB 1754** Huffman Sponsor: Bell, Keith  
Relating to the prosecution of the offense of taking or attempting to take a weapon from certain officers, investigators, employees, or officials.
- SB 1755** Creighton Sponsor: Oliverson  
Relating to the status of certain medical residents and fellows as governmental employees for purposes of the Texas Tort Claims Act.
- SB 2409** Menéndez Sponsor: Moody  
Relating to the Internet domain name used by a website that sells tickets to events.
- SCR 7** Seliger Sponsor: Holland  
Designating the second Saturday of September as Quanah Parker Day for a 10-year period beginning in 2019.
- SCR 58** Perry Sponsor: King, Ken  
Designating Levelland as the official City of Mosaics of Texas.
- SCR 59** Birdwell Sponsor: Miller  
Urging the president to designate a state funeral for the last surviving Medal of Honor recipient from World War II.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

### MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 22, 2019 - 2

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

- SB 11** Taylor Sponsor: Bonnen, Greg  
Relating to policies, procedures, and measures for school safety and mental health promotion in public schools.  
(Committee Substitute/Amended)
- SB 20** Huffman Sponsor: Thompson, Senfronia  
Relating to the reporting regarding, investigation of, prosecution of, criminal and civil penalties for, and other consequences of prostitution, trafficking of persons, and related criminal offenses, to services and compensation available to victims of those offenses, and to orders of nondisclosure for persons who committed certain of those offenses.  
(Committee Substitute/Amended)
- SB 30** Birdwell Sponsor: Phelan  
Relating to ballot language requirements for a proposition seeking voter approval for the issuance of bonds.  
(Amended)
- SB 64** Nelson Sponsor: Phelan  
Relating to cybersecurity for information resources.  
(Amended)
- SB 65** Nelson Sponsor: Geren  
Relating to oversight of and requirements applicable to state agency contracting and procurement.  
(Committee Substitute/Amended)
- SB 132** Hinojosa Sponsor: Longoria  
Relating to operation of the Texas leverage fund program administered by the Texas Economic Development Bank.  
(Amended)
- SB 194** Perry Sponsor: Moody  
Relating to the creation of the criminal offense of indecent assault, to judicial protection for victims of that offense, and to certain criminal acts committed in relation to that offense.  
(Committee Substitute)
- SB 241** Nelson Sponsor: Longoria  
Relating to certain required reports received or prepared by state agencies and other governmental entities.  
(Committee Substitute/Amended)
- SB 322** Huffman Sponsor: Murphy  
Relating to the evaluation and reporting of investment practices and performance of certain public retirement systems.  
(Committee Substitute)
- SB 345** Creighton Sponsor: Toth  
Relating to the use of land in the William Goodrich Jones State Forest.  
(Amended)

- SB 355** West Sponsor: Klick  
Relating to developing a strategic plan regarding implementation of prevention and early intervention services and community-based care.  
(Committee Substitute/Amended)
- SB 372** Campbell Sponsor: VanDeaver  
Relating to the authority of an open-enrollment charter school to employ security personnel, commission peace officers, and have school resource officers.  
(Amended)
- SB 449** Creighton Sponsor: Wray  
Relating to testimony by an appraisal district employee as to the value of real property in certain ad valorem tax appeals.  
(Amended)
- SB 489** Zaffirini Sponsor: Smithee  
Relating to personal information that may be omitted from certain records, licenses, and reports and to other court security measures.  
(Amended)
- SB 502** Seliger Sponsor: Howard  
Relating to requiring certain institutions of higher education to issue reports on the transferability of credit.  
(Amended)
- SB 559** Miles Sponsor: Hinojosa  
Relating to patient records regarding maternal death.  
(Amended)
- SB 560** Kolkhorst Sponsor: Smithee  
Relating to a plan and report on court-ordered representation for certain suits affecting the parent-child relationship.  
(Amended)
- SB 562** Zaffirini Sponsor: Price  
Relating to criminal or juvenile procedures regarding persons who are or may be persons with a mental illness or intellectual disability.  
(Committee Substitute/Amended)
- SB 799** Alvarado Sponsor: Murphy  
Relating to the creation of a business advisory council to provide advice on economic recovery following a disaster.  
(Amended)
- SB 815** Rodríguez Sponsor: Moody  
Relating to the creation and preservation of certain records of criminal proceedings.  
(Amended)
- SB 820** Nelson Sponsor: Meyer  
Relating to a requirement that a school district adopt a cybersecurity policy.  
(Committee Substitute/Amended)



- SB 1017** Powell Sponsor: Guerra  
Relating to the creation of the advisory council on postsecondary education for persons with intellectual and developmental disabilities.  
(Amended)
- SB 1083** Zaffirini Sponsor: Rodriguez  
Relating to compensation to be paid to an emergency services district for a municipality's annexation of the district's territory.  
(Amended)
- SB 1105** Kolkhorst Sponsor: Frank  
Relating to the administration and operation of Medicaid, including Medicaid managed care.  
(Committee Substitute/Amended)
- SB 1412** Perry Sponsor: Burrows  
Relating to accountability intervention provisions applicable to school district campuses, including the creation of accelerated campus excellence turnaround plans and the conditions under which a closed campus may be repurposed to serve students at that campus location.  
(Committee Substitute/Amended)
- SB 1451** Taylor Sponsor: Ashby  
Relating to the ability of public school teachers to maintain student discipline without being subjected to adverse employment consequences.  
(Amended)
- SB 1454** Taylor Sponsor: Huberty  
Relating to the ownership, sale, lease, and disposition of property and management of assets of an open-enrollment charter school.  
(Committee Substitute)
- SB 1504** Zaffirini Sponsor: Thierry  
Relating to the abolition of the B-On-time student loan account and the allocation of funds remaining in that account.  
(Amended)
- SB 1519** Kolkhorst Sponsor: Clardy  
Relating to establishing a council on long-term care facilities and the duties of that council.  
(Amended)
- SB 1564** West Sponsor: Klick  
Relating to access to medication-assisted treatment for opioid use disorder under Medicaid.  
(Amended)
- SB 1757** Creighton Sponsor: Frullo  
Relating to student loan repayment assistance under the math and science scholars loan repayment program.  
(Amended)

- SB 1804** Kolkhorst Sponsor: Nevárez  
Relating to the entry into the Texas Crime Information Center of certain information regarding conditions of bond imposed in criminal cases involving family violence.  
(Amended)
- SB 1991** Buckingham Sponsor: Klick  
Relating to claims and overpayment recoupment processes imposed on health care providers under Medicaid.  
(Amended)
- SB 1995** Birdwell Sponsor: Paddie  
Relating to the review of certain occupational licensing rules by the office of the governor.  
(Amended)
- SB 2104** Zaffirini Sponsor: Miller  
Relating to the creation of the Texas Veterans County Service Officer Task Force.  
(Amended)
- SB 2117** Bettencourt Sponsor: Bohac  
Relating to approval of school district and charter school partnerships to operate school district campuses and programs and to eligibility for state funding.  
(Committee Substitute/Amended)
- SB 2138** Hinojosa Sponsor: Davis, Sarah  
Relating to the authority of the Health and Human Services Commission to retain certain money received by the commission to administer certain Medicaid programs.  
(Committee Substitute/Amended)
- SB 2150** Kolkhorst Sponsor: Thierry  
Relating to the reporting of certain information on maternal mortality to the Department of State Health Services and the confidentiality of that information.  
(Amended)
- SB 2272** Nichols Sponsor: Metcalf  
Relating to the procedure for amending or revoking certificates of public convenience and necessity issued to certain water utilities.  
(Committee Substitute)
- SB 2283** Campbell Sponsor: Dutton  
Relating to the eligibility of persons convicted of certain offenses to serve as a member of a board of trustees of a school district.  
(Amended)
- SB 2452** Lucio Sponsor: González, Mary  
Relating to the provision by the Texas Water Development Board of financial assistance for the development of certain projects in economically distressed areas.  
(Committee Substitute)
- SB 2553** Watson Sponsor: Howard  
Relating to the creation of the Save Historic Munny District; providing authority to issue bonds; providing authority to impose fees.  
(Amended)

**SJR 79**

Lucio

Sponsor: González, Mary

Proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board to provide financial assistance for the development of certain projects in economically distressed areas.  
(Committee Substitute)

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Wednesday, May 22, 2019 - 3

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 CONCURRED IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES:

- HB 25** (114 Yeas, 29 Nays, 2 Present, not voting)
- HB 88** (124 Yeas, 18 Nays, 3 Present, not voting)
- HB 109** (135 Yeas, 6 Nays, 2 Present, not voting)
- HB 293** (143 Yeas, 0 Nays, 1 Present, not voting)
- HB 294** (137 Yeas, 6 Nays, 1 Present, not voting)
- HB 337** (115 Yeas, 26 Nays, 2 Present, not voting)
- HB 440** (144 Yeas, 0 Nays, 1 Present, not voting)
- HB 477** (138 Yeas, 4 Nays, 2 Present, not voting)
- HB 511** (129 Yeas, 12 Nays, 2 Present, not voting)
- HB 692** (140 Yeas, 2 Nays, 2 Present, not voting)
- HB 1065** (133 Yeas, 11 Nays, 1 Present, not voting)
- HB 1070** (135 Yeas, 9 Nays, 2 Present, not voting)
- HB 1079** (126 Yeas, 16 Nays, 2 Present, not voting)
- HB 1251** (119 Yeas, 22 Nays, 3 Present, not voting)
- HB 1262** (144 Yeas, 0 Nays, 1 Present, not voting)
- HB 1325** (140 Yeas, 3 Nays, 2 Present, not voting)
- HB 1346** (121 Yeas, 21 Nays, 2 Present, not voting)

- HB 1442** (144 Yeas, 0 Nays, 1 Present, not voting)  
**HB 1501** (129 Yeas, 14 Nays, 2 Present, not voting)  
**HB 1528** (102 Yeas, 39 Nays, 2 Present, not voting)  
**HB 1535** (143 Yeas, 0 Nays, 1 Present, not voting)  
**HB 1651** (144 Yeas, 0 Nays, 1 Present, not voting)  
**HB 1767** (138 Yeas, 6 Nays, 1 Present, not voting)  
**HB 1894** (144 Yeas, 1 Nays, 1 Present, not voting)  
**HB 1997** (144 Yeas, 0 Nays, 1 Present, not voting)  
**HB 2119** (144 Yeas, 0 Nays, 1 Present, not voting)  
**HB 2164** (139 Yeas, 4 Nays, 2 Present, not voting)  
**HB 2694** (144 Yeas, 0 Nays, 1 Present, not voting)  
**HB 2775** (121 Yeas, 22 Nays, 2 Present, not voting)  
**HB 2837** (142 Yeas, 0 Nays, 1 Present, not voting)  
**HB 2945** (145 Yeas, 0 Nays, 1 Present, not voting)  
**HB 3171** (131 Yeas, 12 Nays, 1 Present, not voting)  
**HB 3655** (145 Yeas, 0 Nays, 1 Present, not voting)

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

**HB 234**

House Conferees: Krause - Chair/Middleton/Phelan/Price/Wu

**HB 684**

House Conferees: Clardy - Chair/Dutton/González, Mary/Meyer/VanDeaver

**HB 4673**

House Conferees: Bailes - Chair/Anchia/Bell, Cecil/Morrison/Murphy

**HB 4674**

House Conferees: Bailes - Chair/Anchia/Bell, Cecil/Morrison/Murphy

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

**SB 18**

House Conferees: Geren - Chair/Bell, Keith/Cain/Darby/Turner, Chris

**SB 601**

House Conferees: Paddie - Chair/Flynn/Lambert/Nevárez/Thompson, Senfronia

**SB 604**

House Conferees: Paddie - Chair/Canales/Lambert/Landgraf/Nevárez

**SB 621**

House Conferees: Lambert - Chair/Geren/Nevárez/Paddie/Schaefer

**SB 668**

House Conferees: VanDeaver - Chair/Bell, Keith/Dutton/Meyer/Sanford

**SB 891**

House Conferees: Leach - Chair/Holland/Murr/Nevárez/Thompson, Senfronia

**SB 926**

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

**SB 944**

House Conferees: Capriglione - Chair/King, Phil/Lang/Moody/Morrison

**SB 1096**

House Conferees: Oliverson - Chair/Cortez/Krause/Parker/Sheffield

**SB 1257**

House Conferees: Leach - Chair/Bonnen, Greg/Collier/King, Phil/Moody

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**HOUSE BILL 720 ON SECOND READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **HB 720** at this time on its second reading:

**HB 720**, Relating to appropriations of water for recharge of aquifers and use in aquifer storage and recovery projects.

The motion prevailed.

Senators Johnson, Kolkhorst, Rodríguez, Watson, Whitmire, and Zaffirini asked to be recorded as voting "Nay" on suspension of the regular order of business.

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

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

Nays: Johnson, Kolkhorst, Rodríguez, Watson, Whitmire, Zaffirini.

**HOUSE BILL 720 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 **HB 720** be placed on its third reading and final passage.

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

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

Nays: Johnson, Kolkhorst, Rodríguez, Watson, Whitmire, Zaffirini.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1355 ON SECOND READING**

On motion of Senator Johnson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1355** at this time on its second reading:

**CSHB 1355**, Relating to the issuance and execution of a search warrant to collect a blood specimen from a person arrested for certain intoxication offenses.

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

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1355 ON THIRD READING**

Senator Johnson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1355** 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 2784 ON SECOND READING**

Senator Alvarado moved to suspend the regular order of business to take up for consideration **CSHB 2784** at this time on its second reading:

**CSHB 2784**, Relating to the creation of the Texas Industrial Workforce Apprenticeship Grant Program.

The motion prevailed.

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

The bill was read second time.

Senator Alvarado offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 2784** (senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Chapter 302, Labor Code, is amended by adding Subchapter I to read as follows:

SUBCHAPTER I. TEXAS INDUSTRY-RECOGNIZED APPRENTICESHIP  
PROGRAMS GRANT PROGRAM

Sec. 302.251. PURPOSE. The purpose of the Texas Industry-Recognized Apprenticeship Programs Grant Program is to address the immediate industrial workforce needs of this state resulting from the impact of Hurricane Harvey and overall workforce shortages.

Sec. 302.252. DEFINITIONS. In this subchapter:

(1) "Industry-recognized apprenticeship program" means a training program that:

(A) provides on-the-job training, preparatory instruction, supplementary instruction, or related instruction in an occupation that has been recognized as an apprenticeable occupation by the Office of Apprenticeship of the United States Department of Labor; or

(B) is certified as an industry-recognized apprenticeship program by a third-party certifier that has received from the United States Department of Labor a favorable determination of qualification to award that certification.

(2) "Person" does not include a governmental entity.

Sec. 302.253. PROGRAM. The commission shall establish and administer the Texas Industry-Recognized Apprenticeship Programs Grant Program to encourage the private sector to develop specialized industry-recognized apprenticeship programs in this state. Under the program, the commission shall award grants to persons who meet the requirements of Section 302.255.

Sec. 302.254. TEXAS INDUSTRY-RECOGNIZED APPRENTICESHIP FUND. (a) The Texas industry-recognized apprenticeship fund is a dedicated account in the general revenue fund.

(b) The following amounts shall be deposited in the fund:

(1) money appropriated by the legislature for the fund for purposes described by this subchapter;

(2) interest earned on the investment of money in the fund; and

(3) gifts, grants, and other donations received for the fund.

(c) The fund may be used only for an apprenticeship program that meets the requirements of Section 302.255.

Sec. 302.255. APPLICATION; ELIGIBILITY FOR GRANT. The commission shall establish eligibility criteria for a person to receive a grant under this subchapter. The eligibility criteria must include the requirement that the person:

(1) apply to the commission in the form and manner prescribed by commission rule;

(2) if the person is an entity, be in good standing under the laws of the state in which the person was formed or organized, as evidenced by a certificate issued by the secretary of state or the state official of another state having custody of the records pertaining to a person formed or organized under the laws of that state;

(3) not owe delinquent taxes to a taxing unit of this state; and

(4) operate an industry-recognized apprenticeship program that:

(A) provides on-the-job training under an industry-recognized, accredited training curriculum;

(B) guarantees employment for participants during and on successful completion of the training period;

(C) pays each participant a wage and provides eligibility for participants to receive full-time employee benefits during and on successful completion of the training period;

(D) requires participants to advance their skills, at a minimum, to a credentialed, performance-verified mid-level status in a field related to the industry-recognized apprenticeship program;

(E) has a duration of not more than 26 weeks; and

(F) gives preference to training and hiring:

(i) unemployed Texans who have filed with the commission;

(ii) veterans of the United States armed forces;

(iii) formerly incarcerated individuals; and

(iv) underemployed individuals who are working without industry-recognized certifications or other credentials.

Sec. 302.256. GRANT AWARD; GRANT AMOUNT. (a) The commission may award grants under this subchapter only to reimburse an eligible person for the cost of training industry-recognized apprenticeship program participants who:

(1) complete a program operated by the person that meets the requirements of Section 302.255(4) having achieved the skills level required by Section 302.255(4)(D); and

(2) maintain suitable employment for at least 12 consecutive months immediately following completion of the program.

(b) Grant funds awarded to an eligible person under this subchapter must be awarded on a per industry-recognized apprenticeship program participant basis. The amount of a grant awarded to an eligible person for training a participant described by Subsection (a) may not exceed the lesser of:

(1) the total cost to the person for training the participant, excluding wages and benefits; or

(2) \$10,000.

(c) In determining the amount of a grant awarded under this subchapter for an industry-recognized apprenticeship program participant, the commission may consider the increased economic value to the state resulting from or reasonably anticipated to result from the participant's completion of the program, including by considering any increase or anticipated increase in the amount of tax revenue generated by the participant, and any decrease in the participant's use of a state-funded benefit, attributable to the participant's job placement and earning projections. The commission by rule may establish guidelines or formulas for determining an increase in economic value to the state attributable to a participant's program completion for purposes of this subsection.

(d) The commission by rule may establish limitations on the total amount of grant funds that a person may be awarded under this subchapter.

Sec. 302.257. PROGRAM RULES. (a) The commission shall adopt rules to administer and enforce this subchapter.

(b) The commission shall post the rules on its Internet website.



Sec. 302.258. ANNUAL REPORT. (a) Not later than December 1 of each year, the commission shall submit to the lieutenant governor, the speaker of the house of representatives, and the members of the legislature a report on grants made under this subchapter that states:

(1) the number of direct jobs each grant recipient created in this state in each job category of the federal Equal Employment Opportunity Commission's job classification guide;

(2) the median wage of the jobs each grant recipient created in this state;

(3) the total amount of each grant awarded to a grant recipient;

(4) the number and categorization of industry-recognized apprenticeship program participants trained and employed by each grant recipient under Section 302.255(4)(F);

(5) a determination of whether the grant program administered under this subchapter has resulted in a positive return on investment to the state and an explanation of the methods used by the commission in making that determination; and

(6) if the commission considers it appropriate and feasible, a list of recommendations for legislative or other changes to the grant program administered under this subchapter to increase the return on investment to the state.

(b) The report may not include information that is made confidential by law.

(c) The commission may require a grant recipient under this subchapter to submit, on a form provided by the commission, information required to complete the report.

(d) The commission shall post the annual report on its Internet website.

SECTION 2. The Texas Workforce Commission is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the Texas Workforce Commission may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

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

The amendment to **CSHB 2784** 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 2784** 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: Campbell, Fallon, Hall, Hughes.

### COMMITTEE SUBSTITUTE HOUSE BILL 2784 ON THIRD READING

Senator Alvarado moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2784** be placed on its third reading and final passage.

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

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

Nays: Campbell, Fallon, Hall, Hughes.

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

#### **HOUSE BILL 1883 ON SECOND READING**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1883** at this time on its second reading:

**HB 1883**, Relating to deferred payment of ad valorem taxes for certain persons serving in the United States armed forces.

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 1883 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 1883** 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 3603 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 3603** at this time on its second reading:

**HB 3603**, Relating to derivative proceedings on behalf of for-profit corporations, limited liability companies, and limited partnerships.

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 3603 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 3603** 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 3609 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 3609** at this time on its second reading:

**HB 3609**, Relating to the filing of an assumed name certificate by certain business entities.

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 3609 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 3609** 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 3950 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3950** at this time on its second reading:

**CSHB 3950**, Relating to the establishment of the Joint Committee on Child Welfare.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 3950** (senate committee printing) in SECTION 1 of the bill, in Subsection (f) (page 2, between lines 11 and 12), by inserting the following appropriately numbered subdivision and renumbering the subsequent subdivisions of Subsection (f) accordingly:

( ) the department shall report to the joint committee:

(A) efforts to coordinate between the department and county child welfare boards in the provision of services; and

(B) efforts to maximize the resources of the department and each board;

The amendment to **CSHB 3950** 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 Kolkhorst, on behalf of Senator West, offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSHB 3950** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . Subchapter C, Chapter 40, Human Resources Code, is amended by adding Section 40.079 to read as follows:

Sec. 40.079. STRATEGIC STATE PLAN TO IMPLEMENT COMMUNITY-BASED CARE AND FOSTER CARE PREVENTION SERVICES.

(a) The department shall develop a strategic plan for the coordinated implementation of:

(1) community-based care as defined by Section 264.152, Family Code; and

(2) foster care prevention services that meet the requirements of Title VII,

Div. E, Pub. L. No. 115-123.

(b) The strategic plan required under this section must:

(1) identify a network of services providers to provide mental health, substance use, and in-home parenting support services for:

(A) children at risk of entering foster care;

(B) the parents and caregivers of children identified under Paragraph

(A); and

(C) pregnant or parenting youth in foster care;

(2) identify methods for the statewide implementation of foster care prevention services, including implementation in department regions that are transitioning to community-based care;

(3) identify resources necessary for the department to implement community-based care and to coordinate that implementation with the implementation of foster care prevention services, including:

(A) enhanced training related to procurement, contract monitoring and enforcement services, information technology services, and financial and legal services;

(B) a financial methodology for funding the implementation of community-based care and foster care prevention services; and

(C) resources to address the placement of children in settings eligible for federal financial participation under the requirements of Title VII, Div. E, Pub. L. No. 115-123;

(4) identify methods to:

(A) maximize resources from the federal government under Title VII, Div. E, Pub. L. No. 115-123;

(B) apply for other available federal and private funds;

(C) streamline and reduce duplication of effort by each state agency involved in providing services described by Subdivision (1);

(D) streamline the procedures for determining eligibility for services described by Subdivision (1);

(E) prescribe and terminate services described by Subdivision (1); and

(F) reduce recidivism in foster care prevention services;

(5) include a method to:

(A) notify the Senate Health and Human Services Committee, the Senate Finance Committee, the House Committee on Human Services, the House Committee on Public Health, and the House Appropriations Committee of federal and private funding opportunities; and

(B) respond to the opportunities described by Paragraph (A); and

(6) identify opportunities to coordinate with independent researchers to assist community programs in evaluating and developing trauma-informed services and promising, supported, or well-supported services and strategies under Title VII, Div. E, Pub. L. No. 115-123.

(c) In identifying the network of providers described by Subsection (b)(1), the department shall consult with the Health and Human Services Commission, the Department of State Health Services, and community stakeholders.

(d) This section does not supersede or limit the department's duty to develop and maintain the plan under Section 264.153, Family Code.

(e) The department shall submit the plan developed under this section to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the standing committees of the senate and house of representatives having primary jurisdiction over child welfare issues not later than December 30, 2019.

(f) This section expires March 1, 2020.

The amendment to **CSHB 3950** was read and was adopted by a viva voce vote.

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

**CSHB 3950** 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 3950 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3950** 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 2159 ON SECOND READING**

Senator Paxton moved to suspend the regular order of business to take up for consideration **HB 2159** at this time on its second reading:

**HB 2159**, Relating to the correction of an ad valorem tax appraisal roll.

The motion prevailed.

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

The bill was read second time.

Senator Paxton offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 2159** (senate committee report) as follows:

(1) Strike the recital to SECTION 1 of the bill, amending Section 25.25(d), Tax Code (page 1, lines 17 and 18), and substitute the following:

SECTION 1. Section 25.25, Tax Code, is amended by amending Subsection (d) and adding Subsection (d-1) to read as follows:

(2) In SECTION 1 of the bill, amending Section 25.25(d), Tax Code (page 1, lines 22 and 23), strike "including an error regarding the unequal appraisal or excessive market value of a property,".

(3) In SECTION 1 of the bill, amending Section 25.25(d), Tax Code (page 1, lines 26 and 27), strike "than one-third the correct appraised value. If the appraisal roll is changed under this subsection" and substitute the following:  
than:

(1) one-fourth the correct appraised value, in the case of property that qualifies as the owner's residence homestead under Section 11.13; or

(2) one-third the correct appraised value, in the case of property that does not qualify as the owner's residence homestead under Section 11.13.

(d-1) If the appraisal roll is changed under Subsection (d) [~~this subsection~~]

(4) In SECTION 1 of the bill, amending Section 25.25(d), Tax Code (page 1, line 34), strike "this subsection" and substitute "Subsection (d) [~~this subsection~~]".

The amendment to **HB 2159** 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 2159** 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: Hancock, Menéndez, Nichols.

**HOUSE BILL 2159 ON THIRD READING**

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2159** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

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

Nays: Hancock, Menéndez, Nichols.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4748 ON SECOND READING**

Senator Miles moved to suspend the regular order of business to take up for consideration **CSHB 4748** at this time on its second reading:

**CSHB 4748**, Relating to the authority of the Near Northside Management District to impose a sales and use tax and finance a project or service.

The motion prevailed.

Senators Bettencourt, Hall, and Paxton 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 **CSHB 4748** (senate committee report) as follows:

(1) Strike SECTION 1 of the bill, amending Section 3905.151, Special District Local Laws Code (page 1, lines 22 through 34), and renumber subsequent SECTIONS of the bill accordingly.

(2) In SECTION 2 of the bill, in added Section 3905.252(a), Special District Local Laws Code (page 1, line 48), strike "a majority" and substitute "at least 60 percent".

The amendment to **CSHB 4748** 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 4748** 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: Bettencourt, Hall, Paxton.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 4748 ON THIRD READING**

Senator Miles moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 4748** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

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

Nays: Bettencourt, Hall, Paxton.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

**HOUSE BILL 2059 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 2059** at this time on its second reading:

**HB 2059**, Relating to required human trafficking prevention training as a condition of registration permit or license renewal for certain health care practitioners.

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 2059 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 2059** 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 510 ON SECOND READING**

Senator Schwertner moved to suspend the regular order of business to take up for consideration **HB 510** at this time on its second reading:

**HB 510**, Relating to the power of certain counties to enact park use rules.

The motion prevailed.

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

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 510** (senate committee printing) in SECTION 1 of the bill, in amended Section 320.0455(a), Local Government Code (page 1, line 22), by striking "2.8 million" and substituting "one [~~2.8~~] million".

The amendment to **HB 510** 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 Miles offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **HB 510** (senate committee printing) in SECTION 1 of the bill, as follows:

(1) In amended Section 320.0455(a), Local Government Code (page 1, line 23), strike "and".



(2) In amended Section 320.0455(a), Local Government Code (page 1, line 25), between "455,000" and the period, insert the following:  
; and

(3) a county with a population of 580,000 or more adjacent to a county with a population of 2.8 million or more

The amendment to **HB 510** 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.

**HB 510** 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: Hall.

### **HOUSE BILL 510 ON THIRD READING**

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 510** be placed on its third reading and final passage.

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

Nays: Hall.

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

### **COMMITTEE SUBSTITUTE HOUSE BILL 721 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 721** at this time on its second reading:

**CSHB 721**, Relating to the duty of the Texas Water Development Board to conduct studies of and prepare and submit reports on aquifer storage and recovery and aquifer recharge projects.

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 721 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 721** 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 3906 ON SECOND READING**

Senator Taylor moved to suspend the regular order of business to take up for consideration **CSHB 3906** at this time on its second reading:

**CSHB 3906**, Relating to the assessment of public school student development, comprehension, and performance, including the administration of assessment instruments for that purpose.

The motion prevailed.

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

The bill was read second time.

Senator Taylor offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 3906** (senate committee printing) in SECTION 10 of the bill, in amended Section 39.023(c), Education Code (page 6, line 12), between "assessment instruments." and "[The State Board of Education", insert "An end of course assessment instrument may be administered in multiple parts over more than one day."

The amendment to **CSHB 3906** 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 Taylor offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSHB 3906** (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter Z, Chapter 25, Education Code, is amended by adding Section 25.904 to read as follows:

Sec. 25.904. USE OF CALCULATOR APPLICATION IN PLACE OF GRAPHING CALCULATOR. (a) A school district shall permit a student enrolled in a course that requires the student to use a graphing calculator to use a calculator application on a computing device, including a personal, laptop, or tablet computer, that provides the same functionality, unless the district makes available to the student a graphing calculator at no cost to the student.

(b) A school district may adopt policies related to student use of a computing device under this section.

(c) To the extent this section conflicts with Section 37.082, this section prevails.

SECTION \_\_\_\_\_. The Texas Education Agency is required to implement a provision of Section 25.904, Education Code, as added by this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not

appropriate money specifically for that purpose, the Texas Education Agency may, but is not required to, implement a provision of that section using other appropriations available for that purpose.

The amendment to **CSHB 3906** 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 Taylor offered the following amendment to the bill:

**Floor Amendment No. 3**

Amend **CSHB 3906** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. The Texas Education Agency may use foundation school program funds appropriated to the agency to implement a provision of this Act.

The amendment to **CSHB 3906** 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 3906** 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: Creighton, Seliger.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 3906 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 **CSHB 3906** be placed on its third reading and final passage.

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

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

Nays: Creighton, Seliger.

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

**COMMITTEE SUBSTITUTE  
HOUSE BILL 722 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 722** at this time on its second reading:

**CSHB 722**, Relating to the development of brackish groundwater.

The bill was read second time.

Senator Flores offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 722** (senate committee printing) in SECTION 1 of the bill, by striking added Section 36.1015(b), Water Code (page 1, lines 45 and 46), and substituting the following:

(b) The requirements of this section do not apply to:

(1) a district overlying the Dockum Aquifer; or

(2) a district located in a county that:

(A) overlies the Capitan Reef Complex;

(B) is bordered by the Pecos River; and

(C) is more than 4,500 square miles in area.

The amendment to **CSHB 722** 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 722** 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 722 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 722** 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 1052 ON SECOND READING**

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1052** at this time on its second reading:

**HB 1052**, Relating to the authority of the Texas Water Development Board to use the state participation account of the water development fund to provide financial assistance for the development of certain 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 1052 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 **HB 1052** 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 2345 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2345** at this time on its second reading:

**CSHB 2345**, Relating to the creation of the Institute for a Disaster Resilient Texas.

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 2345 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 **CSHB 2345** 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 6 ON SECOND READING**

On motion of Senator Kolkhorst and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 6** at this time on its second reading:

**HB 6**, Relating to developing a disaster recovery task force to assist with long-term disaster recovery.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 6** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. The Texas Division of Emergency Management is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the division may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

The amendment to **HB 6** 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 Lucio offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **HB 6** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 418.102, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) An emergency management program required by Subsection (a) and maintained by a county, or in which a county participates, must provide for catastrophic debris management.

SECTION \_\_\_\_\_. Not later than January 1, 2020, each county shall provide for catastrophic debris management in the county's emergency management program or in a program in which the county participates as required by Section 418.102(a-1), Government Code, as added by this Act.

The amendment to **HB 6** 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 Lucio offered the following amendment to the bill:

**Floor Amendment No. 3**

Amend **HB 6** by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 418.005(a), (b), (c), and (e), Government Code, are amended to read as follows:

(a) This section applies only to:

(1) an elected law enforcement officer or county judge, or an appointed public officer of the state or of a political subdivision, who has management or supervisory responsibilities and:

(A) [~~(1)~~] whose position description, job duties, or assignment includes emergency management responsibilities; or

(B) [~~(2)~~] who plays a role in emergency preparedness, response, or recovery; and

(2) an emergency management coordinator designated under Section 418.1015(c) by the emergency management director of a county with a population of 500,000 or more.

(b) Each person described by Subsection (a) shall complete a course of training provided or approved by the division of not less than three hours regarding the responsibilities of state and local governments under this chapter not later than the 180th day after the date the person:

(1) takes the oath of office, if the person is required to take an oath of office to assume the person's duties as a public officer; [~~or~~]

(2) otherwise assumes responsibilities as a public officer, if the person is not required to take an oath of office to assume the person's duties; or

(3) is designated as an emergency management coordinator under Section 418.1015(c).

(c) The division shall develop and provide a training course related to the emergency management responsibilities of state-level officers and a training course related to the emergency management responsibilities of officers and emergency management coordinators of political subdivisions. The division shall ensure that the training courses satisfy the requirements of Subsection (b).

(e) The division or other entity providing the training shall provide a certificate of course completion to a person [~~public officers~~] who completes [~~complete~~] the training required by this section. A person [~~public officer~~] who completes the training required by this section shall maintain and make available for public inspection the record of the person's [~~public officer's~~] completion of the training.

SECTION \_\_\_\_\_. Not later than March 1, 2020, each person who is required to complete a course of training under Section 418.005, Government Code, as amended by this Act, must complete the training.

The amendment to **HB 6** 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.

Senator Lucio offered the following amendment to the bill:

#### **Floor Amendment No. 4**

Amend **HB 6** by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 33.604, Natural Resources Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) In addition to the money described by Subsection (b), the account consists of money transferred to the account under Section 156.252, Tax Code. This subsection expires September 1, 2031.

SECTION \_\_\_\_\_. Subchapter F, Chapter 156, Tax Code, is amended by adding Section 156.252 to read as follows:

Sec. 156.252. TEMPORARY ALLOCATION OF CERTAIN REVENUE TO BENEFIT COASTAL COUNTIES. (a) In this section, "coastal county" means any county adjacent to:

- (1) the Gulf of Mexico; or
- (2) Corpus Christi Bay.

(b) Beginning with the state fiscal year beginning September 1, 2021, and except as provided by Subsection (d), the comptroller shall, not later than September 30 of each state fiscal year:

(1) compute the amount of revenue derived from the collection of taxes imposed under this chapter at a rate of two percent and received from hotels located in coastal counties during the preceding state fiscal year; and

(2) transfer that amount to the coastal erosion response account created under Section 33.604, Natural Resources Code.

(c) Revenue transferred under this section may be appropriated only to the General Land Office for a purpose consistent with Subchapter H, Chapter 33, Natural Resources Code, that benefits a coastal county.

(d) Revenue derived from the collection of taxes under this chapter that is placed in a suspense account under Section 151.429(h) or under Section 2303.5055(f), Government Code, is excluded from the computation required by Subsection (b)(1).

(e) This section expires September 1, 2031.

The amendment to **HB 6** 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. 4.

**HB 6** 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 6 ON THIRD READING**

Senator Kolkhorst moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 6** 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 1576 ON SECOND READING**

On motion of Senator Buckingham and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1576** at this time on its second reading:

**CSHB 1576**, Relating to the delivery of certain transportation services under Medicaid and certain other health and human services programs.

The bill was read second time.

Senator Buckingham offered the following amendment to the bill:

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

Amend **CSHB 1576** (senate committee printing) as follows:

(1) In SECTION 4 of the bill, in added Section 531.02414(a-1), Government Code (page 1, line 56), strike "This" and substitute "Subject to Section 533.002571(i), this".

(2) In SECTION 8 of the bill, strike added Section 533.002571(c), Government Code (page 4, lines 36-44), and substitute the following:

(c) Subject to Subsection (d), the executive commissioner shall adopt rules as necessary to ensure the safe and efficient provision of nonemergency transportation services by a Medicaid managed care organization under this section.

(3) In SECTION 8 of the bill, in added Section 533.002581(c), Government Code (page 7, line 27), strike "The commission" and substitute "Beginning not later than September 1, 2020, the commission".



(4) In SECTION 10 of the bill (page 7, line 66), strike "533.002581(b)" and substitute "533.002581(c)".

The amendment to **CSHB 1576** 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 1576** 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 1576 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 **CSHB 1576** 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 1545 ON SECOND READING**

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1545** at this time on its second reading:

**CSHB 1545**, Relating to the continuation and functions of the Texas Alcoholic Beverage Commission, including the consolidation, repeal, and creation of certain licenses and permits; changing fees.

The bill was read second time.

Senator Birdwell offered the following amendment to the bill:

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

Amend **CSHB 1545** (senate committee printing), in SECTION 402(b) of the bill (page 121, line 49) after the period, by adding "This subsection expires December 1, 2019."

The amendment to **CSHB 1545** 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 except as follows:

Nays: Perry.

Senator Buckingham offered the following amendment to the bill:

#### **Floor Amendment No. 2**

Amend **CSHB 1545** (senate committee printing) at page 7 by striking lines 5 through 10 and renumbering SECTIONS of the bill accordingly.

The amendment to **CSHB 1545** 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 except as follows:

Nays: Perry.

Senator Buckingham offered the following amendment to the bill:

### **Floor Amendment No. 3**

Amend **CSHB 1545** (senate committee report) as follows:

(1) Strike the recital to SECTION 214 of the bill (page 72, lines 68-69) and substitute the following:

SECTION 214. (a) Effective September 1, 2019, Section 62.122, Alcoholic Beverage Code, is amended by amending Subsections (a) and (e) and adding Subsections (a-1), (e-1), and (g) to read as follows:

(a) A manufacturer's licensee whose annual production of beer, together with the annual production of ale by the holder of a brewer's permit at all premises wholly or partly owned, directly or indirectly, by the license holder or an affiliate or subsidiary of the license holder, does not exceed 225,000 barrels may sell beer produced on the manufacturer's premises under the license to ultimate consumers on the manufacturer's premises:

(1) for responsible consumption on the manufacturer's premises; or

(2) subject to Subsection (a-1), for off-premises consumption.

(a-1) Sales to a consumer on the manufacturer's premises for off-premises consumption are limited to 288 fluid ounces of beer and ale combined per calendar day.

(e) A holder of a manufacturer's license who under Subsection (c) sells beer produced on the manufacturer's premises under the license to ultimate consumers on the manufacturer's premises for responsible consumption on the manufacturer's premises:

(1) shall file a territorial agreement with the commission under Subchapters C and D, Chapter 102;

(2) must purchase any beer the license holder sells on the manufacturer's premises from the holder of a license issued under Chapter 64~~[-65,]~~ or 66; and

(3) with respect to those purchases, must comply with the requirements of this code governing dealings between a distributor or wholesaler and a member of the retail tier, including Sections 61.73 and 102.31.

(e-1) The commission:

(1) may require the holder of a manufacturer's license who sells beer to ultimate consumers under this section to report to the commission each month, in the manner prescribed by the commission, the total amounts of beer sold by the license holder under this section during the preceding month for:

(A) responsible consumption on the manufacturer's premises; and

(B) off-premises consumption, as authorized by Subsection (a);

(2) by rule shall adopt a simple form for a report required under Subdivision (1); and

(3) shall maintain reports received under this subsection for public review.

(g) The commission may impose an administrative penalty against a license holder who violates Subsection (a-1) or fails to comply with a requirement established by the commission under Subsection (e-1). The commission shall adopt rules establishing:

(1) the amount of an administrative penalty under this subsection; and

(2) the procedures for imposing an administrative penalty under this subsection.

(b) Effective September 1, 2021, Section 62.122, Alcoholic Beverage Code, is amended by amending Subsections (a), (b), (c), and (e) and adding Subsections (a-1), (e-1), and (g) to read as follows:

(2) In SECTION 214 of the bill, in amended Section 62.122(a), Alcoholic Beverage Code (page 73, lines 9-10), strike "premises for responsible consumption on the brewer's [~~manufacturer's~~] premises." and substitute the following: premises:

(1) for responsible consumption on the brewer's [~~manufacturer's~~] premises;

or

(2) subject to Subsection (a-1), for off-premises consumption.

(a-1) Sales to a consumer on the brewer's premises for off-premises consumption are limited to 288 fluid ounces of malt beverages per calendar day.

(3) In SECTION 214 of the bill, immediately following amended Section 62.122(e), Alcoholic Beverage Code (page 73, between lines 46 and 47), insert the following:

(e-1) The commission:

(1) may require the holder of a brewer's license who sells malt beverages to ultimate consumers under this section to report to the commission each month, in the manner prescribed by the commission, the total amounts of malt beverages sold by the license holder under this section during the preceding month for:

(A) responsible consumption on the brewer's premises; and

(B) off-premises consumption, as authorized by Subsection (a);

(2) by rule shall adopt a simple form for a report required under Subdivision

(1); and

(3) shall maintain reports received under this subsection for public review.

(g) The commission may impose an administrative penalty against a license holder who violates Subsection (a-1) or fails to comply with a requirement established by the commission under Subsection (e-1). The commission shall adopt rules establishing:

(1) the amount of an administrative penalty under this subsection; and

(2) the procedures for imposing an administrative penalty under this subsection.

(4) Add the following appropriately numbered SECTIONS to the bill and renumber the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. The legislature finds that:

(1) the state is authorized under the Twenty-first Amendment to the United States Constitution to promote the public's interest in the fair, efficient, and competitive marketing of beer, ale, and malt liquor in this state;

(2) the United States Supreme Court in *Granholm v. Heald*, 544 U.S. 460 (2005), has recognized that the three-tier system of regulating the alcoholic beverage industry is unquestionably legitimate;

(3) in *Granholm*, the United States Supreme Court further recognized that while the states are entitled to regulate the production and sales of liquor within their borders, the right is nonetheless subject to the provisions of the Constitution of the United States, including the Interstate Commerce Clause, and laws regulating the alcoholic beverage industry may not discriminate against out-of-state participants or give undue deference to local participants and may not ignore other provisions of the Constitution, including the Supremacy Clause, Commerce Clause, and the Privileges and Immunities Clause with its nondiscriminatory principles;

(4) the state is authorized to promote, market, and educate consumers about the emerging small brewing industry;

(5) it is in the state's interest to encourage entrepreneurial and small business development opportunities in the state that will lead to new capital investment in the state, create new jobs in the state, and expand the state and local tax base; and

(6) it is the public policy of the state to exercise the police power of the state to protect the welfare, health, peace, temperance, and safety of the people of Texas.

SECTION \_\_\_\_\_. Effective September 1, 2019, Section 12.052, Alcoholic Beverage Code, is amended by amending Subsection (a) and adding Subsections (a-1), (e-1), and (g) to read as follows:

(a) In addition to the activities authorized by Section 12.01, the holder of a brewer's permit whose annual production of ale, together with the annual production of beer by the holder of a manufacturer's license at all premises wholly or partly owned, directly or indirectly, by the permit holder or an affiliate or subsidiary of the permit holder, does not exceed a total of 225,000 barrels may sell ale produced on the brewer's premises under the permit to ultimate consumers on the brewer's premises:

(1) for responsible consumption on the brewer's premises; or

(2) subject to Subsection (a-1), for off-premises consumption.

(a-1) Sales to a consumer on the brewer's premises for off-premises consumption are limited to 288 fluid ounces of beer and ale combined per calendar day.

(e-1) The commission:

(1) may require the holder of a brewer's permit who sells ale to ultimate consumers under this section to report to the commission each month, in the manner prescribed by the commission, the total amounts of ale sold by the permit holder under this section during the preceding month for:

(A) responsible consumption on the brewer's premises; and

(B) off-premises consumption, as authorized by Subsection (a);

(2) by rule shall adopt a simple form for a report required under Subdivision (1); and

(3) shall maintain reports received under this subsection for public review.

(g) The commission may impose an administrative penalty against a permit holder who violates Subsection (a-1) or fails to comply with a requirement established by the commission under Subsection (e-1). The commission shall adopt rules establishing:

- (1) the amount of an administrative penalty under this subsection; and
- (2) the procedures for imposing an administrative penalty under this subsection.

SECTION \_\_\_\_. (a) Effective September 1, 2019, Subchapter D, Chapter 101, Alcoholic Beverage Code, is amended by adding Section 101.6701 to read as follows:

Sec. 101.6701. LABEL APPROVAL NOT REQUIRED FOR CERTAIN MALT BEVERAGES. (a) This section applies only to:

(1) the holder of a brewer's permit authorized under Section 12.052 to sell ale produced on the brewer's premises under the permit to ultimate consumers on the brewer's premises for responsible consumption on the brewer's premises and for off-premises consumption; and

(2) the holder of a manufacturer's license authorized under Section 62.122 to sell beer produced on the manufacturer's premises under the license to ultimate consumers on the manufacturer's premises for responsible consumption on the manufacturer's premises and for off-premises consumption.

(b) Notwithstanding Sections 101.41 and 101.67 or any other law, a permit or license holder to whom this section applies may sell beer, ale, or malt liquor to ultimate consumers for consumption on the permit or license holder's premises or for off-premises consumption without receiving label approval for the beer, ale, or malt liquor.

(c) A permit or license holder who sells beer, ale, or malt liquor under Subsection (b) shall:

(1) post in a conspicuous place on the permit or license holder's premises the alcohol content of the beer, ale, or malt liquor in percentage of alcohol by volume; and

(2) provide in writing to an ultimate consumer who purchases beer, ale, or malt liquor for off-premises consumption:

(A) the product name of the beer, ale, or malt liquor; and

(B) the alcohol content of the beer, ale, or malt liquor in percentage of alcohol by volume.

(d) A permit or license holder satisfies the requirements of Subsection (c)(2) if the permit or license holder:

(1) writes the product name and alcohol content on the container of the beer, ale, or malt liquor; or

(2) applies a label with the product name and alcohol content to the container of the beer, ale, or malt liquor.

(b) Effective September 1, 2021, Subchapter D, Chapter 101, Alcoholic Beverage Code, is amended by adding Section 101.6701 to read as follows:

Sec. 101.6701. LABEL APPROVAL NOT REQUIRED FOR CERTAIN MALT BEVERAGES. (a) This section applies only to the holder of a brewer's license authorized under Section 62.122 to sell malt beverages produced on the brewer's premises under the license to ultimate consumers on the brewer's premises for responsible consumption on the brewer's premises and for off-premises consumption.

(b) Notwithstanding Sections 101.41 and 101.67 or any other law, a license holder to whom this section applies may sell malt beverages to ultimate consumers for consumption on the license holder's premises or for off-premises consumption without receiving label approval for the malt beverages.

(c) A license holder who sells malt beverages under Subsection (b) shall:

(1) post in a conspicuous place on the license holder's premises the alcohol content of the malt beverages in percentage of alcohol by volume; and

(2) provide in writing to an ultimate consumer who purchases a malt beverage for off-premises consumption:

(A) the product name of the malt beverage; and

(B) the alcohol content of the malt beverage in percentage of alcohol by volume.

(d) A license holder satisfies the requirements of Subsection (c)(2) if the license holder:

(1) writes the product name and alcohol content on the container of the malt beverage; or

(2) applies a label with the product name and alcohol content to the container of the malt beverage.

SECTION \_\_\_\_\_. (a) Section 101.6701, Alcoholic Beverage Code, as added by this Act, effective September 1, 2019, applies only to the sale of malt beverages on or after September 1, 2019. The sale of malt beverages before September 1, 2019, is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

(b) Section 101.6701, Alcoholic Beverage Code, as added by this Act, effective September 1, 2021, applies only to the sale of malt beverages on or after September 1, 2021. The sale of malt beverages before September 1, 2021, is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

The amendment to **CSHB 1545** 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 except as follows:

Nays: Perry.

Senator Birdwell offered the following amendment to the bill:

#### **Floor Amendment No. 4**

Amend **CSHB 1545** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION \_\_\_\_\_. Effective September 1, 2019, Sections 22.04(a) and (c), Alcoholic Beverage Code, are amended to read as follows:

(a) A ~~No~~ person may not hold or have an interest, directly or indirectly, in more than 250 ~~five~~ package stores or in their business or permit.

(c) ~~Except as provided by Section 22.041, the [The limitations prescribed in this section do not apply to an original or renewal package store permit issued before May 1, 1949, and in effect on that date. The] commission may not issue [or administrator shall renew each permit of that type on proper application if the applicant is otherwise qualified. If a person who holds or has an interest in] more than 15 original [five] package store permits to a person in a calendar year [under the authority of this subsection has one of the permits cancelled, voluntarily or for cause, he may not obtain an additional permit in lieu of the cancelled permit. No person who has more than five package store permits may place any of the permits in suspense with the commission].~~

SECTION \_\_\_\_\_. Effective September 1, 2019, Chapter 22, Alcoholic Beverage Code, is amended by adding Section 22.041 to read as follows:

Sec. 22.041. ACQUISITION OF EXISTING PACKAGE STORE BUSINESS.

(a) The commission may issue an original package store permit to a person for an existing package store business if:

(1) the person acquired by purchase or otherwise the existing package store business; and

(2) the existing package store business has been operating in the same county for more than one year before the date the person acquired the package store business.

(b) A package store permit issued under this section is not subject to the permit limit under Section 22.04(c).

SECTION \_\_\_\_\_. Effective September 1, 2019, Section 22.05, Alcoholic Beverage Code, is amended to read as follows:

Sec. 22.05. TRANSFER [CONSOLIDATION] OF PERMITS. The holder of a package store permit may not transfer the permit [If one person or two or more persons related within the first degree of consanguinity have a majority of the ownership in two or more legal entities holding package store permits, they may consolidate the package store businesses into a single legal entity. That single legal entity may then be issued permits for all the package stores, notwithstanding any other provision of this code. After the consolidation, none of the permits may be transferred] to another county.

The amendment to **CSHB 1545** 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. 4 except as follows:

Nays: Perry, Seliger, Watson.

Senator Taylor offered the following amendment to the bill:

**Floor Amendment No. 5**

Amend **CSHB 1545** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Effective September 1, 2019, Section 5.37, Alcoholic Beverage Code, is amended by adding Subsection (e) to read as follows:

(e) The commission may not engage in or allocate resources for the collection of taxes at a port of entry facility located at a cruise ship terminal.

The amendment to **CSHB 1545** was read.

Senator Taylor withdrew Floor Amendment No. 5.

Senator Schwertner offered the following amendment to the bill:

#### **Floor Amendment No. 6**

Amend **CSHB 1545** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION \_\_\_\_\_. Subchapter A, Chapter 108, Alcoholic Beverage Code, is amended by adding Section 108.11 to read as follows:

Sec. 108.11. MARKETING, PROMOTION, AND ADVERTISING OF MALT BEVERAGES. Notwithstanding any other provision of this code, the provisions of this code or a commission rule relating to the marketing, promotion, or advertising of ale or malt liquor as they existed on August 31, 2021, apply to the marketing, promotion, or advertising of malt beverages.

The amendment to **CSHB 1545** was read.

Senator Schwertner withdrew Floor Amendment No. 6.

Senator Schwertner offered the following amendment to the bill:

#### **Floor Amendment No. 7**

Amend **CSHB 1545** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill appropriately:

SECTION \_\_\_\_\_. Effective September 1, 2019, Section 14.05(c), Alcoholic Beverage Code, is amended to read as follows:

(c) The holder of a distiller's and rectifier's permit may not under Subsection (b) sell more than two 750 milliliter bottles or the equivalent of each distilled spirits product the permit holder produces [or the equivalent] to the same consumer within a 30-day period.

The amendment to **CSHB 1545** was read.

Senator Schwertner withdrew Floor Amendment No. 7.

Senator Birdwell offered the following amendment to the bill:

#### **Floor Amendment No. 8**

Amend **CSHB 1545** (senate committee printing) by striking SECTION 401 of the bill (page 121, lines 1 through 34) and renumbering SECTIONS of the bill as appropriate.

The amendment to **CSHB 1545** 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. 8 except as follows:

Nays: Perry.

**CSHB 1545** 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 1545 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1545** 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 3361 ON SECOND READING**

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **HB 3361** at this time on its second reading:

**HB 3361**, Relating to court reporter service fees in certain counties.

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 3361 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 3361** 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)

### **HOUSE BILL 2831 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 2831** at this time on its second reading:

**HB 2831**, Relating to the service of notice of a special commissioners' hearing in an eminent domain proceeding.

The bill was read second time.

Senator Kolkhorst offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 2831** (senate committee printing) as follows:

(1) Strike SECTION 2 of the bill (page 1, lines 39-43).

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

SECTION \_\_\_\_\_. Section 21.0113, Property Code, is amended by adding Subsections (c), (d), (e), and (f) to read as follows:

(c) Notwithstanding Subsection (b), a private entity, as defined by Section 21.0114, with eminent domain authority that wants to acquire real property for a public use has made a bona fide offer only if the entity:

(1) satisfies the requirements of Subsection (b);

(2) includes with the initial offer:

(A) an offer of compensation in an amount equal to or greater than:

(i) the market value of the property rights sought to be acquired, including an estimate of damages to the property owner's remaining property, if any, based on an appraisal of the property prepared by a third party who is a certified general appraiser licensed under Chapter 1103, Occupations Code; or

(ii) the estimated price or market value of the property rights sought to be acquired based on data for at least three comparable arm's-length sales of a fee simple interest in property, including an estimate of damages to the property owner's remaining property, if any, based on data then available to the appraiser, broker, or private entity, as applicable, and based on:

(a) a comparative market analysis prepared by a third party who is a real estate broker licensed under Chapter 1101, Occupations Code, or a certified general appraiser licensed under Chapter 1103, Occupations Code;

(b) a broker price opinion prepared by a third party who is a real estate broker licensed under Chapter 1101, Occupations Code; or

(c) a market study prepared by a third party who is a real estate broker licensed under Chapter 1101, Occupations Code, or a certified general appraiser licensed under Chapter 1103, Occupations Code;

(B) the complete written report of the appraisal, the comparative market analysis, the broker price opinion, the market study, or a summary of the market study, as prepared by the third party, that forms the basis for the amount of the offer of compensation under Paragraph (A);

(C) a deed, easement, agreement, or other instrument of conveyance for the property rights sought that complies with Section 21.0114;

(D) notice of the terms described by Section 21.0114(c) for which the property owner may negotiate to be included in a deed, easement, agreement, or other instrument of conveyance relating to the property; and

(E) the landowner's bill of rights statement prescribed by Section 21.0112, unless previously provided to the property owner;

(3) provides notice of the proposed project to the county judge as required by Section 21.0115; and

(4) includes in the final offer, if made:

(A) a copy of the written appraisal report required by Subsection (b)(4) unless the entity has previously provided a copy of the report to the property owner; and

(B) a deed, easement, agreement, or other instrument of conveyance for the property rights sought that complies with Section 21.0114.

(d) For purposes of Subsection (c)(2)(A)(ii), a real estate broker licensed under Chapter 1101, Occupations Code, is authorized to prepare an estimated price based on a comparative market analysis, a broker price opinion, a market study, or a summary of the market study.

(e) A condemnation suit may not be abated, delayed, or dismissed for noncompliance with this subchapter, except as provided under Section 21.047(d).

(f) A private entity that provides to a property owner an easement form that is generally consistent with the language or provisions required by Section 21.0114(b) and the notice required by Section 21.0114(c) is considered to have complied with Section 21.0114 for purposes of Subsection (c)(2)(C), regardless of whether the private entity subsequently provides to the property owner a different deed, easement, agreement, or other instrument of conveyance as authorized under Sections 21.0114(d) and (e).

SECTION \_\_\_\_\_. Subchapter B, Chapter 21, Property Code, is amended by adding Sections 21.0114 and 21.0115 to read as follows:

Sec. 21.0114. REQUIRED TERMS FOR INSTRUMENTS OF CONVEYANCE BY CERTAIN PRIVATE ENTITIES. (a) In this section, "private entity":

(1) means:

(A) a for-profit entity, as defined by Section 1.002, Business Organizations Code, however organized, including an affiliate or subsidiary, authorized to exercise the power of eminent domain to acquire private property for public use; or

(B) a corporation organized under Chapter 67, Water Code, that has a for-profit entity, however organized, as the sole or majority member; and

(2) does not include:

(A) a railroad operating in this state on or before September 1, 2019; or

(B) an interstate pipeline governed by the Natural Gas Act (15 U.S.C.

Section 717 et seq.) that does not seek to acquire property under this chapter.

(b) Except as provided by Subsections (c), (d), and (e), a deed, easement, agreement, or other instrument of conveyance provided to a property owner by a private entity with eminent domain authority to acquire the property interest to be conveyed must include the following terms, as applicable:

(1) if the instrument conveys a pipeline right-of-way easement, the following terms with respect to the easement rights granted under the instrument:

(A) the maximum number of pipelines that may be installed in the easement;

(B) the maximum diameter, excluding any protective coating or wrapping, of each pipeline to be initially installed in the easement;

(C) the type or category of substances permitted to be transported through each pipeline to be installed in the easement;

(D) a general description of any aboveground equipment or facility the private entity intends to install, maintain, or operate on the surface of the easement;

(E) a description or illustration of the location of the easement, including a metes and bounds or centerline description, plat, or aerial or other map-based depiction of the location of the easement on the property;

(F) the maximum width of the easement;

(G) the minimum depth at which each pipeline to be installed in the easement will initially be installed;

(H) a provision identifying whether the private entity intends to double-ditch areas of the easement that are not installed by boring or horizontal directional drilling;

(I) a provision limiting the private entity's right to assign the entity's interest under the deed, easement, agreement, or other instrument of conveyance without:

(i) written notice to the property owner at the last known address of the person in whose name the property is listed on the most recent tax roll of any taxing unit authorized to levy property taxes against the property; or

(ii) if the assignee, including an assignee that is an affiliate or subsidiary of or entity otherwise related to the private entity, will not operate each pipeline installed on the easement as a common carrier line or gas utility, the express written consent of the property owner, subject to other mutual agreements under Subsections (d) and (e);

(J) a provision describing whether the easement rights are exclusive, nonexclusive, or otherwise limited;

(K) a provision limiting the private entity's right to grant a third party access to the easement area for a purpose that is not related to the construction, safety, repair, maintenance, inspection, replacement, operation, or removal of each pipeline to be installed in the easement;

(L) a provision regarding the property owner's right to recover actual monetary damages arising from the construction and installation of each pipeline to be installed in the easement, or a statement that the consideration for the easement includes any monetary damages arising from the construction and installation of each pipeline to be installed in the easement;

(M) a provision regarding the property owner's right after initial construction and installation of each pipeline to be installed in the easement to actual monetary damages arising from the repair, maintenance, inspection, replacement, operation, or removal of each pipeline to be installed in the easement;

(N) a provision:

(i) regarding the removal, cutting, use, repair, and replacement of gates and fences that cross the easement or that will be used by the private entity; or

(ii) providing for the payment for any damage that is not restored or paid for as part of the consideration for the easement;

(O) a provision:

(i) regarding the private entity's obligation to restore the easement area and the property owner's remaining property, if any, used by the private entity to as near to original condition as is reasonably practicable and to maintain the easement;  
or

(ii) providing for the private entity to reimburse the property owner for actual monetary damages incurred by the property owner that arise from damage to the easement area and the property owner's remaining property caused by the private entity and not restored or paid for as part of the consideration for the easement;  
and

(P) a provision describing the private entity's rights of ingress, egress, entry, and access on, to, over, and across the easement;

(2) if the instrument conveys an electric transmission right-of-way easement:

(A) a general description of any use of the surface of the easement the entity intends to acquire;

(B) a description or illustration of the location of the easement, including a metes and bounds or centerline description, plat, or aerial or other map-based depiction of the location of the easement on the property;

(C) the maximum width of the easement;

(D) the manner in which the entity will access the easement;

(E) a provision limiting access to the easement area by a third party that has not obtained authorization from the property owner for a purpose that is not related to the transmission line's construction, safety, repair, maintenance, inspection, replacement, operation, or removal;

(F) a provision regarding the property owner's right to recover actual monetary damages arising from the construction, repair, maintenance, replacement, or future removal of lines and support facilities after initial construction in the easement, or a statement that the consideration for the easement includes such future damages;

(G) a provision:

(i) regarding the removal, cutting, use, repair, and replacement of gates and fences that cross the easement or that will be used by the private entity; or

(ii) providing for the payment for any damage that is not restored or paid for as part of the consideration for the easement;

(H) a provision regarding the entity's obligation to restore the easement area and the property owner's remaining property to the easement area's and the remaining property's original contours and grades, to the extent practicable, and:

(i) a provision regarding the entity's obligation to restore the easement area and the property owner's remaining property following any future damages directly attributed to the use of the easement by the private entity, to the extent practicable; or

(ii) a provision that the consideration for the easement includes future damages to the easement area and the property owner's remaining property;

(I) a provision describing whether the easement rights are exclusive, nonexclusive, or otherwise limited; and

(J) a prohibition against the assignment of the entity's interest in the property to an assignee that will not operate as a utility subject to the jurisdiction of the Public Utility Commission of Texas or the Federal Energy Regulatory Commission without written notice to the property owner at the last known address of the person in whose name the property is listed on the most recent tax roll of any taxing unit authorized to levy property taxes against the property;

(3) a prohibition against any use of the property being conveyed, other than a use stated in the deed, easement, agreement, or other instrument of conveyance, without the express written consent of the property owner;

(4) a provision that the terms of the deed, easement, agreement, or other instrument of conveyance will bind the successors and assigns of the property owner and private entity; and

(5) a provision setting forth the applicable insurance or self-insurance to be provided by the private entity.

(c) The private entity shall notify the property owner that the property owner may negotiate for the following terms to be included in a deed, easement, agreement, or other instrument of conveyance described by Subsection (b):

(1) a provision regarding the property owner's right to negotiate to recover damages, or a statement that the consideration for the easement includes damages, for:

(A) damage to vegetation; and

(B) the income loss from disruption of existing agricultural production or existing leases based on verifiable loss or lease payments; and

(2) a provision:

(A) requiring the private entity to maintain at all times while the private entity uses the easement, including during construction and operations on the easement, liability insurance:

(i) issued by an insurer authorized to issue liability insurance in this state; and

(ii) insuring the property owner against liability for personal injuries and property damage sustained by any person to the extent caused by the negligence of the private entity or the private entity's agents or contractors and to the extent allowed by law; or

(B) if the private entity is subject to the jurisdiction of the Public Utility Commission of Texas or has a net worth of at least \$25 million, requiring the private entity to indemnify the property owner against liability for personal injuries and property damage sustained by any person caused by the negligence of the private entity or the private entity's agents or contractors.

(d) A private entity or the property owner may:

(1) negotiate for and agree to terms and conditions not required by Subsection (b) or provided by Subsection (c), including terms and conditions that differ from or are not included in a subsequent condemnation petition; and

(2) agree to a deed, easement, agreement, or other instrument of conveyance that does not include or includes terms that differ from the terms required by Subsection (b).

(e) Except as provided by this subsection, this section does not prohibit a private entity or the property owner from agreeing to amend, alter, or omit the terms required by Subsection (b) at any time after the private entity first provides a deed, easement, agreement, or other instrument containing those terms to the property owner, whether before or at the same time that the entity makes an initial offer to the property owner. A private entity that changes the terms required by Subsection (b) must provide a copy of the amended deed, easement, agreement, or other instrument of conveyance to the property owner not later than the seventh day before the date the private entity files a condemnation petition relating to the property.

(f) A private entity that amends a deed, easement, agreement, or other instrument of conveyance to which this section applies after the initial offer or final offer is not required to satisfy again any requirement of Section 21.0113 that the private entity has previously satisfied.

Sec. 21.0115. NOTICE OF INTENT. (a) A private entity as defined by Section 21.0114 must send a written notice of intent to the county judge of a county in which the private entity will seek to acquire property for a project for public use before the first time the private entity makes an initial offer to acquire real property for the project in that county.

(b) A notice sent under Subsection (a) must:

(1) state the private entity's intent to acquire real property for public use;

(2) specify the public use; and

(3) identify the proposed route, including the tracts of real property, identified by the tract number assigned by the county assessor-collector, that the private entity intends to acquire.

SECTION \_\_\_\_. Section 21.012, Property Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) In addition to the contents prescribed by Subsection (b), a petition filed by a private entity as defined by Section 21.0114 to acquire property for a public use must state the terms to be included in the instrument of conveyance under Section 21.0114(b).

SECTION \_\_\_\_. Section 21.014(a), Property Code, is amended to read as follows:

(a) The judge of a court in which a condemnation petition is filed or to which an eminent domain case is assigned shall, not later than the 15th day after the date the property owner received notice that the petition has been filed under Section 21.012, appoint three disinterested real property owners who reside in the county as special commissioners to assess the damages of the owner of the property being condemned and two disinterested real property owners who reside in the county as alternate special commissioners. The judge appointing the special commissioners shall give preference to any persons agreed on by the parties before the court appoints the special commissioners. Each party shall have seven days after the date of the appointment of the special commissioners ~~[The judge shall provide each party a reasonable period]~~ to strike one of the three special commissioners ~~[appointed by the judge]~~. If a person fails to serve as a special commissioner or is struck by a party to the suit in accordance with this subsection, an alternate special commissioner shall

serve as a replacement for the special commissioner based on the order that the alternate special commissioners are listed in the initial order of appointment [the judge shall appoint a replacement].

SECTION \_\_\_\_\_. (a) Except as provided by Subsection (b) of this section, the changes in law made by this Act apply to the acquisition of real property in connection with an initial offer made under Chapter 21, Property Code, on or after the effective date of this Act. An acquisition of real property in connection with an initial offer made under Chapter 21, Property Code, before the effective date of this Act is governed by the law applicable to the acquisition immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(b) The changes in law made by this Act do not apply to an electric transmission project for which the Public Utility Commission of Texas has issued a final and appealable order that amends a certificate of convenience and necessity before January 1, 2020.

The amendment to **HB 2831** 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 2831** 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 2831 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 2831** 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 1550 ON SECOND READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **HB 1550** at this time on its second reading:

**HB 1550**, Relating to certain governmental entities subject to the sunset review process.

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.

Senator Birdwell offered the following amendment to the bill:

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

Amend **HB 1550** (senate committee printing) as follows:

- (1) Strike SECTIONS 2 through 4 of the bill (page 1, lines 32 through 51).
- (2) Strike SECTION 12 of the bill (page 2, lines 39 through 44).



- (3) Strike SECTION 22 of the bill (page 3, lines 39 through 45).
- (4) Strike SECTION 27 of the bill (page 4, lines 6 through 16).
- (5) Strike SECTIONS 30 through 32 of the bill (page 4, lines 30 through 55).
- (6) Renumber the SECTIONS of the bill accordingly.

The amendment to **HB 1550** 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 1550** 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: Creighton.

#### **HOUSE BILL 1550 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1550** 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)

#### **HOUSE BILL 2362 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **HB 2362** at this time on its second reading:

**HB 2362**, Relating to the standard of proof in health care liability claims involving emergency medical care.

The motion prevailed.

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

The bill was read second time and was passed to 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: Campbell, Fallon, Schwertner.

#### **HOUSE BILL 2362 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2362** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

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

Nays: Campbell, Fallon, Schwertner.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

### **HOUSE BILL 1806 ON SECOND READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **HB 1806** at this time on its second reading:

**HB 1806**, Relating to the use of water withdrawn from the Edwards Aquifer by certain entities.

The motion prevailed.

Senators Kolkhorst, Perry, and Watson 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: Kolkhorst, Perry, Watson.

### **HOUSE BILL 1806 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1806** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

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

Nays: Kolkhorst, Perry, Watson.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

### **HOUSE BILL 4712 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business to take up for consideration **HB 4712** at this time on its second reading:

**HB 4712**, Relating to the powers and duties of the Fort Bend County Levee Improvement District No. 7.

The motion prevailed.

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

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

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

Amend **HB 4712** by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Section 8334.003 to read as follows:

Sec. 8334.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

The amendment to **HB 4712** 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 4712** 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: Hall.

### **HOUSE BILL 4712 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 4712** be placed on its third reading and final passage.

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

Nays: Hall.

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

### **COMMITTEE SUBSTITUTE HOUSE BILL 3745 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3745** be placed on its third reading and final passage:

**CSHB 3745**, Relating to the Texas emissions reduction plan fund and account.

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

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

Nays: Bettencourt, Creighton, Hall, Hughes.

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

### HOUSE BILL 1387 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 1387** be placed on its third reading and final passage:

**HB 1387**, Relating to the number of school marshals that may be appointed to serve on a public school campus or at a private school.

The motion prevailed by the following vote: Yeas 24, Nays 6, Present-not voting 1.

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

Nays: Menéndez, Miles, Powell, Watson, Whitmire, Zaffirini.

Present-not voting: West.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 10, Present-not voting 1.

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

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

Present-not voting: West.

### HOUSE BILL 1584 ON SECOND READING

Senator Buckingham moved to suspend the regular order of business to take up for consideration **HB 1584** at this time on its second reading:

**HB 1584**, Relating to health benefit plan coverage of prescription drugs for stage-four advanced, metastatic cancer.

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.

Senator Buckingham offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **HB 1584** (senate committee report) in SECTION 1 of the bill, by striking added Section 1369.213(b), Insurance Code (page 2, lines 36 through 40), and substituting the following:

(b) This section applies only to a drug the use of which is:

- (1) consistent with best practices for the treatment of stage-four advanced, metastatic cancer or an associated condition;  
(2) supported by peer-reviewed, evidence-based literature; and  
(3) approved by the United States Food and Drug Administration.

The amendment to **HB 1584** 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 1584** 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: Creighton.

### HOUSE BILL 1584 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 1584** be placed on its third reading and final passage.

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

Nays: Creighton.

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

### COMMITTEE SUBSTITUTE HOUSE BILL 3808 ON SECOND READING

On motion of Senator Powell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 3808** at this time on its second reading:

**CSHB 3808**, Relating to the filing of a degree plan by students at public institutions of higher education.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **CSHB 3808** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 56.074, Education Code, is amended to read as follows:

Sec. 56.074. ELIGIBLE INSTITUTION; PARTICIPATION REQUIREMENTS.

(a) An eligible institution is:

- (1) an institution of higher education; or
- (2) a private or independent college, university, association, agency, institution, or facility that is located in this state which meets program standards and accreditation comparable to public institutions as determined by the board.

(b) To participate in the Texas college work-study program, an eligible institution must:

(1) provide employment to an eligible student in nonpartisan and nonsectarian activities;

(2) provide, insofar as is practicable, employment to an eligible student that is related to the student's academic interests;

(3) use work-study program positions only to supplement and not supplant positions normally filled by persons not eligible to participate in the work-study program;

(4) provide from sources other than federal college work-study program funds a percentage of an employed student's wages that is equal to the percentage of a student's wages that the eligible institution would be required to provide to the student in that academic year under the federal college work-study program; and

(5) provide from sources other than federal college work-study funds 100 percent of other employee benefits for the employed student.

SECTION 2. Section 56.078, Education Code, is amended to read as follows:

Sec. 56.078. FUNDING. Funding to cover the state's contribution toward the funding of the work-study program under this subchapter and the Texas WORKS internship program under Subchapter E-1 is payable from funds appropriated for that purpose.

SECTION 3. Section 56.082, Education Code, is amended to read as follows:

Sec. 56.082. ANNUAL REPORT. Not later than January 1 of each year, the Texas Higher Education Coordinating Board shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over higher education and post on the coordinating board's Internet website a report on the Texas college work-study program and the Texas WORKS internship program under Subchapter E-1. The report must include the total number of students employed through the programs [~~program~~], disaggregated by:

(1) race, ethnicity, and gender;

(2) major and certificate or degree program;

(3) classification as a freshman, sophomore, junior, or senior or the equivalent;

(4) enrollment in a full course load or less than a full course load, as determined by the coordinating board;

(5) the employment position's location on or off campus; and

(6) the employer's status as a for-profit or nonprofit entity.

SECTION 4. Chapter 56, Education Code, is amended by adding Subchapter E-1 to read as follows:

SUBCHAPTER E-1. TEXAS WORKING OFF-CAMPUS: REINFORCING KNOWLEDGE AND SKILLS (WORKS) INTERNSHIP PROGRAM

Sec. 56.0851. DEFINITIONS. In this subchapter:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "Eligible wages" means gross wages paid to an individual student in the student's program employment.

(3) "Program" or "Texas WORKS internship program" means the Texas Working Off-Campus: Reinforcing Knowledge and Skills (WORKS) Internship Program.

Sec. 56.0852. PROGRAM NAME. The student financial assistance program authorized by this subchapter is the Texas Working Off-Campus: Reinforcing Knowledge and Skills (WORKS) Internship Program.

Sec. 56.0853. PURPOSE. The purpose of the program is to provide jobs funded in part by the State of Texas to enable students employed through the program to attend public or private institutions of higher education in Texas while exploring career options and strengthening marketable skills.

Sec. 56.0854. ADMINISTRATION. (a) The coordinating board shall administer the program and collaborate with eligible employers to provide students employed through the program with employment funded in part by the state.

(b) The coordinating board shall establish criteria to ensure that:

(1) a participating employer is reimbursed under the program at the rate established by the coordinating board only for fully paid eligible wages; and

(2) marketable skills to be strengthened or gained through a student's internship position are identified.

(c) The coordinating board shall develop a standard contract establishing the roles and responsibilities of eligible employers, base wages and minimum work hours for students employed through the program, and any other provisions identified by the coordinating board as necessary to administer the program. The coordinating board shall use the standard contract as a model for the memorandum of understanding required to be entered into by eligible employers.

(d) The coordinating board may use funds appropriated for the Texas college work-study program and the Texas WORKS internship program to establish and maintain an online portal for use by students and participating entities in fulfilling their responsibilities for participation in the Texas WORKS internship program. The coordinating board may use funds appropriated for the Texas college work-study program and the Texas WORKS internship program to cover the expenses and personnel costs of administering and assessing the Texas WORKS internship program.

(e) If funding for the program is insufficient to cover the cost of all students eligible for the program, as provided by coordinating board rule, priority for funding is based on eligibility criteria established by coordinating board rule to further the purposes of the program.

(f) Funds received by students employed through the program as eligible wages are not considered as financial aid for the academic year in which the funds are earned.

Sec. 56.0855. ELIGIBLE EMPLOYER. (a) The coordinating board may enter into agreements with employers that participate in the program.

(b) To be eligible to enter into an agreement with the coordinating board to participate in the program, an employer must:

(1) except as provided by Subsection (c), be a private nonprofit or for-profit entity or a governmental entity;

(2) demonstrate the administrative and financial capacity to carry out the employer's responsibilities under the program, including the ability to pay full wages and benefits to a student employed through the program;

(3) enter into a memorandum of understanding with the coordinating board;

(4) provide employment to a student employed through the program in nonpartisan and nonsectarian activities that relate to the student's long-term career interests;

(5) use program positions only to supplement and not supplant positions normally filled by persons who are not eligible to participate in the program, as provided by coordinating board rule;

(6) provide the entirety of an employed student's wages and employee benefits;

(7) submit eligible wages to the coordinating board for reimbursement; and

(8) comply with other requirements adopted by the coordinating board under this subchapter.

(c) An employer is not eligible to participate in the program if the employer is:

(1) a public or private institution of higher education in Texas; or

(2) a career school or college, as defined by Section 132.001.

Sec. 56.0856. ADOPTION OF RULES. (a) The coordinating board shall adopt reasonable rules, consistent with the purpose of the program, to enforce the requirements, conditions, and limitations provided by this subchapter.

(b) The coordinating board shall adopt rules necessary to ensure compliance with the Civil Rights Act of 1964, Title VI (Pub. L. No. 88-352), concerning nondiscrimination in admissions or employment.

Sec. 56.0857. ONLINE LIST OF TEXAS WORKS EMPLOYMENT OPPORTUNITIES. The coordinating board shall:

(1) establish and maintain an online listing of Texas WORKS internship program employment opportunities available to students, sortable by employer, and include other relevant features such as job description, job field, or skills required, as appropriate; and

(2) ensure that the list is easily accessible to the public through a clearly identifiable link that appears in a prominent place on the coordinating board's Internet website.

SECTION 5. Section 56.076(b), Education Code, is repealed.

SECTION 6. (a) As soon as practicable after the effective date of this Act, the commissioner of the Texas Higher Education Coordinating Board shall develop the rules and procedures necessary for the implementation of Subchapter E-1, Chapter 56, Education Code, as added by this Act.

(b) The changes in law made by this Act apply beginning with the 2020 summer term.

SECTION 7. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

The amendment to **CSHB 3808** was read and was adopted by a viva voce vote.



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

Senator Menéndez offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSHB 3808** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9358 to read as follows:

Sec. 51.9358. DESIGNATION OF SUPPORT SERVICES LIAISON OFFICER TO ASSIST STUDENTS. (a) In this section:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "Institution of higher education" has the meaning assigned by Section 61.003.

(b) Each institution of higher education shall designate at least one employee of the institution to act as a liaison officer for current or incoming students at the institution. The liaison officer shall provide to the students comprehensive information regarding support services and other resources available to the students, including:

(1) resources to access:

(A) medical and behavioral health coverage and services; and

(B) public benefit programs, including programs related to food security, affordable housing, and housing subsidies;

(2) public benefit program case management assistance and counseling;

(3) parenting and child care resources;

(4) employment assistance;

(5) financial counseling and tax preparation assistance;

(6) transportation assistance;

(7) student academic success strategies; and

(8) any other resources developed by the institution to assist the students.

(c) An institution of higher education may designate under Subsection (b) the same employee to act as liaison officer as the employee designated under Section 51.9356 to act as liaison officer for current and incoming students at the institution who were formerly in the conservatorship of the Department of Family and Protective Services.

The amendment to **CSHB 3808** 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 Taylor offered the following amendment to the bill:

**Floor Amendment No. 3**

Amend **CSHB 3808** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9681 to read as follows:

Sec. 51.9681. FINANCIAL AID APPLICATION REQUIRED FOR DUAL CREDIT STUDENTS. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b) Each student who earns a cumulative total of 15 or more semester credit hours at an institution of higher education for dual credit coursework successfully completed by the student before the student's last semester or term in 12th grade must complete and submit a free application for federal student aid (FAFSA) or, if applicable, a Texas application for state financial aid (TASFA) not later than the later of:

(1) six months after the last day of the semester or term in which the student earns that cumulative total; or

(2) January 15 of the school year in which the student is enrolled in 12th grade.

(c) A student is not required to comply with Subsection (b) if:

(1) the student's parent or other person standing in parental relation submits a signed form indicating that the parent or other person authorizes the student to decline to complete and submit the financial aid application; or

(2) the student signs and submits the form described by Subdivision (1) on the student's own behalf if the student is 18 years of age or older or the student's disabilities of minority have been removed for general purposes under Chapter 31, Family Code.

(d) Each institution of higher education shall ensure that each student to whom the institution awards the cumulative total of semester credit hours described by Subsection (b) completes and submits the financial aid application as required by that subsection or submits a signed form to the institution under Subsection (c).

(e) Each institution of higher education shall adopt a form to be used for purposes of Subsection (c).

The amendment to **CSHB 3808** 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 3808** 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 3808 ON THIRD READING**

Senator Powell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3808** 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.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Wednesday, May 22, 2019 - 4

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**SB 6** Kolkhorst Sponsor: Morrison  
Relating to emergency and disaster management, response, and recovery.  
(Committee Substitute/Amended)

**SB 58** Zaffirini Sponsor: Bohac  
Relating to the exemption from ad valorem taxation of leased motor vehicles that are not held primarily for the production of income by the lessee.  
(Committee Substitute)

**SB 390** Miles Sponsor: Dutton  
Relating to the creation of the Northeast Houston Redevelopment District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.  
(Committee Substitute/Amended)

**SB 421** Kolkhorst Sponsor: Craddick  
Relating to the acquisition of real property by an entity with eminent domain authority.  
(Committee Substitute/Amended)

**SB 483** Campbell Sponsor: Zwiener  
Relating to permits for certain injection wells that transect a portion of the Edwards Aquifer.  
(Committee Substitute)

**SB 520** Campbell Sponsor: Kuempel  
Relating to the storage and recovery of water in a portion of the Edwards Aquifer.  
(Amended)

- SB 592** Watson Sponsor: Israel  
Relating to the creation of the Brickston Municipal Utility District; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.  
(Committee Substitute)
- SB 712** Lucio Sponsor: Meyer  
Relating to prohibiting the use of certain aversive techniques on students enrolled in public schools.  
(Committee Substitute)
- SB 751** Hughes Sponsor: Meyer  
Relating to the creation of a criminal offense for fabricating a deceptive video with intent to influence the outcome of an election.  
(Committee Substitute)
- SB 911** Hinojosa Sponsor: Nevárez  
Relating to the supervision of water districts by the Texas Commission on Environmental Quality.  
(Committee Substitute/Amended)
- SB 982** Kolkhorst Sponsor: Zerwas  
Relating to awareness of and access to health care service programs available during a disaster or emergency.  
(Amended)
- SB 1138** Watson Sponsor: Wray  
Relating to securities contracts entered into by the Texas Treasury Safekeeping Trust Company.  
(Committee Substitute)
- SB 1200** Campbell Sponsor: Miller  
Relating to the authority of certain military spouses to engage in a business or occupation in this state.  
(Amended)
- SB 1570** Flores Sponsor: White  
Relating to the effect of certain felony convictions of certain corrections employees.  
(Committee Substitute)
- SB 1572** Alvarado Sponsor: Button  
Relating to municipal registration of vacant buildings in certain municipalities.  
(Committee Substitute/Amended)
- SB 1845** Miles Sponsor: Vo  
Relating to the amendment of the dedicatory instruments of certain mixed-use real estate developments.  
(Committee Substitute)
- SB 2128** Creighton Sponsor: Parker  
Relating to the recording by a county clerk of certain documents concerning real or personal property.  
(Committee Substitute)

**SB 2136** Powell Sponsor: Collier  
 Relating to the admissibility of evidence in the prosecution of an offense committed against a member of the defendant's family or household or person in a dating relationship with the defendant.  
 (Amended)

**SB 2156** Buckingham Sponsor: Shine  
 Relating to the designation of the portion of Interstate Highway 14 in Bell County as the First Cavalry Division Veterans Highway.  
 (Committee Substitute)

**SB 2505** Creighton Sponsor: Bell, Cecil  
 Relating to the powers, duties, and governance of the Westwood Magnolia Parkway Improvement District; providing authority to impose taxes and issue bonds.  
 (Amended)

**SB 2530** Fallon Sponsor: Smith  
 Relating to the creation of the Van Alstyne Municipal Utility District No. 2 of Collin County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.  
 (Amended)

**SB 2552** Hinojosa Sponsor: Canales  
 Relating to the administration of the Agua Special Utility District; creating a criminal offense.  
 (Committee Substitute)

Respectfully,  
 /s/Robert Haney, Chief Clerk  
 House of Representatives

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER  
 Austin, Texas

Wednesday, May 22, 2019 - 5

The Honorable President of the Senate  
 Senate Chamber  
 Austin, Texas

Mr. President:

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

**THE HOUSE HAS PASSED THE FOLLOWING MEASURES:**

**SB 207** Kolkhorst Sponsor: Parker  
 Relating to the offense of money laundering.

**SB 232** Menéndez Sponsor: Bernal  
 Relating to parental notification by a school district regarding high school graduation requirements.

- SB 284** Hinojosa Sponsor: Howard  
Relating to disciplinary proceedings applicable to a licensed forensic analyst.
- SB 339** Huffman Sponsor: Morrison  
Relating to a seller's disclosure notice for residential property regarding floodplains, flood pools, floodways, or reservoirs.
- SB 340** Huffman Sponsor: King, Phil  
Relating to the creation of a grant program to assist law enforcement agencies with the purchase of opioid antagonists.
- SB 341** Huffman Sponsor: Murr  
Relating to the appointment of an attorney pro tem for certain criminal proceedings.
- SB 504** Seliger Sponsor: Beckley  
Relating to the inclusion of certain information in postsecondary education and career counseling academies developed for certain school counselors and other postsecondary advisors employed by a school district.
- SB 548** Birdwell Sponsor: King, Phil  
Relating to complaints filed with and certain other filings submitted to the Texas Ethics Commission.
- SB 550** West Sponsor: Thompson, Senfronia  
Relating to the eligibility of certain criminal defendants for an order of nondisclosure of criminal history record information.
- SB 575** Perry Sponsor: Burrows  
Relating to the designation of a portion of U.S. Highway 84 in Lubbock County as the Trooper Jerry Don Davis Memorial Highway.
- SB 688** Perry Sponsor: King, Ken  
Relating to height limitations for certain vehicles transporting seed cotton or cotton.
- SB 902** Hughes Sponsor: Krause  
Relating to public availability of election records; authorizing a fee.
- SB 907** Hughes Sponsor: Paddie  
Relating to the preservation, maintenance, and improvement of the Republic of Texas Granite Boundary Marker.
- SB 948** Kolkhorst Sponsor: Martinez  
Relating to release sites for breeder deer.
- SB 976** Hughes Sponsor: Martinez  
Relating to the notification of a peace officer through an indication associated with vehicle registration that a person has a health condition or disability that may impede effective communication.
- SB 981** Kolkhorst Sponsor: Zerwas  
Relating to the disaster supplemental nutrition assistance program.
- SB 986** Kolkhorst Sponsor: Phelan  
Relating to contract management standards and information for contracts related to emergency management.

- SB 1125** Hinojosa Sponsor: Calanni  
Relating to the use of video teleconferencing for testimony of a forensic analyst in a criminal proceeding.
- SB 1147** Buckingham Sponsor: White  
Relating to conditions of community supervision applicable to certain intoxication offenses.
- SB 1180** Menéndez Sponsor: Lopez  
Relating to reporting regarding veterans treatment court programs.
- SB 1217** Alvarado Sponsor: Morales  
Relating to the consideration of certain arrests in determining an applicant's eligibility for an occupational license.
- SB 1221** Campbell Sponsor: Cyrier  
Relating to the designation of a portion of Ranch-to-Market Road 150 in Hays County as the William B. Travis Heritage Trail.
- SB 1230** Bettencourt Sponsor: Meyer  
Relating to the reporting of private school educator misconduct.
- SB 1271** Watson Sponsor: Howard  
Relating to the issuance of Keep Austin Weird specialty license plates.
- SB 1336** Zaffirini Sponsor: Beckley  
Relating to the workers' compensation classification system and rate filings.
- SB 1374** Paxton Sponsor: Ashby  
Relating to the sequencing of certain required mathematics courses in public schools.
- SB 1386** Watson Sponsor: Phelan  
Relating to the authority of the Texas Water Development Board to consider certain financial matters in a closed meeting.
- SB 1397** Flores Sponsor: Sanford  
Relating to exempting certain honorably retired peace officers from continuing education requirements.
- SB 1422** Zaffirini Sponsor: Cyrier  
Relating to the creation of the Maxwell Special Utility District; providing authority to issue bonds; granting a limited power of eminent domain; providing authority to impose fees and assessments.
- SB 1441** Zaffirini Sponsor: Turner, Chris  
Relating to a study by the Texas Higher Education Coordinating Board comparing postsecondary educational outcomes for certain traditional and nontraditional students.
- SB 1476** Bettencourt Sponsor: King, Ken  
Relating to the requirement for certain administrators of certain educational entities to report certain educator misconduct to the State Board for Educator Certification.
- SB 1593** Rodríguez Sponsor: Ortega  
Relating to training by the Texas Department of Transportation on the recognition and prevention of smuggling and trafficking of persons.

- SB 1623** Zaffirini Sponsor: Smithee  
Relating to nonprofit legal services corporations.
- SB 1642** Miles Sponsor: Wu  
Relating to the authority of an owner of real property sold at a tax sale to transfer the owner's right of redemption to another person.
- SB 1778** Paxton Sponsor: Holland  
Relating to excess wear and use waivers in connection with the lease of motor vehicles; providing a civil penalty.
- SB 1788** Zaffirini Sponsor: Raymond  
Relating to the payment of certain costs associated with certain programs of The University of Texas Health Science Center at San Antonio.
- SB 1806** Rodríguez Sponsor: Ortega  
Relating to the issuance of Nuclear Deterrence Operations Service Medal specialty license plates.
- SB 1828** Menéndez Sponsor: Raymond  
Relating to Holocaust Remembrance Week in public schools.
- SB 1859** Hancock Sponsor: Martinez Fischer  
Relating to business entities.
- SB 1943** Watson Sponsor: Rodriguez  
Relating to the ad valorem taxation of heir property.
- SB 1969** Hancock Sponsor: Martinez Fischer  
Relating to ratification of defective corporate acts of nonprofit corporations; authorizing a fee.
- SB 1971** Hancock Sponsor: Martinez Fischer  
Relating to domestic corporations and other domestic entities.
- SB 2011** Buckingham Sponsor: Sheffield  
Relating to a study and report regarding streamlining physician licensing requirements for advanced practice registered nurses.
- SB 2015** Fallon Sponsor: Zerwas  
Relating to the issuance of pediatric cancer research specialty license plates.
- SB 2060** Menéndez Sponsor: Guillen  
Relating to the contents of a notice of appraised value sent to a property owner by the chief appraiser of an appraisal district.
- SB 2073** Taylor Sponsor: King, Ken  
Relating to a reduction in required days of service for educators in public schools under certain circumstances.
- SB 2083** Hinojosa Sponsor: Darby  
Relating to the calculation of the ad valorem taxes imposed on property for the year in which the property is acquired by a governmental entity.
- SB 2143** Flores Sponsor: Nevárez  
Relating to the authority of the Kickapoo Traditional Tribe of Texas to commission peace officers.



- SB 2168** Watson Sponsor: Cyrier  
Relating to relief from local matching funds requirements for certain counties.
- SB 2215** Perry Sponsor: Lambert  
Relating to the 1st Multicounty Court at Law.
- SB 2248** Rodríguez Sponsor: Ortega  
Relating to the development and operation of an aerial cable car or aerial tramway by a regional mobility authority created by a municipality.
- SB 2270** Miles Sponsor: Sheffield  
Relating to employment policies for certain health care providers employed by medical and dental units.
- SB 2296** Powell Sponsor: Vo  
Relating to definition of a common paymaster.
- SB 2309** Kolkhorst Sponsor: Leman  
Relating to the transfer of jurisdiction over and management of the Star of the Republic Museum to the Texas Historical Commission.
- SB 2330** Creighton Sponsor: Parker  
Relating to the temporary authority of certain individuals to engage in business as a residential mortgage loan originator.
- SB 2364** Hughes Sponsor: Krause  
Relating to the collection of certain judgments through court proceeding.
- SB 2410** Menéndez Sponsor: Goldman  
Relating to the definition of a public entertainment facility for purposes of certain alcoholic beverage-related activities.
- SB 2445** West Sponsor: Meyer  
Relating to the creation of the New Park Municipal Management District; providing authority to issue bonds; providing authority to impose assessments and fees.
- SB 2456** Powell Sponsor: Zedler  
Relating to the powers and duties of the Karis Municipal Management District of Tarrant County; changing the territory of the district; providing a civil penalty; providing authority to issue bonds.
- SB 2531** Creighton Sponsor: Murphy  
Relating to the disposition of an ad valorem tax protest by means of an agreed order.
- SB 2558** Zaffirini Sponsor: Bell, Cecil  
Relating to the creation of the Lone Oak Farm Municipal Utility District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

**SB 1511**

House Conferees: Cyrier - Chair/Cain/Farrar/Morrison/Toth

**SB 1742**

House Conferees: Johnson, Julie - Chair/Bonnen, Greg/Krause/Lucio III/Oliverson

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

### **MOTION TO RECESS**

On motion of Senator Whitmire and by unanimous consent, the Senate at 10:10 p.m. agreed to recess, pending the completion of the Local and Uncontested Calendar Session, until 1:30 p.m. Thursday, May 23, 2019.

### **SESSION HELD FOR LOCAL AND UNCONTESTED CALENDAR**

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

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

#### **HB 5 (Kolkhorst)**

Relating to debris management and other disaster recovery efforts.  
(viva voce vote) (31-0) (31-0)

#### **HB 29 (Hughes)**

Relating to the regulation of the practice of physical therapy.  
(viva voce vote) (31-0) (31-0)

#### **CSHB 36 (Rodríguez)**

Relating to expedited proceedings in cases involving dangerously damaged or deteriorated or substandard buildings or improvements in certain municipalities.  
(viva voce vote) (25-6) "Nays" Buckingham, Campbell, Fallon, Hall, Hancock, Hughes (25-6) "Nays" Buckingham, Campbell, Fallon, Hall, Hancock, Hughes

#### **HB 37 (Perry)**

Relating to the creation of the criminal offense of mail theft.  
(viva voce vote) (31-0) (31-0)

#### **HB 53 (Powell)**

Relating to the transitional living services program for certain youth in foster care.  
(viva voce vote) (31-0) (31-0)

#### **HB 69 (Zaffirini)**

Relating to the right to vacate and avoid liability under a residential lease after a tenant's death.  
(viva voce vote) (31-0) (31-0)

#### **HB 101 (Hughes)**

Relating to the creation of the criminal offense of false caller identification information display.  
(viva voce vote) (31-0) (31-0)

**HB 279** (Seliger)

Relating to authorizing the Midland County Hospital District of Midland County, Texas, to impose a sales and use tax.

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

**HB 292** (Huffman)

Relating to inclusion of instruction on the trafficking of persons in the basic training curriculum for peace officers.

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

**HB 356** (Buckingham)

Relating to the repeal of a statute allowing the county attorney or commissioners court of Brown County to accept gifts or grants to finance or assist the operation of the office of county attorney.

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

**HB 368** (Hall)

Relating to the use of legislatively produced audio or visual materials in political advertising.

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

**HB 396** (Hughes)

Relating to acceptable uses of the instructional materials and technology fund and the instructional materials and technology allotment.

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

**HB 406** (Zaffirini)

Relating to organ donor registration information when applying for a hunting or fishing license on the Internet.

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

**CSHB 463** (Perry)

Relating to reciprocity agreements between certain air ambulance companies operating a subscription program.

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

**HB 515** (Schwertner)

Relating to the establishment and operation of certain private family cemeteries.

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

**HB 539** (Kolkhorst)

Relating to the automatic admission to general academic teaching institutions and eligibility for certain scholarships of a student who is the valedictorian of the student's high school graduating class.

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

**HB 555** (Rodríguez)

Relating to certain rights of the sole managing conservator of a child in relation to the child's passport.

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

**CSHB 616** (Nelson)

Relating to reimbursement for a certain portion of a forensic medical examination of a sexual assault survivor and for the evidence collection kit required for the examination.

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

**HB 651** (Kolkhorst)

Relating to the creation and operations of health care provider participation programs in counties not served by a hospital district or a public hospital.

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

**HB 685** (Hughes)

Relating to immunity from liability of a court clerk and county for the disclosure or release of certain court documents and information contained in the court documents.

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

**HB 687** (Perry)

Relating to a landowner's liability for injuries incurred during certain recreational activities.

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

**HB 696** (Powell)

Relating to employment and referral services for veterans and military service members.

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

**HB 706** (Lucio)

Relating to the eligibility of certain children who are deaf or hard of hearing for audiology services under the school health and related services program.

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

**HB 803** (Paxton)

Relating to financial reporting requirements of a toll project entity.

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

**HB 831** (Huffman)

Relating to the residency requirement to be eligible for public office.

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

**CSHB 914** (Zaffirini)

Relating to the regulation of bingo games.

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

**HB 956** (Miles)

Relating to the dissolution of county assistance districts.

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

**CSHB 965** (Zaffirini)

Relating to updating references to certain former health services state agencies and certain terms used to describe persons with intellectual or developmental disabilities in the Education Code.

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

**HB 1019** (Hinojosa)

Relating to the authority of certain water districts to exercise the power of eminent domain.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 1059** (Rodríguez)

Relating to a biennial report on stormwater infrastructure in this state.

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

**HB 1090** (Kolkhorst)

Relating to the definition of first responder.

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

**HB 1112** (Kolkhorst)

Relating to the removal of signs indicating that a freestanding emergency medical care facility is operational.

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

**CSHB 1120** (Miles)

Relating to the powers of certain county assistance districts.

(viva voce vote) (26-5) "Nays" Bettencourt, Creighton, Fallon, Hall, Hughes (26-5) "Nays" Bettencourt, Creighton, Fallon, Hall, Hughes

**HB 1135** (Seliger)

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

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

**CSHB 1139** (Miles)

Relating to the applicability of the death penalty to a capital offense committed by a person with an intellectual disability.

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

**HB 1152** (Campbell)

Relating to the deceptive trade practice of charging exorbitant or excessive prices for necessities during a declared disaster.

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

**CSHB 1174** (Miles)

Relating to the authority of certain county assistance districts to provide a grant or loan.

(viva voce vote) (24-7) "Nays" Bettencourt, Creighton, Fallon, Hall, Hancock, Hughes, Kolkhorst (24-7) "Nays" Bettencourt, Creighton, Fallon, Hall, Hancock, Hughes, Kolkhorst

**HB 1181** (Zaffirini)

Relating to the regulation of commercial catfish fishing on Falcon Lake.

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

**CSHB 1215** (Alvarado)

Relating to the allocation of low income housing tax credits.  
(viva voce vote) (30-1) "Nay" Watson (30-1) "Nay" Watson

**CSHB 1263** (Taylor)

Relating to an order by the Brazoria Drainage District Number 4 to maintain certain infrastructure.  
(viva voce vote) (30-1) "Nay" Fallon (30-1) "Nay" Fallon

**HB 1342** (Hinojosa)

Relating to a person's eligibility for an occupational license; providing an administrative penalty.  
(viva voce vote) (31-0) (31-0)

**(Senator Hancock in Chair)****HB 1401** (Hinojosa)

Relating to the use of money from the permanent fund for health-related programs to provide grants to nursing education programs.  
(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**HB 1404** (Hughes)

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

**HB 1474** (Birdwell)

Relating to a common characteristic or use project in a public improvement district in certain municipalities.  
(viva voce vote) (26-5) "Nays" Bettencourt, Creighton, Hall, Hughes, Kolkhorst (26-5) "Nays" Bettencourt, Creighton, Hall, Hughes, Kolkhorst

**HB 1524** (Paxton)

Relating to correcting outdated references to the Texas Building and Procurement Commission.  
(viva voce vote) (31-0) (31-0)

**HB 1532** (Hughes)

Relating to the regulation of certain health organizations certified by the Texas Medical Board; providing an administrative penalty; authorizing a fee.  
(viva voce vote) (31-0) (31-0)

**CSHB 1548** (Kolkhorst)

Relating to the operation of golf carts, neighborhood electric vehicles, and off-highway vehicles; authorizing fees.  
(viva voce vote) (31-0) (31-0)

**HB 1574** (Hughes)

Relating to the composition of the Riverbend Water Resources District and the terms of the board of directors of that district.  
(viva voce vote) (31-0) (31-0)

**HB 1614** (Creighton)

Relating to the operation of the Texas Title Insurance Guaranty Association.  
(viva voce vote) (31-0) (31-0)

**HB 1697** (Creighton)

Relating to the creation of the Wood Trace Municipal Utility District No. 4 of Montgomery 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

**HB 1709** (Menéndez)

Relating to the appointment of a surrogate parent for certain children in the conservatorship of the Department of Family and Protective Services.  
(viva voce vote) (31-0) (31-0)

**CSHB 1742** (Johnson)

Relating to the mediation of the settlement of certain health benefit claims involving balance billing by out-of-network laboratories.  
(viva voce vote) (31-0) (31-0)

**CSHB 1755** (Hughes)

Relating to assembled vehicles and former military vehicles, including the titling and registration of those vehicles.  
(viva voce vote) (31-0) (31-0)

**HB 1771** (Huffman)

Relating to a prohibition on prosecuting or referring to juvenile court certain persons for certain conduct constituting the offense of prostitution and to the provision of services to those persons.  
(viva voce vote) (31-0) (31-0)

**HB 1780** (Kolkhorst)

Relating to the mandatory dismissal date of certain suits affecting the parent-child relationship involving the Department of Family and Protective Services.  
(viva voce vote) (31-0) (31-0)

**HB 1829** (Huffman)

Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 225; providing authority to issue bonds; providing authority to impose a tax.  
(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**HB 1848** (Buckingham)

Relating to prevention of communicable diseases in certain long-term care facilities.  
(viva voce vote) (31-0) (31-0)

**HB 1849** (Menéndez)

Relating to the possession and administration of epinephrine auto-injectors in day-care centers; limiting liability.  
(viva voce vote) (31-0) (31-0)

**HB 1850** (Fallon)

Relating to the availability of certain voter information.  
(viva voce vote) (31-0) (31-0)

**HB 1865** (Nelson)

Relating to the licensing and regulation of massage therapy; requiring a student permit; authorizing fees.

(viva voce vote) (25-6) "Nays" Bettencourt, Creighton, Fallon, Hall, Hughes, Kolkhorst (25-6) "Nays" Bettencourt, Creighton, Fallon, Hall, Hughes, Kolkhorst

**HB 1899** (Kolkhorst)

Relating to the revocation or denial of certain health care professional licenses and the reporting of the grounds for revocation or denial.

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

**HB 1927** (Hinojosa)

Relating to the filling of a vacancy in the office of county commissioner in certain counties.

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

**HB 1964** (Creighton)

Relating to the procedure for action on certain applications for an amendment to a water right.

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

**HB 1992** (Schwertner)

Relating to prohibiting telemarketers from transmitting misleading caller identification information or otherwise misrepresenting the origin of a telemarketing call.

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

**HB 2018** (Huffman)

Relating to required notice for municipal management districts that annex or exclude territory.

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

**HB 2038** (Flores)

Relating to certain offenses relating to disturbing or taking marl, sand, gravel, shell, or mudshell or disturbing oyster beds or fishing waters; increasing the criminal penalty.

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

**HB 2042** (Birdwell)

Relating to postpayment audits conducted by the comptroller and annual financial reports submitted by state agencies.

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

**CSHB 2053** (Flores)

Relating to individuals and organizations providing certain services and liability in connection with prescribed burns.

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

**HB 2060** (Huffman)

Relating to the creation of the Fort Bend County Municipal Utility District No. 233; 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 2077** (Creighton)

Relating to the creation of the City of Conroe Municipal Management District No. 3; providing authority to issue bonds and impose assessments, fees, and taxes.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 2088** (Hughes)

Relating to providing information and other resources regarding safe disposal of Schedule II controlled substance prescription drugs.

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

**CSHB 2102** (Zaffirini)

Relating to the payment of insurance deductibles related to property insurance policies; creating a criminal offense.

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

**CSHB 2103** (Zaffirini)

Relating to a prohibition on contractors acting as public insurance adjusters in certain circumstances.

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

**HB 2110** (Paxton)

Relating to state agency measurement and management of customer satisfaction.

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

**CSHB 2112** (Zaffirini)

Relating to salvage motor vehicles, including flood vehicles, and nonrepairable motor vehicles.

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

**HB 2140** (Powell)

Relating to creating an electronic application system for state student financial assistance.

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

**HB 2176** (Kolkhorst)

Relating to the authority of the Lavaca Hospital District to lease district property.

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

**HB 2179** (Hughes)

Relating to the grounds for imposing certain sanctions on certain persons for engaging in certain conduct in connection with the appointment of members of or the functions of appraisal review boards.

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

**HB 2184** (Huffman)

Relating to a public school student's transition from an alternative education program to a regular classroom.

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

**CSHB 2190** (Hinojosa)

Relating to admission of certain students to an open-enrollment charter school.

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

**HB 2202** (Kolkhorst)

Relating to the appointment and election of levee improvement district directors.  
(viva voce vote) (31-0) (31-0)

**HB 2205** (Buckingham)

Relating to the informal dispute resolution process for certain disputes between the Health and Human Services Commission and long-term care facilities.  
(viva voce vote) (31-0) (31-0)

**CSHB 2218** (Zaffirini)

Relating to creating a Class C menhaden boat license; imposing a fee; requiring a license.  
(viva voce vote) (31-0) (31-0)

**HB 2248** (Rodríguez)

Relating to the disposition and removal of a decedent's remains.  
(viva voce vote) (31-0) (31-0)

**HB 2271** (Kolkhorst)

Relating to the authority of the attorney general to advertise Choose Life account grants.  
(viva voce vote) (30-1) "Nay" Watson (30-1) "Nay" Watson

**HB 2272** (Zaffirini)

Relating to the county hotel occupancy tax rate in certain counties.  
(viva voce vote) (25-6) "Nays" Bettencourt, Creighton, Hall, Hancock, Hughes, Kolkhorst (25-6) "Nays" Bettencourt, Creighton, Hall, Hancock, Hughes, Kolkhorst

**CSHB 2287** (Rodríguez)

Relating to the operations of certain municipal housing authorities.  
(viva voce vote) (26-5) "Nays" Creighton, Fallon, Hall, Hughes, Kolkhorst (26-5) "Nays" Creighton, Fallon, Hall, Hughes, Kolkhorst

**HB 2305** (Kolkhorst)

Relating to a work group on enhancing the training and credentialing of emergency management personnel.  
(viva voce vote) (31-0) (31-0)

**HB 2315** (Kolkhorst)

Relating to evidence of ownership of temporary housing provided by a government agency in response to a natural disaster or other declared emergency.  
(viva voce vote) (31-0) (31-0)

**HB 2318** (Perry)

Relating to facilities of the hospital system of the Reagan Hospital District of Reagan County, Texas.  
(viva voce vote) (31-0) (31-0)

**CSHB 2335** (Kolkhorst)

Relating to the disaster supplemental nutrition assistance program.  
(viva voce vote) (31-0) (31-0)

**HB 2364** (Perry)

Relating to the provision of certain services through statewide technology centers.  
(viva voce vote) (31-0) (31-0)

**HB 2365** (Hinojosa)

Relating to information required to be published with a notice of intent to apply for the passage of a local or special law.  
(viva voce vote) (31-0) (31-0)

**CSHB 2384** (Huffman)

Relating to judicial compensation and assignment, the contributions to, benefits from, membership in, and administration of the Judicial Retirement System of Texas Plan One and Plan Two, and the compensation and retirement benefits of certain prosecutors and other members of the elected class of the Employees Retirement System of Texas.  
(viva voce vote) (31-0) (31-0)

**HB 2410** (Perry)

Relating to a request for a nursing peer review committee determination.  
(viva voce vote) (31-0) (31-0)

**CSHB 2422** (Perry)

Relating to the coordination of certain broadband projects by the Texas Department of Transportation.  
(viva voce vote) (31-0) (31-0)

**HB 2430** (Miles)

Relating to requirements in a suit for the removal of human remains from a cemetery.  
(viva voce vote) (31-0) (31-0)

**CSHB 2446** (Fallon)

Relating to the availability of certain information regarding firefighters, volunteer firefighters, emergency medical services personnel, and fire safety inspectors and the certification and training for fire safety inspectors.  
(viva voce vote) (31-0) (31-0)

**HB 2454** (Hughes)

Relating to continuing education requirements for certain health professionals regarding pain management and the prescribing of opioids.  
(viva voce vote) (30-1) "Nay" Schwertner (30-1) "Nay" Schwertner

**HB 2497** (Hughes)

Relating to rules of and appeals to a municipal board of adjustment.  
(viva voce vote) (31-0) (31-0)

**HB 2503** (Menéndez)

Relating to workers' compensation death benefit eligibility for certain spouses of certain employees killed in the line of duty.  
(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**HB 2514** (Zaffirini)

Relating to the appointment of an individual qualified to conduct a child custody evaluation.

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

**HB 2526** (Fallon)

Relating to criteria for admission of certain students into public schools.

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

**CSHB 2546** (Hughes)

Relating to the energy efficiency performance standards for construction of certain industrialized housing.

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

**HB 2554** (Zaffirini)

Relating to regulation of the display of signs containing political advertising.

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

**HB 2564** (Lucio)

Relating to addressing the needs of homeless youth.

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

**HB 2569** (Hughes)

Relating to requirements for condominium plats or plans.

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

**CSHB 2584** (Menéndez)

Relating to the authority of a code enforcement officer performing official duties to possess or carry an instrument used for deterring an animal bite.

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

**CSHB 2590** (Creighton)

Relating to the administration, powers, and duties of water districts.

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

**HB 2604** (Paxton)

Relating to the number of emissions inspections performed by certain vehicle inspection stations.

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

**HB 2613** (Huffman)

Relating to the offense of operation of a stash house and to funding certain crime victim services through the use of money derived from a civil asset forfeiture of contraband related to that offense, human smuggling and trafficking offenses, and certain prostitution offenses; creating a criminal offense.

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

**CSHB 2620** (Rodríguez)

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

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

**HB 2625** (Zaffirini)

Relating to creating the criminal offense of fraudulent use or possession of credit card or debit card information.

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

**CSHB 2628** (Hughes)

Relating to the manner of reporting and maintaining certain information relating to candidates and election returns.

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

**HB 2629** (Huffman)

Relating to the deadline to appeal administrative decisions of the Teacher Retirement System of Texas.

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

**HB 2633** (Kolkhorst)

Relating to the consumption, possession, or sale of an alcoholic beverage at a performing arts facility leased to a nonprofit organization by a school district.

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

**CSHB 2640** (Hughes)

Relating to political parties.

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

**HB 2659** (Schwertner)

Relating to the use of names by public insurance adjusters.

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

**HB 2668** (Paxton)

Relating to the dissolution of a direct-support organization established by the Prepaid Higher Education Tuition Board and the transfer of funds related to prepaid higher education tuition scholarships to the Texas Match the Promise Foundation or a successor entity.

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

**HB 2671** (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

**HB 2680** (Hughes)

Relating to the student recreational facility fee at The University of Texas at Tyler.

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

**HB 2736** (Seliger)

Relating to the authority of a governmental unit that has withdrawn from a regional planning commission to join another regional planning commission.

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

**HB 2737** (Johnson)

Relating to judicial guidance related to child protective services cases and juvenile cases.

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

**HB 2767** (Zaffirini)

Relating to the delivery of a recorded marriage license by e-mail.

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

**CSHB 2782** (Rodríguez)

Relating to decedents' estates, transfer on death deeds, and matters involving probate courts.

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

**HB 2783** (Buckingham)

Relating to the establishment of the Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council.

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

**HB 2793** (Zaffirini)

Relating to certain presumptions relating to the sale of alcoholic beverages.

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

**HB 2794** (Kolkhorst)

Relating to the administration of emergency management in this state.

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

**REASON FOR VOTE**

Senator Birdwell submitted the following reason for vote on **HB 2794**:

HB 2794 takes the management of the Texas Department of Emergency Services (TDEM) out from the Department of Public Safety (DPS), and places it under the Texas A&M University System, making the director of TDEM a Vice Chancellor within the A&M system. This structure will put the university system in an interceding command position, which inevitably could be leveraged against the will of the legislature, creating situations we have seen on past issues that leverage alumni organizations for or against legislative action. Unity of command is one of the principles of war. As a career military officer, this new structure does not delineate clear lines of authority for operations and creates an organizational structure, while under the ultimate direction of the governor, places unnecessary levels of supervision between the agency and the governor. I also believe this creates the potential for leveraging the resources of the university system against the legislatures will for TDEM. For these reasons, I opposed this legislation.

BIRDWELL

**HB 2810** (Perry)

Relating to exempting certain trailers from being equipped with emergency brakes.

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

**HB 2813** (Nelson)

Relating to the statewide behavioral health coordinating council.  
(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**HB 2816** (Watson)

Relating to compensation and leave for certain employees of the fraud unit of the Texas Department of Insurance.  
(viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**HB 2828** (Fallon)

Relating to the exception of certain information related to the humane disposition by a municipality or county of an animal from required disclosure under the public information law.  
(viva voce vote) (31-0) (31-0)

**HB 2835** (Alvarado)

Relating to a defense to prosecution for the criminal offense of operating a vehicle with an expired license plate.  
(viva voce vote) (31-0) (31-0)

**HB 2840** (Hughes)

Relating to the right of a member of the public to address the governing body of a political subdivision at an open meeting of the body.  
(viva voce vote) (31-0) (31-0)

**HB 2845** (Creighton)

Relating to the removal of wind power facilities.  
(viva voce vote) (30-1) "Nay" Watson (30-1) "Nay" Watson

**CSHB 2910** (Hughes)

Relating to the confidentiality of certain personal information of certain persons obtained for the purposes of voting.  
(viva voce vote) (31-0) (31-0)

**CSHB 2913** (Kolkhorst)

Relating to the transfer of certain real property held by the Department of Public Safety of the State of Texas and the transfer of jurisdiction over and management of the Star of the Republic Museum to the Texas Historical Commission.  
(viva voce vote) (31-0) (31-0)

**HB 2929** (Hancock)

Relating to hospital liens.  
(viva voce vote) (30-0-1) "Present-not voting" Hinojosa (30-0-1) "Present-not voting" Hinojosa

**(Senator Johnson in Chair)**

**HB 2955** (Zaffirini)

Relating to oversight of specialty court programs.  
(viva voce vote) (31-0) (31-0)

**HB 2971** (Buckingham)

Relating to powers and duties concerning records of the General Land Office.

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

**HB 2977** (Watson)

Relating to the transfer, sale, or exchange of real property or an interest in real property between the City of Austin and a state agency.

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

**HB 3001** (Birdwell)

Relating to the fiscal transparency of special purpose districts and other political subdivisions.

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

**HB 3014** (Perry)

Relating to the clerk and other personnel of the municipal court of record of the City of Lubbock.

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

**HB 3019** (Kolkhorst)

Relating to the creation of the Fort Bend County Municipal Utility District No. 234; 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 3029** (Rodríguez)

Relating to the designation of Spur 16 in El Paso County as the Henry Gallegos, Sr., Memorial Highway.

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

**HB 3045** (Flores)

Relating to the provision of solid waste disposal services in the extraterritorial jurisdiction of certain municipalities.

(viva voce vote) (28-3) "Nays" Campbell, Hall, Hughes (28-3) "Nays" Campbell, Hall, Hughes

**HB 3047** (Nichols)

Relating to the creation of the Montgomery County Municipal Utility District No. 167; 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 3070** (Zaffirini)

Relating to grants for emergency assistance under the rural volunteer fire department assistance program.

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

**HB 3078** (Zaffirini)

Relating to the review of clemency applications from certain persons who were victims of human trafficking or family violence.

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



**HB 3079** (Zaffirini)

Relating to investigations of abuse, neglect, or exploitation of home and community support services agencies providing inpatient hospice services.

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

**CSHB 3081** (Paxton)

Relating to a person qualified to serve as a temporary justice of the peace.

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

**HB 3084** (Taylor)

Relating to designating July 20 as Space Exploration Day.

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

**HB 3091** (Campbell)

Relating to the confidentiality of and prohibiting disclosure of the location or physical layout of a family violence shelter center or victims of trafficking shelter center; creating a criminal offense.

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

**HB 3117** (Hughes)

Relating to developing the proposed plan on long-term care for persons with an intellectual disability.

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

**HB 3124** (Flores)

Relating to tuition and fees charged by The Texas A&M University System for certain national laboratory or national laboratory operator employees and dependents.

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

**HB 3145** (Creighton)

Relating to the right of a parent appointed as a conservator of a child to attend school activities.

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

**HB 3147** (Creighton)

Relating to a cancer clinical trial participation program.

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

**HB 3163** (Menéndez)

Relating to parking for persons with disabilities.

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

**HB 3203** (Hughes)

Relating to the division of certain emergency services districts.

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

**CSHB 3224** (Zaffirini)

Relating to a study on the creation of a defense under the Solid Waste Disposal Act for persons engaged in certain recycling transactions.

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

**CSHB 3227** (Huffman)

Relating to the availability of and access to certain programs and services for persons in the custody of the Texas Department of Criminal Justice.

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

**HB 3247** (Alvarado)

Relating to the Texas Emergency Services Retirement System.

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

**HB 3252** (Zaffirini)

Relating to the posting of certain notices in a primary election.

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

**CSHB 3284** (Nelson)

Relating to prescribing and dispensing controlled substances and monitoring the prescribing and dispensing of controlled substances under the Texas Controlled Substances Act; authorizing a fee; providing for administrative penalties; creating criminal offenses.

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

**CSHB 3304** (Buckingham)

Relating to the sunset review of the Texas Health Services Authority and the repeal of certain provisions affecting the electronic exchange of health information.

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

**HB 3306** (Zaffirini)

Relating to the disclosure of information concerning the corporate governance structure of certain insurers and related entities; providing an administrative penalty.

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

**CSHB 3312** (Kolkhorst)

Relating to authorizing a health and wellness center fee at the University of Houston-Victoria.

(viva voce vote) (27-4) "Nays" Creighton, Hall, Hancock, Hughes (27-4) "Nays" Creighton, Hall, Hancock, Hughes

**HB 3314** (Zaffirini)

Relating to certain requirements to replat certain municipal subdivision plats.

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

**CSHB 3316** (Schwertner)

Relating to the Texas Crime Stoppers Council.

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

**HB 3343** (Hall)

Relating to the issuance of specialty license plates to honor certain Purple Heart recipients; imposing a fee.

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

**HB 3345** (Hughes)

Relating to health benefit coverage provided by certain health benefit plans for telemedicine medical services and telehealth services.

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

**HB 3374** (Creighton)

Relating to the powers and duties of the Cleveland Municipal Utility District No. 1 of Montgomery County, Texas; providing authority to issue bonds; providing authority to impose a tax.

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

**CSHB 3390** (Paxton)

Relating to caregivers for certain children, including the identification of caregivers for children in the conservatorship of the Department of Family and Protective Services and an exception from licensing requirements for certain caretakers.

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

**HB 3428** (Perry)

Relating to training on Alzheimer's disease and dementia for certain Department of Family and Protective Services employees and area agencies on aging employees and volunteers.

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

**HB 3435** (Johnson)

Relating to establishing and celebrating Texas Girls in STEM Day.

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

**HB 3436** (Fallon)

Relating to the creation of the Celina Municipal Management District No. 3; providing authority to issue bonds and impose assessments, fees, and taxes.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**CSHB 3460** (Kolkhorst)

Relating to the route designation for the issuance of a permit for the movement of oversize and overweight vehicles in certain counties.

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

**HB 3522** (Creighton)

Relating to assignment of certain death benefits payable by the Employees Retirement System of Texas.

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

**CSHB 3531** (Buckingham)

Relating to the disqualification of a prosecuting attorney or judge in a case investigated by the public integrity unit of the Texas Rangers.

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

**HB 3540** (Hughes)

Relating to the authority of a peace officer to release in lieu of arrest certain persons with an intellectual or developmental disability.

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

**HB 3542** (Lucio)

Relating to the provision of water and sewer services by certain retail public utilities.

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

**HB 3598** (Zaffirini)

Relating to certain unclaimed property that is presumed abandoned.

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

**HB 3616** (Lucio)

Relating to the establishment of a task force on faith-based programs that provide assistance during a disaster.

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

**CSHB 3630** (Lucio)

Relating to prohibiting the use of certain aversive techniques on students enrolled in public schools.

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

**HB 3635** (Hughes)

Relating to financial assistance paid to the survivors of certain law enforcement officers, firefighters, and other public employees killed in the line of duty.

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

**CSHB 3636** (Kolkhorst)

Relating to the transfer of jurisdiction over and management of the Star of the Republic Museum to the Texas Historical Commission and the transfer of certain state property from the Texas Department of Criminal Justice to DeWitt County.

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

**CSHB 3642** (Powell)

Relating to the jurisdiction of a county court at law in Tarrant County.

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

**HB 3650** (Creighton)

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.

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

**HB 3652** (Creighton)

Relating to the creation of a state repository for open educational resources by the Texas Higher Education Coordinating Board.

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

**CSHB 3668** (Creighton)

Relating to grants for disaster response by nonprofit food banks.

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

**HB 3706** (Hughes)

Relating to a license to carry a handgun for active and retired railroad peace officers and for special rangers of the Texas and Southwestern Cattle Raisers Association.

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

**CSHB 3714** (Nelson)

Relating to the establishment of street lights along county roads in the unincorporated area of certain counties.

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

**HB 3716** (Nelson)

Relating to the establishment of the office of medical examiner in certain counties.  
(viva voce vote) (31-0) (31-0)

**HB 3771** (Zaffirini)

Relating to the approval of insurance companies to provide certain structured settlement annuity contracts.  
(viva voce vote) (31-0) (31-0)

**CSHB 3782** (Alvarado)

Relating to the right to remove property encroaching on areas owned or controlled by the Harris County Flood Control District.  
(viva voce vote) (31-0) (31-0)

**CSHB 3800** (Huffman)

Relating to the investigation and prosecution of criminal offenses involving the trafficking of persons.  
(viva voce vote) (31-0) (31-0)

**HB 3815** (Huffman)

Relating to a seller's disclosure notice for residential property regarding floodplains, flood pools, floodways, or reservoirs.  
(viva voce vote) (31-0) (31-0)

**HB 3838** (Birdwell)

Relating to a disclosure in certain offers to purchase a mineral or royalty interest.  
(viva voce vote) (31-0) (31-0)

**HB 3850** (Creighton)

Relating to the funding of certain ship channel improvements; authorizing the Texas Transportation Commission to issue revenue bonds.  
(viva voce vote) (31-0) (31-0)

**HB 3855** (Creighton)

Relating to methods of computing interest charges on certain consumer loans.  
(viva voce vote) (31-0) (31-0)

**HB 3863** (Hughes)

Relating to granting limited state law enforcement authority to certain federal officers or agents.  
(viva voce vote) (31-0) (31-0)

**CSHB 3867** (Perry)

Relating to the authority of the Public Utility Commission of Texas to retain assistance for regional proceedings affecting certain electric utilities and consumers.  
(viva voce vote) (31-0) (31-0)

**CSHB 3871** (Lucio)

Relating to the process for establishing speed limits on roads near certain schools.  
(viva voce vote) (31-0) (31-0)

**CSHB 3875** (Zaffirini)

Relating to cloud compatibility of certain state agency information technology purchases.

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

**HB 3884** (Zaffirini)

Relating to dissemination of bacterial meningitis information by school districts.

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

**HB 3911** (Campbell)

Relating to the examination by the commissioner of insurance of certain insurers' network quality and adequacy.

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

**CSHB 3980** (Menéndez)

Relating to a requirement that the Statewide Behavioral Health Coordinating Council prepare a report regarding suicide rates in this state and state efforts to prevent suicides.

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

**(President in Chair)**

**HB 4075** (Nelson)

Relating to the dissolution of fire control, prevention, and emergency medical services districts.

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

**CSHB 4090** (Kolkhorst)

Relating to the licensing of certain school-age programs that provide child-care services.

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

**CSHB 4120** (Menéndez)

Relating to the financial security requirement for providers obligated under certain service contracts.

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

**HB 4129** (Zaffirini)

Relating to the omission from the ballot of a withdrawing candidate.

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

**HB 4158** (Zaffirini)

Relating to the use of municipal hotel occupancy tax revenue in certain municipalities. (viva voce vote) (25-6) "Nays" Bettencourt, Campbell, Creighton, Hall, Hughes, Kolkhorst (25-6) "Nays" Bettencourt, Campbell, Creighton, Hall, Hughes, Kolkhorst

**HB 4166** (Hughes)

Relating to a study of the feasibility of the expansion of navigation on the Red River by the Red River Authority of Texas.

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

**HB 4211** (Nichols)

Relating to the designation of State Highway Loop 480 in Maverick County as Loop JUNO.

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

**HB 4257** (Campbell)

Relating to retaliation for municipal annexation disapproval.

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

**CSHB 4260** (Lucio)

Relating to the possession and administration of an epinephrine auto-injector by certain entities.

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

**HB 4289** (Kolkhorst)

Relating to the authority of certain local governments to create and operate health care provider participation programs.

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

**CSHB 4298** (Zaffirini)

Relating to the licensing of satellite offices of outpatient chemical dependency care facilities.

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

**CSHB 4310** (Hughes)

Relating to a school district's scope and sequence for subjects in the required curriculum for public school students.

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

**HB 4342** (Taylor)

Relating to the composition of the board of directors of the Texas School Safety Center.

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

**HB 4345** (Huffman)

Relating to liability for disclosing certain information regarding sexual misconduct by an employee, volunteer, or independent contractor of a charitable organization.

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

**HB 4350** (Alvarado)

Relating to public safety answering points operated by emergency communications districts.

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

**HB 4455** (Campbell)

Relating to the provision of mental health services through a telemedicine medical service or telehealth service.

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

**HB 4468** (Whitmire)

Relating to county jails and community mental health programs in certain counties.

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

**HB 4505** (Nichols)

Relating to the creation of the Montgomery County Municipal Utility District No. 178; 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 4541** (Watson)

Relating to the authority of the Texas Facilities Commission over certain real property owned by the state.

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

**HB 4544** (Fallon)

Relating to municipal control of coyotes.

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

**HB 4559** (Rodríguez)

Relating to access to a county jail prisoner's health benefits coverage information for mental health service providers.

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

**HB 4569** (Seliger)

Relating to the operation of the Ector County Hospital District.

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

**HB 4584** (Hughes)

Relating to sale of returnable containers; creating a criminal offense.

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

**HB 4628** (Nichols)

Relating to the powers and duties of Montgomery County Municipal Utility District No. 100.

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

**HB 4629** (Nichols)

Relating to the powers and duties of Montgomery County Municipal Utility District No. 101.

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

**HB 4631** (Fallon)

Relating to the creation of the Grayson 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

**HB 4639** (Huffman)

Relating to the creation of the Fort Bend County Municipal Utility District No. 237; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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



**HB 4640** (Nichols)

Relating to the creation of the Montgomery County Municipal Utility District No. 176 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 4642** (Fallon)

Relating to the powers and duties of the Rolling V Ranch Water Control and Improvement District No. 1 of Wise County.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4643** (Creighton)

Relating to the creation of the Wood Trace Water Control and Improvement District of Montgomery 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) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**(Senator Hughes in Chair)****CSHB 4644** (Creighton)

Relating to the creation of the Wood Trace Management District of Montgomery County, Texas; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4645** (Fallon)

Relating to the creation of the Grayson 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) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**CSHB 4653** (Nichols)

Relating to the creation of Tarkington Management District No. 1 of Liberty County; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4655** (Taylor)

Relating to the powers and duties of the Brazoria County Municipal Utility District No. 43; providing authority to issue bonds; providing authority to impose a tax.

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

**CSHB 4657** (Creighton)

Relating to the creation of the Montgomery County Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4660** (Huffman)

Relating to the creation of the Fort Bend County Municipal Utility District No. 239; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(viva voce vote) (29-1-1) "Nay" Hall "Present-not voting" Creighton (29-1-1) "Nay" Hall "Present-not voting" Creighton

**CSHB 4661** (Nichols)

Relating to the creation of Plum Creek Management District No. 1 of Liberty County; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4668** (Fallon)

Relating to the creation of the Howe 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 4672** (Fallon)

Relating to the powers and duties of the Collin County Municipal Utility District No. 2; providing authority to issue bonds and impose fees and taxes.

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

**CSHB 4676** (Huffman)

Relating to the creation of the Fort Bend County Management District No. 3; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

**HB 4677** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 161; 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 4678** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 162; 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 4679** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 163; 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 4682** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 166; 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 4683** (Nelson)

Relating to the creation of the Hunter Ranch Improvement District No. 1 of Denton County, Texas; providing authority to impose an assessment, impose a tax, and issue bonds.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4687** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 174; 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 4688** (Creighton)

Relating to the creation of the Montgomery County Municipal Utility District No. 175; 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 4689** (Schwertner)

Relating to the creation of the Round Rock 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 4693** (Nelson)

Relating to the creation of the Cole Ranch Improvement District No. 1 of Denton County, Texas; providing authority to impose an assessment, impose a tax, and issue bonds.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4697** (Schwertner)

Relating to the powers and duties of the Williamson County Municipal Utility District No. 29; providing authority to issue bonds; providing authority to impose a tax.

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

**HB 4698** (Schwertner)

Relating to the powers and duties of the Williamson County Municipal Utility District No. 28; providing authority to issue bonds; providing authority to impose a tax. (viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**HB 4699** (Schwertner)

Relating to the powers and duties of the Williamson County Municipal Utility District No. 21; providing authority to issue bonds; providing authority to impose a tax. (viva voce vote) (30-1) "Nay" Hall (30-1) "Nay" Hall

**HB 4702** (Nichols)

Relating to the creation of the Montgomery County Municipal Utility District No. 179; 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 4704** (Fallon)

Relating to the creation of the Double M Municipal Utility District of Grayson 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 4709** (Fallon)

Relating to the creation of the Grayson County 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 4710** (Nichols)

Relating to the creation of the Montgomery County Municipal Utility District No. 180; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (viva voce vote) (29-1-1) "Nay" Hall "Present-not voting" Creighton (29-1-1) "Nay" Hall "Present-not voting" Creighton

**HB 4716** (Johnson)

Relating to the municipal court of record of the City of Rowlett. (viva voce vote) (31-0) (31-0)

**HB 4719** (Fallon)

Relating to the creation of the La La Ranch Municipal Utility District of Denton 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 4720** (Fallon)

Relating to the creation of the Burns Branch Municipal Utility District No. 1 of Denton 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 4721** (Kolkhorst)

Relating to the Texas Heritage Parkway Improvement District.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4725** (Fallon)

Relating to the powers and duties of the Morningstar Ranch Municipal Utility District No. 2 of Parker County; providing authority to impose a tax and issue bonds.

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

**HB 4728** (Huffman)

Relating to the creation of the Fort Bend County Municipal Utility District No. 241; 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 4729** (Kolkhorst)

Relating to the creation of the Fort Bend County Municipal Utility District No. 242; 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 4731** (Creighton)

Relating to the name and powers of the Harris County Improvement District No. 17; providing authority to issue bonds; providing authority to impose a tax.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4734** (Bettencourt)

Relating to the creation of the Green Tree Park Municipal Utility District; 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 4741** (Fallon)

Relating to the creation of the Grayson County Municipal Utility District No. 5; 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 4742** (West)

Relating to the creation of the SoGood Cedars Municipal Management District; providing authority to issue bonds; providing authority to impose assessments and fees.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4744** (Birdwell)

Relating to the creation of the Wright Farm Municipal Management District of Johnson County; providing authority to issue bonds and impose assessments, fees, and taxes.

(viva voce vote) (28-3) "Nays" Bettencourt, Hall, Hughes (28-3) "Nays" Bettencourt, Hall, Hughes

**HB 4747** (Kolkhorst)

Relating to the board of directors of the Boling Municipal Water District.

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

**CSHB 4752** (Whitmire)

Relating to the territory of the Barrett Management District.

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

**HB 4754** (Menéndez)

Relating to a study on the number of active releasees on a parole officer's caseload.

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

**HB 4762** (Zaffirini)

Relating to the designation of a portion of Farm-to-Market Road 716 in Duval County as the Pete Salinas Trail.

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

**HCR 76** (Kolkhorst)

Recognizing the first week of May 2019 as TD Awareness Week.

(31-0)

**HCR 86** (Fallon)

Designating the Bowie knife as the official state knife of Texas.

(31-0)

**HCR 117** (Miles)

Designating September as Sickle Cell Disease Awareness Month for a 10-year period beginning in 2019.

(31-0)

**HCR 148** (Campbell)

Designating June as Veteran Suicide and PTSD Awareness Month for a 10-year period beginning in 2019.

(31-0)

**SCR 63** (Zaffirini)

Designating San Marcos as the Mermaid Capital of Texas.

(31-0)

**BILL REMOVED FROM  
LOCAL AND UNCONTESTED CALENDAR**

Senator Zaffirini and Senator Hughes requested in writing that **HB 4248** be removed from the Local and Uncontested Calendar.

**SESSION CONCLUDED FOR  
LOCAL AND UNCONTESTED CALENDAR**

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

**CO-SPONSOR OF HOUSE BILL 6**

On motion of Senator Kolkhorst, Senator Alvarado will be shown as Co-sponsor of **HB 6**.

**CO-SPONSOR OF HOUSE BILL 10**

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

**CO-SPONSOR OF HOUSE BILL 25**

On motion of Senator Zaffirini, Senator Alvarado will be shown as Co-sponsor of **HB 25**.

**CO-SPONSOR OF HOUSE BILL 345**

On motion of Senator Schwertner, Senator Alvarado will be shown as Co-sponsor of **HB 345**.

**CO-SPONSOR OF HOUSE BILL 448**

On motion of Senator Zaffirini, Senator Alvarado will be shown as Co-sponsor of **HB 448**.

**CO-SPONSOR OF HOUSE BILL 492**

On motion of Senator Taylor, Senator Kolkhorst will be shown as Co-sponsor of **HB 492**.

**CO-SPONSOR OF HOUSE BILL 906**

On motion of Senator Powell, Senator Alvarado will be shown as Co-sponsor of **HB 906**.

**CO-SPONSOR OF HOUSE BILL 918**

On motion of Senator Johnson, Senator Alvarado will be shown as Co-sponsor of **HB 918**.

**CO-SPONSOR OF HOUSE BILL 996**

On motion of Senator Paxton, Senator Menéndez will be shown as Co-sponsor of **HB 996**.

**CO-SPONSOR OF HOUSE BILL 1313**

On motion of Senator Birdwell, Senator Campbell will be shown as Co-sponsor of **HB 1313**.

**CO-SPONSOR OF HOUSE BILL 1480**

On motion of Senator Taylor, Senator Alvarado will be shown as Co-sponsor of **HB 1480**.

**CO-SPONSOR OF HOUSE BILL 1576**

On motion of Senator Buckingham, Senator Alvarado will be shown as Co-sponsor of **HB 1576**.

**CO-SPONSORS OF HOUSE BILL 1584**

On motion of Senator Buckingham, Senators Campbell, Fallon, Huffman, and Watson will be shown as Co-sponsors of **HB 1584**.

**CO-SPONSOR OF HOUSE BILL 1755**

On motion of Senator Hughes, Senator Birdwell will be shown as Co-sponsor of **HB 1755**.

**CO-SPONSOR OF HOUSE BILL 1885**

On motion of Senator Zaffirini, Senator Bettencourt will be shown as Co-sponsor of **HB 1885**.

**CO-SPONSORS OF HOUSE BILL 1941**

On motion of Senator Watson, Senators Alvarado, Hinojosa, and Johnson will be shown as Co-sponsors of **HB 1941**.

**CO-SPONSOR OF HOUSE BILL 1992**

On motion of Senator Schwertner, Senator Zaffirini will be shown as Co-sponsor of **HB 1992**.

**CO-SPONSOR OF HOUSE BILL 2059**

On motion of Senator Taylor, Senator Lucio will be shown as Co-sponsor of **HB 2059**.

**CO-SPONSOR OF HOUSE BILL 2140**

On motion of Senator Powell, Senator Alvarado will be shown as Co-sponsor of **HB 2140**.

**CO-SPONSOR OF HOUSE BILL 2143**

On motion of Senator Whitmire, Senator Hinojosa will be shown as Co-sponsor of **HB 2143**.

**CO-SPONSORS OF HOUSE BILL 2536**

On motion of Senator Hancock, Senators Hinojosa and Menéndez will be shown as Co-sponsors of **HB 2536**.

**CO-SPONSOR OF HOUSE BILL 2764**

On motion of Senator Hughes, Senator Paxton will be shown as Co-sponsor of **HB 2764**.

**CO-SPONSORS OF HOUSE BILL 2784**

On motion of Senator Alvarado, Senators Hinojosa and Lucio will be shown as Co-sponsors of **HB 2784**.



**CO-SPONSOR OF HOUSE BILL 2856**

On motion of Senator Kolkhorst, Senator Bettencourt will be shown as Co-sponsor of **HB 2856**.

**CO-SPONSOR OF HOUSE BILL 3163**

On motion of Senator Menéndez, Senator Zaffirini will be shown as Co-sponsor of **HB 3163**.

**CO-SPONSOR OF HOUSE BILL 3231**

On motion of Senator Fallon, Senator Hall will be shown as Co-sponsor of **HB 3231**.

**CO-SPONSORS OF HOUSE BILL 3285**

On motion of Senator Huffman, Senators Alvarado, Hinojosa, Lucio, and Paxton will be shown as Co-sponsors of **HB 3285**.

**CO-SPONSORS OF HOUSE BILL 3384**

On motion of Senator Bettencourt, Senators Kolkhorst and Taylor will be shown as Co-sponsors of **HB 3384**.

**CO-SPONSOR OF HOUSE BILL 3388**

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

**CO-SPONSORS OF HOUSE BILL 3703**

On motion of Senator Campbell, Senators Alvarado, Flores, Hinojosa, Lucio, Nelson, Taylor, and Watson will be shown as Co-sponsors of **HB 3703**.

**CO-SPONSORS OF HOUSE BILL 3808**

On motion of Senator Powell, Senators Lucio, Menéndez, West, and Zaffirini will be shown as Co-sponsors of **HB 3808**.

**CO-SPONSORS OF HOUSE BILL 3906**

On motion of Senator Taylor, Senators Flores, Hinojosa, Menéndez, and Nelson will be shown as Co-sponsors of **HB 3906**.

**CO-SPONSOR OF HOUSE BILL 4347**

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

**CO-SPONSOR OF HOUSE CONCURRENT RESOLUTION 140**

On motion of Senator Hinojosa, Senator Zaffirini will be shown as Co-sponsor of **HCR 140**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 801** by Hughes, In memory of Clidell Elliott.

**SR 804** by Rodríguez, In memory of Manuel Alvarado.

### **Congratulatory Resolutions**

**SR 802** by Hughes, Recognizing Sheila Justiss and Madron Hartley on the induction of the Justiss Ranch into the Texas Department of Agriculture Family Land Heritage Program.

**SR 803** by Campbell, Recognizing the Texas Public Policy Foundation on the occasion of its 30th anniversary.

**SR 805** by Lucio, Recognizing Lupe "Chipper" Zamora for his contributions to athletics in the Rio Grande Valley.

**SR 807** by Buckingham and Watson, Recognizing the Westlake High School girls' golf program for winning a state championship.

**SR 808** by Buckingham, Recognizing the grand opening of the Lakeway Police Department's headquarters.

**SR 809** by Paxton, Recognizing Kyler Murray for his selection as the number one overall pick in the NFL Draft.

**SR 810** by Hughes, Recognizing E. Arlene Lobdell on the occasion of her 100th birthday.

### **RECESS**

Pursuant to a previously adopted motion, the Senate at 1:41 a.m. Thursday, May 23, 2019, recessed until 1:30 p.m. today.

---

## **APPENDIX**

---

### **BILLS AND RESOLUTIONS ENROLLED**

May 21, 2019

**SB 14, SB 21, SB 24, SB 26, SB 27, SB 37, SB 40, SB 139, SB 198, SB 235, SB 285, SB 300, SB 357, SB 362, SB 437, SB 475, SB 493, SB 530, SB 535, SB 607, SB 608, SB 615, SB 633, SB 658, SB 670, SB 683, SB 700, SB 711, SB 772, SB 936, SB 969, SB 988, SB 1152, SB 1189, SB 1337, SB 1468, SB 1474, SB 1497, SB 1510, SB 1525, SB 1545, SB 1575, SB 1582, SB 1793, SB 1834, SB 1835, SB 1861, SB 1940, SB 2018, SB 2111, SB 2137, SB 2200, SB 2286, SJR 24, SR 780, SR 781, SR 782, SR 783, SR 784, SR 785, SR 786, SR 787, SR 788, SR 789, SR 790, SR 791, SR 792, SR 793, SR 794, SR 795, SR 796, SR 797, SR 798, SR 799, SR 800**

**SIGNED BY GOVERNOR**

May 22, 2019

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

**FILED WITHOUT SIGNATURE OF GOVERNOR**

May 22, 2019

**SB 2504**

