

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-THIRD DAY

(Thursday, April 20, 2017)

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

The roll was called and the following Senators were present: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

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

Father Thomas Rafferty, Saint Anthony of Padua Catholic Church, The Woodlands, offered the invocation as follows:

Almighty God, as we gather in this place today, bless the sacred work of our elected officials. Lead them to seek true justice and foster peace in our state. Keep the common good of all Your people centered in their hearts and minds, that they will promulgate those laws that lead to true human flourishing. Lord, give them grace to overcome those temptations associated with their office and aid them in choosing always what is just, noble, and leads to Your way of peace. In Your name we pray. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

(Senator Hancock in Chair)

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Thursday, April 20, 2017 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 29 Thompson, Senfronia
Relating to prostitution and the trafficking of persons, civil racketeering related to trafficking, the investigation and prosecution of and punishment for certain sexual offenses and offenses involving or related to trafficking, reimbursement of certain costs for criminal victims who are children, and the release and reporting of certain information relating to a child; increasing a criminal penalty; creating a criminal offense.

HB 1377 Davis, Sarah
Relating to the contents of and recordkeeping requirements relating to personal financial statements filed with the Texas Ethics Commission.

HB 1378 Davis, Sarah
Relating to restrictions on political contributions and political expenditures by general-purpose political committees.

HB 1379 Davis, Sarah
Relating to the reporting of political contributions and political expenditures by out-of-state political committees.

HB 1381 Davis, Sarah
Relating to the provision of notice by the Texas Ethics Commission.

HB 1384 Davis, Sarah
Relating to contributions and expenditures made in connection with a campaign for speaker of the house of representatives.

HB 1600 Thompson, Senfronia
Relating to certain mental health screenings under the Texas Health Steps program.

HB 2029 Lozano
Relating to the exemption of certain commercial weighing or measuring devices from registration and inspection requirements.

HB 2098 Geren
Relating to allowing the holder of a brewpub license to sell ale and malt liquor to certain wholesalers.

HB 2964 Meyer
Relating to abandonment of shares of a mutual fund.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Perry was recognized and introduced to the Senate a City of Hale Center delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 622

Senator Nelson offered the following resolution:

SR 622, Recognizing April 20, 2017, as Doctors of Osteopathic Medical Excellence Day and April 16 through 22, 2017, as Texas Osteopathic Medicine Week.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a Texas Osteopathic Medical Association delegation.

The Senate welcomed its guests.

RESOLUTION SIGNED

The Presiding Officer announced the signing of the following enrolled resolution in the presence of the Senate: **SCR 50**.

GUESTS PRESENTED

Senator Kolkhorst was recognized and introduced to the Senate a delegation of City of Katy residents.

The Senate welcomed its guests.

CONCLUSION OF MORNING CALL

The Presiding Officer at 11:20 a.m. announced the conclusion of morning call.

SENATE JOINT RESOLUTION 43 ON THIRD READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **SJR 43** at this time on its third reading and final passage:

SJR 43, Proposing a constitutional amendment prohibiting the use of state funds to pay for the obligations of a local public retirement system.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Lucio, Menéndez, Miles, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

The resolution was read third time and was passed by the following vote: Yeas 21, Nays 10. (Same as previous roll call)

SENATE BILL 1129 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1129** at this time on its second reading:

SB 1129, Relating to franchises granted by navigation districts.

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

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

SENATE BILL 1129 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 **SB 1129** be placed on its third reading and final passage.

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

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

COMMITTEE SUBSTITUTE SENATE BILL 586 ON SECOND READING

Senator Perry moved to suspend the regular order of business to take up for consideration **CSSB 586** at this time on its second reading:

CSSB 586, Relating to the distribution of universal service funds to certain small and rural incumbent local exchange companies.

The motion prevailed.

Senators Burton, Huffines, and Taylor of Collin asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by the following vote: Yeas 28, Nays 3.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Huffines, Taylor of Collin.

COMMITTEE SUBSTITUTE SENATE BILL 586 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 **CSSB 586** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Huffines, Taylor of Collin.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 533 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 533** at this time on its second reading:

CSSB 533, Relating to state agency contracting and procurement.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 533 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 **CSSB 533** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 319 ON SECOND READING**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 319** at this time on its second reading:

CSSB 319, Relating to the continuation and functions of the State Board of Veterinary Medical Examiners; authorizing a reduction in fees; providing penalties.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 319 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 **CSSB 319** 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.

PHYSICIAN OF THE DAY

Senator Miles was recognized and presented Dr. Thomas Shima of Dallas, accompanied by Brittany Love and Alexandra Elko, as the Physician of the Day.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1922 ON SECOND READING**

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSSB 1922** at this time on its second reading:

CSSB 1922, Relating to prescription drug benefits in the Medicaid managed care program.

The motion prevailed.

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

The bill was read second time.

Senator Hall offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1922** (senate committee report) in SECTION 2 of the bill, by striking added Section 533.055(d), Government Code (page 8, lines 21-31), and substituting the following:

(d) The commission may not release information that is confidential under 42 U.S.C. Section 1396r-8(b)(3)(D) unless the legislative request for information is accompanied by a written affidavit from the requestor providing a detailed description of the legislative purpose for the request and describing how the request is within the exception to confidentiality described by 42 U.S.C. Section 1396r-8(b)(3)(D)(iv).

The amendment to **CSSB 1922** was read and was adopted by a viva voce vote.

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

CSSB 1922 as amended was passed to engrossment by a viva voce vote.

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

Nays: Perry.

**COMMITTEE SUBSTITUTE
SENATE BILL 1922 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 **CSSB 1922** be placed on its third reading and final passage.

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

Nays: Perry.

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

COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 34 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSJR 34** at this time on its second reading:

CSSJR 34, Proposing a constitutional amendment limiting the service of certain officeholders after the expiration of the person's term of office.

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

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

COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 34 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 **CSSJR 34** 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.

COMMITTEE SUBSTITUTE
SENATE BILL 239 ON SECOND READING

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 239** at this time on its second reading:

CSSB 239, Relating to a parent's right to view the body of a deceased child before an autopsy is performed.

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 239** (senate committee report) in SECTION 1 of the bill, in added Article 49.52(d), Code of Criminal Procedure (page 2, lines 10 and 11), by striking "or with a peace officer's consent".

The amendment to **CSSB 239** was read and was adopted by a viva voce vote.

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

CSSB 239 as amended was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 239 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 **CSSB 239** be placed on its third reading and final passage.

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

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

SENATE RESOLUTION 630

Senator Garcia offered the following resolution:

SR 630, Recognizing the ninth class of the Senator Gregory Luna Legislative Scholars and Fellows Program.

GARCIA	URESTI
HINOJOSA	WATSON
LUCIO	WEST
MENÉNDEZ	WHITMIRE
MILES	ZAFFIRINI
RODRÍGUEZ	

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Garcia, joined by Senators Menéndez, Zaffirini, Rodríguez, Uresti, Lucio, and Whitmire, was recognized and introduced to the Senate a Luna Scholars Program and Texas Senate Hispanic Research Council delegation.

The Senate welcomed its guests.

SENATE BILL 1871 ON SECOND READING

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **SB 1871** at this time on its second reading:

SB 1871, Relating to the creation of the offense of petroleum product or oil and gas equipment theft.

The motion prevailed.

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

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1871** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In the heading to added Section 31.19, Penal Code (page 1, lines 26 and 27), strike "OR OIL AND GAS EQUIPMENT".

(2) In added Section 31.19(a), Penal Code (page 1, line 27), strike the underlined colon and substitute an underlined comma.

(3) Strike added Section 31.19(a)(1), Penal Code (page 1, lines 28 through 32).

(4) In added Section 31.19(a), Penal Code (page 1, line 33), strike "(2) "Petroleum" and substitute "petroleum".

(5) Strike added Section 31.19(c), Penal Code (page 1, lines 45 through 47), and reletter subsequent subsections of added Section 31.19 accordingly.

(6) In added Section 31.19(d), Penal Code (page 1, lines 48 and 49), strike "or oil and gas equipment".

(7) In added Section 31.19(e), Penal Code, strike "or oil and gas equipment" in the following locations:

- (A) Subdivision (1) (page 1, line 53);
- (B) Subdivision (2) (page 1, line 56);
- (C) Subdivision (3) (page 1, line 59); and
- (D) Subdivision (4) (page 2, line 1).

The amendment to **SB 1871** 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.

SB 1871 as amended was passed to engrossment by a viva voce vote.

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

Nays: Bettencourt, Burton, Hall.

SENATE BILL 1871 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 **SB 1871** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Birdwell, Buckingham, Campbell, Creighton, Estes, Garcia, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Hall.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 873 ON THIRD READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 873** at this time on its third reading and final passage:

CSSB 873, Relating to the authority and liability of owners and managers of apartment houses, manufactured home rental communities, condominiums, and multiple use facilities in charging tenants for submetered and nonsubmetered master metered water and wastewater services.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Hinojosa, Menéndez, Miles, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 10. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 292 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 292** at this time on its second reading:

CSSB 292, Relating to the creation of a grant program to reduce recidivism, arrest, and incarceration of individuals with mental illness.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 292** (senate committee printing) as follows:

(1) In SECTION 1 of the bill in added Section 531.0993(d), Government Code (page 1, line 49), strike "awarded".

(2) In SECTION 1 of the bill in added Section 531.0993(e)(1) (page 1, lines 56-57), strike "appropriated to the commission for that fiscal year for" and substitute "previously appropriated to the Department of State Health Services each fiscal year to implement".

(3) In SECTION 1 of the bill in added Section 531.0993(h) (page 2, line 31), strike "awarded".

The amendment to **CSSB 292** was read and was adopted by a viva voce vote.

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

CSSB 292 as amended was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 292 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 **CSSB 292** 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 Huffman and by unanimous consent, the remarks by Senators Huffman and Garcia regarding **CSSB 292** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Huffman: Thank you, Mr. President and Members. Members, at this time I move to suspend the regular order of business, take up and consider the Committee Substitute to Senate Bill 292. Members, the 83rd Legislature passed Senate Bill 1185, which created the Harris County Jail Diversion Pilot Program. What the intent to reduce recidivism, frequency of arrest, and incarceration of people with mental illness who repeatedly cycle through the criminal justice system. The pilot program has proved to be, uhm, successful. Participants served almost 4,000 fewer days in jail, and there was a potential savings of approximately \$947,000 to Harris County taxpayers. Currently, the state is facing a forensic bed capacity emergency with an ever-growing wait list. In the past, this has even resulted in legal action against the state. Because of the great need to bill forensic capacity and reduce recidivism, expanding and replicating programs like the Harris County Jail Diversion Pilot has been recommended by both the Health and Human Services Committee and the Texas Judicial Council Mental Health Committee. The Committee Substitute for Senate Bill 292 creates a statewide program to make grants to local collaborations with the goal of decreasing the forensic wait list by reducing recidivism among persons with mental illness. The local collaborations who would apply for the grants must include, at the very least, the county, the local mental health authority, and the hospital district in the county. Grants would be distributed either through formula funding or a competitive RFP process. Formula funding would be applied to the top 20 most populous counties in the state, based on persons with serious mental illness and household populations below 200 percent of the federal poverty level. For counties that do not meet this criteria, available funds would be appropriated through a request for proposal through the Texas Health and Human Services agency. Members, the intent of the legislation is to create a partnership with our counties, to support them in their efforts to not only reduce the forensic bed wait list but provide services to a population of people with mental illness that has been overlooked for many, many years. I move suspension of the regular order of business.

Presiding Officer: Senator Garcia, for what purpose?

Senator Garcia: Mr. President, to ask a couple of questions of the author, if she'll yield.

Presiding Officer: Senator Huffman, do you yield?

Senator Huffman: Yes.

Senator Garcia: Senator Huffman, I would like to be a, clear on a couple of points, and, first of all, I want to thank you for all your work on this bill. I know it's been very beneficial to our county. But you mention that these type of programs must have the goals of reducing recidivism, frequency of arrest, and the total wait time forensic commitment to a state hospital. That's three overall goals. For example, the Harris County Jail Diversion Program directly addresses the goal of reducing rec— recit— you know, for some reason I can't say that word—

Senator Huffman: Hard—

Senator Garcia: —today.

Senator Huffman: —sometimes. Some of those words, when you're on the floor—

Senator Garcia: Well, you know what I'm talking about.

Senator Huffman: Recidivism.

Senator Garcia: Recidivism and frequency of arrest, I guess I forgot the old judge in me.

Senator Huffman: Uhm-hum.

Senator Garcia: Will the local collaborations described, your bill be eligible to receive grant money if their programs primarily address one of the goals more than the other, all three goals, two of the goals, or, what is your intent here?

Senator Huffman: By reducing recidivism and frequency of arrests, you reduce the impact on the forensic wait list. The intent of this bill is to provide grant funding to collaborations for all of these goals. Treating these individuals either before or right after they enter the criminal justice system, or even treating them in the local jail facilities, as we have the jail-based competency restoration programs, reduces, I believe, reduces the forensic wait list. It does so because these programs provide treatment before individuals reach the point of needing to be placed in a state facility either to become restored for trial or after committing a crime. So, it is possible to accomplish all the goals required of the grant program by addressing one goal more directly than the other. And, and we're, we're establishing this legislative intent because the programs were a little worried about if they were focusing more on one issue than the other that they wouldn't qualify. But I think you and I would agree that these are very interlaced and, uhm—

Senator Garcia: They're very interconnected.

Senator Huffman: —very much so. Yes.

Senator Garcia: Alright.

Senator Huffman: Yes.

Senator Garcia: Well, thank you for, for that clarification, because I know there was some concern, and thank you for your hard work on this, this bill.

Senator Huffman: Thank you, thank you, Senator.

Senator Garcia: Thank you, Mr. President.

SENATE BILL 1034 ON SECOND READING

Senator Perry moved to suspend the regular order of business to take up for consideration **SB 1034** at this time on its second reading:

SB 1034, Relating to a study by the Texas Department of Transportation of the feasibility of certain improvements to Interstate Highway 27.

The motion prevailed.

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

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

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

Nays: Huffines, Seliger.

SENATE BILL 1034 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 **SB 1034** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Huffines, 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 SENATE BILL 441 ON SECOND READING

Senator Rodríguez moved to suspend the regular order of business to take up for consideration **CSSB 441** at this time on its second reading:

CSSB 441, Relating to eligibility of surviving spouses of disabled veterans for specialty license plates.

The motion prevailed.

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

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

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

Nays: Huffines.

**COMMITTEE SUBSTITUTE
SENATE BILL 441 ON THIRD READING**

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 441** be placed on its third reading and final passage.

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

Nays: Huffines.

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

SENATE BILL 949 ON SECOND READING

Senator Kolkhorst moved to suspend the regular order of business to take up for consideration **SB 949** at this time on its second reading:

SB 949, Relating to a limitation on the amount of attorney's fees awarded in a case assigned to a special three-judge district court.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Hinojosa, Lucio, Menéndez, Miles, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

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

SENATE BILL 260 ON SECOND READING

Senator Huffines moved to suspend the regular order of business to take up for consideration **SB 260** at this time on its second reading:

SB 260, Relating to the abolishment of the Office of Immigration and Refugee Affairs and the Governor's Advisory Committee on Immigration and Refugees.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Hinojosa, Lucio, Menéndez, Miles, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1349 ON SECOND READING**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1349** at this time on its second reading:

CSSB 1349, Relating to the authority of the Texas Department of Motor Vehicles over real property and to the transfer of specific property from the Texas Department of Transportation.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1349 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 **CSSB 1349** be placed on its third reading and final passage.

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

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

SENATE BILL 1533 ON SECOND READING

Senator Rodríguez moved to suspend the regular order of business to take up for consideration **SB 1533** at this time on its second reading:

SB 1533, Relating to mental health first aid training for university employees.

The motion prevailed.

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

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

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

Nays: Huffines.

SENATE BILL 1533 ON THIRD READING

Senator Rodríguez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1533** be placed on its third reading and final passage.

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

Nays: Huffines.

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

SENATE BILL 1343 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **SB 1343** at this time on its second reading:

SB 1343, Relating to the prosecution of criminal offenses regarding unauthorized recordings.

The motion prevailed.

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

The bill was read second time.

Senator Burton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1343** (committee report version) by striking SECTION 3 and SECTION 5 of the bill and renumbering the SECTIONS of the bill accordingly.

The amendment to **SB 1343** 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.

SB 1343 as amended was passed to engrossment by a viva voce vote.

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

Nays: Huffines.

SENATE BILL 1343 ON THIRD READING

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1343** be placed on its third reading and final passage.

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

Nays: Huffines.

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

SENATE JOINT RESOLUTION 36 ON SECOND READING

On motion of Senator Perry and by unanimous consent, the regular order of business was suspended to take up for consideration **SJR 36** at this time on its second reading:

SJR 36, Proposing a constitutional amendment prohibiting a tax on the sale or purchase of water at wholesale.

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

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

SENATE JOINT RESOLUTION 36 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 **SJR 36** 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.

SENATE BILL 1494 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1494** at this time on its second reading:

SB 1494, Relating to preauthorization and concurrent review of certain health care services under the workers' compensation system.

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

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

SENATE BILL 1494 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 **SB 1494** be placed on its third reading and final passage.

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

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

COMMITTEE SUBSTITUTE**SENATE BILL 2001 ON SECOND READING**

Senator Watson moved to suspend the regular order of business to take up for consideration **CSSB 2001** at this time on its second reading:

CSSB 2001, Relating to the conduct that constitutes the practice of psychology.

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 and was passed to engrossment by a viva voce vote.

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

Nays: Creighton, Hall.

**COMMITTEE SUBSTITUTE
SENATE BILL 2001 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 **CSSB 2001** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Estes, Garcia, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, 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
SENATE BILL 190 ON SECOND READING**

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 190** at this time on its second reading:

CSSB 190, Relating to the administrative closure of certain reported cases of child abuse or neglect made to the Department of Family and Protective Services.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 190 ON THIRD READING**

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 190** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2242 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2242** at this time on its second reading:

CSSB 2242, Relating to the resolution of disputes or errors involving the ad valorem taxation of the same property by multiple taxing units of the same type as a result of disputed, overlapping, or erroneously applied boundaries.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2242 ON THIRD READING**

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2242** be placed on its third reading and final passage.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1208 ON SECOND READING**

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1208** at this time on its second reading:

CSSB 1208, Relating to the licensing of certain facilities, homes, and agencies that provide child-care services.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1208 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 **CSSB 1208** 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)

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

April 20, 2017
Austin, Texas

TO THE SENATE OF THE EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the Texas Alcoholic Beverage Commission for a term to expire November 15, 2021:

Kevin J. Lilly

Houston, Texas

(replacing Jose Cuevas, Jr. of Midland whose term expired)

Respectfully submitted,

/s/Greg Abbott

Governor

SENATE BILL 1386 ON SECOND READING

Senator Taylor of Collin moved to suspend the regular order of business to take up for consideration **SB 1386** at this time on its second reading:

SB 1386, Relating to the use of habitual toll violator remedies by certain toll project entities.

The motion prevailed.

Senators Buckingham, Burton, Hall, and Huffines asked to be recorded as voting "Nay" on suspension of the regular order of business.

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

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

Nays: Buckingham, Burton, Hall, Huffines.

SENATE BILL 1386 ON THIRD READING

Senator Taylor of Collin moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1386** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Estes, Garcia, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Buckingham, Burton, Hall, Huffines.

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

COMMITTEE SUBSTITUTE SENATE BILL 1736 ON SECOND READING

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSB 1736** at this time on its second reading:

CSSB 1736, Relating to the liability of a person who allows handguns to be carried on property owned, controlled, or managed by the person.

The motion prevailed.

Senators Garcia, Menéndez, Miles, Rodríguez, Uresti, Watson, West, Whitmire, and Zaffirini asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1736** (committee report version) by striking all below the enacting clause and substituting the following:

SECTION 1. Title 4, Civil Practice and Remedies Code, is amended by adding Chapter 95A to read as follows:

CHAPTER 95A. ACTIONS INVOLVING THE CARRYING OF HANDGUNS ON PROPERTY

Sec. 95A.001. EVIDENCE OF FAILURE TO FORBID HANDGUNS. The fact that a card, sign, or other document described by Section 30.06(c)(3) or 30.07(c)(3), Penal Code, is not posted on the property of a business or any other evidence that a person failed to exercise the person's option to forbid the carrying of a handgun by a license holder on the property:

(1) is not admissible as evidence in a trial on the merits in an action:

(A) against a person, including a business or other entity, who owns, controls, or manages the property; and

(B) in which the cause of action arises from an injury sustained on the property; and

(2) does not support a cause of action described by Subdivision (1) against a person described by Subdivision (1).

SECTION 2. Chapter 95A, Civil Practice and Remedies Code, as added by this Act, does not apply to a cause of action that accrued before the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law applicable to the cause of action immediately before that date, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2017.

The amendment to **CSSB 1736** was read and was adopted by the following vote: Yeas 22, Nays 8.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Menéndez, Miles, Rodríguez, Uresti, Watson, Whitmire, Zaffirini.

Absent: West.

CSSB 1736 as amended was passed to engrossment by the following vote: Yeas 22, Nays 8. (Same as previous roll call)

SENATE BILL 1476 ON SECOND READING

Senator Seliger moved to suspend the regular order of business to take up for consideration **SB 1476** at this time on its second reading:

SB 1476, Relating to eligibility for support from the universal service fund.

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

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Estes, Garcia, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nichols, Perry, Rodríguez, Schwertner, Seliger, Uresti, West, Whitmire, Zaffirini.

Nays: Burton, Creighton, Hall, Huffines, Nelson, Taylor of Galveston, Taylor of Collin, Watson.

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

SESSION TO CONSIDER EXECUTIVE APPOINTMENT

The President announced the time had arrived to consider executive appointments to agencies, boards, and commissions.

Senator Huffman moved confirmation of the nominee listed on the March 16, 2017, committee action report.

NOMINEE CONFIRMED

The following nominee, as reported by the Committee on Nominations, was confirmed by the following vote: Yeas 20, Nays 10.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Hinojosa, Lucio, Menéndez, Miles, Rodríguez, Uresti, Watson, Whitmire, Zaffirini.

Absent: West.

Member, State Pension Review Board: Joshua Burton McGee, Harris County.

SENATE BILL 1504 ON SECOND READING

Senator Taylor of Collin moved to suspend the regular order of business to take up for consideration **SB 1504** at this time on its second reading:

SB 1504, Relating to the eligibility of certain victims of trafficking of persons for an order of nondisclosure.

The motion prevailed.

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

The bill was read second time.

Senator Garcia offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1504** (senate committee report), in SECTION 1 of the bill, in amended Section 411.0728(a)(1), Government Code, by adding the following appropriately lettered paragraph to that subdivision and relettering subsequent paragraphs of that subdivision accordingly:

() Section 30.05, Penal Code;

The amendment to **SB 1504** 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.

SB 1504 as amended was passed to engrossment by a viva voce vote.

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

Nays: Nichols, Schwertner.

SENATE BILL 1504 ON THIRD READING

Senator Taylor of Collin moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1504** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Perry, Rodríguez, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Nichols, Schwertner.

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

COMMITTEE SUBSTITUTE

SENATE BILL 1736 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 **CSSB 1736** be placed on its third reading and final passage:

CSSB 1736, Relating to the liability of a person who allows handguns to be carried on property owned, controlled, or managed by the person.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson.

Nays: Garcia, Menéndez, Miles, Rodríguez, Whitmire, Zaffirini.

Absent: West.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 8.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffinan, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Menéndez, Miles, Rodríguez, Uresti, Watson, Whitmire, Zaffirini.

Absent: West.

**COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 60 ON SECOND READING**

On motion of Senator Hancock and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSJR 60** at this time on its second reading:

CSSJR 60, Proposing a constitutional amendment establishing a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.

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

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

**COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 60 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 **CSSJR 60** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent: West.

The resolution was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

(Senator Uresti in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 715 ON SECOND READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **CSSB 715** at this time on its second reading:

CSSB 715, Relating to municipal annexation.

The motion prevailed by the following vote: Yeas 19, Nays 11.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Collin.

Nays: Garcia, Hinojosa, Lucio, Menéndez, Miles, Rodríguez, Taylor of Galveston, Uresti, Watson, Whitmire, Zaffirini.

Absent: West.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 715** (senate committee printing) in SECTION 14 of the bill, in amended Subchapter C-1, Chapter 43, Local Government Code, as follows:

(1) In added Section 43.0611(1) (page 5, line 12), between "annexed" and "at", insert "and the municipality".

(2) In added Section 43.0611(1) (page 5, line 12), between "area" and "may", insert "and the municipality".

(3) In added Section 43.0611(1) (page 5, line 14), strike "; and" and substitute "; or".

(4) In added Section 43.0613(2) (page 5, line 49), between "(2)" and "notice", insert "if applicable,".

(5) Immediately after added Section 43.0614(c) (page 5, between lines 64 and 65), insert the following:

(d) The municipality must post notice of the hearings on the municipality's Internet website if the municipality has an Internet website and publish notice of the hearings in a newspaper of general circulation in the municipality and in the area proposed for annexation. The notice for each hearing must be published at least once on or after the 20th day but before the 10th day before the date of the hearing. The notice for each hearing must be posted on the municipality's Internet website on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing.

(6) Strike added Section 43.0615 (page 5, line 65, through page 6, line 5), and substitute the following:

Sec. 43.0615. PETITION. A municipality that determines to obtain the consent to annex an area from property owners through a petition described by Section 43.0611(2) must obtain the consent through the petition process prescribed by Section 43.0515 and verify the petition in the manner provided by Section 43.0516(a).

(7) Strike Section 43.0616(a) (page 6, lines 6-13), and substitute the following:

(a) A municipality that determines to hold an election on the question of annexing an area under this subchapter shall order the election to be held on the first uniform election date that falls on or after the 90th day after the date the governing body of the municipality adopts the resolution under Section 43.0612.

(8) Strike added Section 43.0617(a) (page 6, lines 18-21), and substitute the following:

(a) Following an election held under this subchapter or the end of the petition process described by Section 43.0615, as applicable, the municipality must notify the residents of the area proposed to be annexed and of the municipality of the results of the election or petition.

(9) In added Section 43.0617(b) (page 6, lines 24-25), strike "is required to petition owners of land in the area under Section 43.0615" and substitute "petitions owners of land in the area under Section 43.0615".

(10) In added Section 43.0617(c) (page 6, line 31), strike ", and" and substitute ", or".

(11) Strike added Section 43.0618 (page 6, lines 41-50) and renumber subsequent sections and references to those sections accordingly.

The amendment to **CSSB 715** was read.

On motion of Senator Campbell, Floor Amendment No. 1 was tabled by the following vote: Yeas 20, Nays 10.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Hinojosa, Lucio, Menéndez, Miles, Rodríguez, Uresti, Watson, Whitmire, Zaffirini.

Absent: West.

Senator Nichols offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 715** (senate committee report) as follows:

(1) Strike the recital to SECTION 18 of the bill (page 8, lines 14 and 15), and substitute the following:

Section 43.0751, Local Government Code, is amended by amending Subsections (b), (d), and (h) and adding Subsection (s) to read as follows:

(2) In SECTION 18 of the bill, in amended Section 43.0751(h), Local Government Code (page 8, line 66), between "agreement" and the period, insert "under the procedures prescribed by Subchapter C-1, as that subchapter existed on January 1, 2017".

(3) In SECTION 18 of the bill, at the end of amended Section 43.0751(h), Local Government Code (page 8, between lines 68 and 69), insert the following:

(s) Notwithstanding any other law, the procedures prescribed by Subchapters C and C-1 do not apply to the full-purpose annexation of an area under this section. Except as provided by Subsection (h), a municipality shall follow the procedures established under the strategic partnership agreement for full-purpose annexation of an area under this section.

The amendment to **CSSB 715** 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:

Absent: West.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 715** (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 43, Local Government Code, is amended by adding Section 43.908 to read as follows:

Sec. 43.908. ANNEXATION OF AREA NEAR MILITARY BASE. Notwithstanding Subchapter C or C-1, a municipality that is otherwise authorized to annex area under this chapter located within five miles of an active military base must use the procedures under Subchapter C or C-1 as those subchapters existed on January 1, 2017, as applicable.

The amendment to **CSSB 715** was read.

On motion of Senator Campbell, Floor Amendment No. 3 was tabled by the following vote: Yeas 20, Nays 10.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Hinojosa, Lucio, Menéndez, Miles, Rodríguez, Uresti, Watson, Whitmire, Zaffirini.

Absent: West.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSSB 715** (senate committee printing) as follows:

(1) Strike SECTION 35 of the bill, adding transition language (page 11, lines 22-29).

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

SECTION _____. (a) Except as provided by Subsection (b) of this section, the changes in law made by this Act do not apply to an annexation for which the first hearing notice required by former Section 43.0561 or 43.063, Local Government Code, as applicable, was published before the effective date of this Act. An annexation for which the first hearing notice described by this subsection was published before the effective date of this Act 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.

(b) The changes in law made by this Act do not apply to an annexation of an area under an agreement authorized by former Section 43.0563, Local Government Code, that was approved before the effective date of this Act. An annexation described by this subsection is governed by the law in effect at the time the agreement was approved, and the former law is continued in effect for that purpose.

(3) Renumber subsequent SECTIONS of the bill accordingly.

The amendment to **CSSB 715** was read.

On motion of Senator Campbell, Floor Amendment No. 4 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Hinojosa, Lucio, Menéndez, Miles, Rodríguez, Seliger, Uresti, Watson, Whitmire, Zaffirini.

Absent: West.

Senator Creighton offered the following amendment to the bill:

Floor Amendment No. 5

Amend **CSSB 715** (senate committee printing) by inserting the following appropriately numbered SECTION and renumbering the remaining SECTIONS accordingly:

SECTION _____. The governing body of a municipality that has designated any part of its extraterritorial jurisdiction as an industrial district under Section 42.044, Local Government Code, before, on, or after the effective date of this Act may annex all or part of the designated area pursuant to the authority granted by the municipality's home-rule charter. Notwithstanding Section 43.021, Local Government Code, as amended by this Act, the authority of a municipality to annex all or part of the area described by this section is governed solely by the municipality's home-rule charter and is not subject to any restrictions or procedural requirements imposed by Chapter 43, Local Government Code, as amended by this Act.

The amendment to **CSSB 715** 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. 5 except as follows:

Absent: West.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 6

Amend **CSSB 715** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. The changes in law made by this Act do not apply to an area that is the subject of an agreement between a municipality with a population between 1.3 million and 1.5 million and a municipality with a population between 18,050 and 18,200 that contains a plan that is approved by the municipalities before the effective date of this Act for phased boundary adjustments between the municipalities, releases of extraterritorial jurisdiction by the more populous municipality, and annexations by the less populous municipality. A municipal boundary adjustment, release of extraterritorial jurisdiction, or annexation contained in a plan under an agreement described by this section is governed by the law in effect at the time the agreement was approved by the municipalities, and the former law is continued in effect for that purpose.

The amendment to **CSSB 715** 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. 6 except as follows:

Absent: West.

CSSB 715 as amended was passed to engrossment by the following vote: Yeas 20, Nays 10.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Hinojosa, Lucio, Menéndez, Miles, Rodríguez, Uresti, Watson, Whitmire, Zaffirini.

Absent: West.

(Senator Watson in Chair)

SENATE BILL 1476 ON THIRD READING

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1476** be placed on its third reading and final passage:

SB 1476, Relating to eligibility for support from the universal service fund.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Estes, Garcia, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, Whitmire, Zaffirini.

Nays: Burton, Creighton, Huffines, Nelson, Taylor of Collin.

Absent: West.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 6.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Estes, Garcia, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Whitmire, Zaffirini.

Nays: Burton, Creighton, Huffines, Nelson, Taylor of Collin, Watson.

Absent: West.

COMMITTEE SUBSTITUTE

SENATE BILL 188 ON SECOND READING

Senator Uresti moved to suspend the regular order of business to take up for consideration **CSSB 188** at this time on its second reading:

CSSB 188, Relating to civil liability for removing certain individuals or animals from a motor vehicle and criminal liability for removing certain animals from a motor vehicle.

The motion prevailed.

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

The bill was read second time.

Senator Uresti offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 188** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 92A.002, Civil Practice and Remedies Code (page 1, line 53), strike "or immediately after".

(2) In SECTION 2 of the bill, in added Section 9.72, Penal Code (page 2, line 34), strike "or immediately after".

The amendment to **CSSB 188** 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:

Absent: West.

Senator Uresti offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 188** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 92A.002(5), Civil Practice and Remedies Code (page 2, lines 3 through 6), strike ", leaves in a secure and conspicuous location on or within the vehicle written notice that provides the person's name and information and is otherwise sufficient to allow the individual or animal to be easily located; and" and substitute the following:

":

(A) leaves in a secure and conspicuous location on or within the vehicle written notice that provides the person's name and information and is otherwise sufficient to allow the individual or animal to be easily located; or

(B) if it is unreasonably burdensome to leave a note under Paragraph (A), provides 9-1-1 with the person's name and sufficient information to allow the individual or animal to be easily located; and"

(2) In SECTION 2 of the bill, in added Section 9.72(5), Penal Code (page 2, lines 44 through 47), strike ", leaves in a secure and conspicuous location on or within the vehicle written notice that provides the actor's name and information and is otherwise sufficient to allow the animal to be easily located; and" and substitute the following:

":

(A) leaves in a secure and conspicuous location on or within the vehicle written notice that provides the actor's name and information and is otherwise sufficient to allow the animal to be easily located; or

(B) if it is unreasonably burdensome to leave a note under Paragraph (A), provides 9-1-1 with the actor's name and sufficient information to allow the animal to be easily located; and"

The amendment to **CSSB 188** 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:

Absent: West.

CSSB 188 as amended was passed to engrossment by a viva voce vote.

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

Nays: Bettencourt, Burton, Creighton, Estes, Huffines, Kolkhorst.

Absent: West.

COMMITTEE SUBSTITUTE SENATE BILL 188 ON THIRD READING

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 188** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Birdwell, Buckingham, Burton, Campbell, Garcia, Hall, Hancock, Hinojosa, Huffman, Hughes, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, Whitmire, Zaffirini.

Nays: Bettencourt, Creighton, Estes, Huffines, Kolkhorst.

Absent: West.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 6.

Yeas: Birdwell, Buckingham, Campbell, Garcia, Hall, Hancock, Hinojosa, Huffman, Hughes, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, Whitmire, Zaffirini.

Nays: Bettencourt, Burton, Creighton, Estes, Huffines, Kolkhorst.

Absent: West.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Huffman and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on State Affairs might meet in Room 2E.20 today.

CO-AUTHOR OF SENATE BILL 292

On motion of Senator Huffman, Senator Lucio will be shown as Co-author of **SB 292**.

CO-AUTHOR OF SENATE BILL 463

On motion of Senator Seliger, Senator Menéndez will be shown as Co-author of **SB 463**.

CO-AUTHORS OF SENATE BILL 693

On motion of Senator Garcia, Senators Hinojosa, Lucio, and Perry will be shown as Co-authors of **SB 693**.

CO-AUTHOR OF SENATE BILL 715

On motion of Senator Campbell, Senator Burton will be shown as Co-author of **SB 715**.

CO-AUTHOR OF SENATE BILL 949

On motion of Senator Kolkhorst, Senator Taylor of Galveston will be shown as Co-author of **SB 949**.

CO-AUTHOR OF SENATE BILL 1255

On motion of Senator Uresti, Senator Menéndez will be shown as Co-author of **SB 1255**.

CO-AUTHOR OF SENATE BILL 1462

On motion of Senator Hinojosa, Senator Lucio will be shown as Co-author of **SB 1462**.

CO-AUTHOR OF SENATE BILL 1736

On motion of Senator Hughes, Senator Hall will be shown as Co-author of **SB 1736**.

CO-AUTHORS OF SENATE BILL 1739

On motion of Senator Miles, Senators Hinojosa, Taylor of Collin, and Uresti will be shown as Co-authors of **SB 1739**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 43

On motion of Senator Huffman, Senator Huffines will be shown as Co-author of **SJR 43**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SCR 53 by Taylor of Collin, In memory of Dana Sean Shurtleff.

SR 645 by West, In memory of Reginald Stanley Kay.

SR 652 by Lucio, In memory of Romeo L. Lomas.

Welcome and Congratulatory Resolutions

SR 646 by Taylor of Collin, Recognizing Geoffrey W. Dennis for his service to the Texas Senate.

SR 647 by Kolkhorst, Welcoming Daikin Industries, Limited, to Texas.

SR 648 by Creighton, Recognizing the Conroe Symphony Orchestra on the occasion of its 20th anniversary.

SR 649 by Watson, Recognizing Richard Overton on the occasion of his 111th birthday.

SR 650 by Schwertner, Recognizing Margo and Edward Whitmore on the occasion of their 50th wedding anniversary.

SR 651 by Schwertner, Recognizing Georgetown on the 20th anniversary of its designation as a Main Street City.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 2:59 p.m. adjourned until 2:00 p.m. Monday, April 24, 2017.

APPENDIX

COMMITTEE REPORTS

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

April 20, 2017

HIGHER EDUCATION — **SB 2082, SB 828**

CRIMINAL JUSTICE — **SB 524, SB 772, SB 1192, SB 1290, CSSB 1183**

TRANSPORTATION — **SB 399, SB 848, SB 1126, SB 1291, SB 1334, SB 2227, SB 2252, SB 2253, SCR 37, SB 1560**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **CSSB 1545**

BUSINESS AND COMMERCE — **CSSB 1413, CSSB 1976**

CRIMINAL JUSTICE — **CSSB 966, CSSB 1548**

TRANSPORTATION — **CSSB 1830**

BUSINESS AND COMMERCE — **SB 2279**

TRANSPORTATION — **CSSB 1643, CSSB 1732**

BILLS ENGROSSEDApril 19, 2017

SB 56, SB 59, SB 63, SB 78, SB 81, SB 82, SB 160, SB 224, SB 253, SB 257, SB 261, SB 277, SB 298, SB 314, SB 341, SB 343, SB 344, SB 368, SB 398, SB 416, SB 417, SB 455, SB 498, SB 511, SB 526, SB 549, SB 554, SB 560, SB 561, SB 584, SB 587, SB 611, SB 640, SB 659, SB 686, SB 707, SB 718, SB 720, SB 725, SB 735, SB 752, SB 753, SB 775, SB 797, SB 838, SB 869, SB 878, SB 911, SB 924, SB 932, SB 933, SB 942, SB 948, SB 952, SB 957, SB 964, SB 976, SB 990, SB 1003, SB 1006, SB 1012, SB 1049, SB 1052, SB 1056, SB 1063, SB 1076, SB 1086, SB 1089, SB 1098, SB 1102, SB 1105, SB 1119, SB 1136, SB 1145, SB 1158, SB 1171, SB 1179, SB 1193, SB 1196, SB 1203, SB 1205, SB 1215, SB 1221, SB 1232, SB 1233, SB 1238, SB 1242, SB 1246, SB 1248, SB 1250, SB 1264, SB 1269, SB 1286, SB 1296, SB 1299, SB 1304, SB 1325, SB 1346, SB 1365, SB 1371, SB 1376, SB 1381, SB 1400, SB 1402, SB 1403, SB 1406, SB 1421, SB 1422, SB 1434, SB 1459, SB 1465, SB 1479, SB 1483, SB 1488, SB 1489, SB 1492, SB 1511, SB 1517, SB 1518, SB 1519, SB 1522, SB 1523, SB 1525, SB 1538, SB 1541, SB 1544, SB 1554, SB 1592, SB 1663, SB 1664, SB 1665, SB 1710, SB 1728, SB 1735, SB 1748, SB 1760, SB 1787, SB 1805, SB 1807, SB 1815, SB 1823, SB 1847, SB 1857, SB 1875, SB 1877, SB 1878, SB 1897, SB 1924, SB 1943, SB 1954, SB 1965, SB 1966, SB 1969, SB 2110, SB 2150, SB 2262

RESOLUTIONS ENROLLEDApril 19, 2017

SR 631, SR 638, SR 639, SR 641, SR 642, SR 643, SR 644

SENT TO SECRETARY OF STATEApril 20, 2017

SCR 50