

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-EIGHTH DAY

(Wednesday, May 17, 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, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

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

Pastor Jim Brown, Texas Baptist Minister, Lubbock, was introduced by Senator Perry and offered the invocation as follows:

Our Father in heaven, I come acknowledging Your providential care for us and thank You for allowing us to live in the great State of Texas. I thank You for these men and women who give their time, talents, abilities, and resources to serve as Senators from all across our state. Father, would You give them Your divine direction as they go through these concluding days of the 85th Legislature. I ask that they might work to pass those laws that would make Texas a state where people would want to work, to expand their businesses, to raise their families, and to educate their children. I pray for guidance, courage, and wisdom for these men and women in order that they might lead us into a society marked by tranquility, freedom, integrity, unity, and peace. The challenges before these Senators are many and they are great, but You, O Lord, are greater still. In the name of Jesus Christ I pray. Amen.

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

The motion prevailed without objection.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Uresti was granted leave of absence for today on account of important business.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 17, 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:

SB 28 Creighton Sponsor: Deshotel
Relating to the financing of ports in the state.

SB 286 Nichols Sponsor: Gooden
Relating to the governing board of the Trinity Valley Community College District.

SB 302 Watson Sponsor: Thompson,
Senfronia
Relating to the continuation and functions of the state bar.
(Amended)

SB 303 Watson Sponsor: Thompson,
Senfronia
Relating to the continuation and functions of the Board of Law Examiners.
(Amended)

SB 586 Perry Sponsor: Geren
Relating to the distribution of universal service funds to certain small and rural incumbent local exchange companies.

SB 1467 West Sponsor: Lozano
Relating to the Texas college work-study program and to establishing a program for the off-campus employment of certain students at public or private institutions of higher education.
(Committee Substitute/Amended)

SB 1782 West Sponsor: Clardy
Relating to the elimination of certain formula funding and dropped course restrictions for returning adult students at public institutions of higher education and to the tuition rate that may be charged to those students for certain excessive undergraduate hours.
(Committee Substitute/Amended)

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

SB 301 (non-record vote)

House Conferees: Flynn - Chair/Alonzo/Capriglione/Gonzales, Larry/Paul

SB 2190 (non-record vote)

House Conferees: Flynn - Chair/Coleman/Metcalf/Murphy/Walle

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives**PHYSICIAN OF THE DAY**

Senator Schwertner was recognized and presented Dr. Anuj Sharma of Round Rock as the Physician of the Day.

The Senate welcomed Dr. Sharma 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 family members of Gerald Harvey Jones.

The Senate welcomed its guests.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

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

There was no objection.

CONCLUSION OF MORNING CALL

The President at 11:21 a.m. announced the conclusion of morning call.

HOUSE BILL 25 ON SECOND READING

Senator Hancock moved to suspend the regular order of business to take up for consideration **HB 25** at this time on its second reading:

HB 25, Relating to the elimination of straight-party voting.

The motion prevailed 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, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

The bill was read second time.

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 25** (senate committee printing) as follows:

(1) In SECTION 2 of the bill, in added Section 31.012(b-1), Election Code, (page 1, line 36), strike "September 1, 2017" and substitute "September 1, 2020".

(2) In SECTION 9 of the bill, (page 2, line 68), strike "2017" and substitute "2020".

The amendment to **HB 25** 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: Huffines, Huffman.

Absent-excused: Uresti.

(Senator Taylor of Galveston in Chair)

(President in Chair)

HB 25 as amended was passed to third reading 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, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

REMARKS ORDERED PRINTED

On motion of Senator Rodríguez and by unanimous consent, the remarks by Senators Hancock and Rodríguez regarding **HB 25** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Rodríguez: Thank you, Senator Hancock. I have a number of questions with regard to this legislation because there are some legal concerns as well. This bill came out of Business and Commerce and not out of State Affairs, is that right?

Senator Hancock: It came out of Business and Commerce.

Senator Rodríguez: Right. Don't we normally have election bills coming out of State Affairs?

Senator Hancock: No, very often, when you're the author of the legislation and you chair a committee, very often, if it fits within that framework, then it comes to the committee where the author is. As you know, Senator Rodríguez, we're very busy this time of year.

Senator Rodríguez: Right.

Senator Hancock: And so, I don't sit on State Affairs, so that's not that uncommon.

Senator Rodríguez: Alright. Okay, well look, and I know that eliminating the straight-ticket voting is, it is argued it leads to a more informed voter and all that, but I, I guess I want to start with that point. Are there any studies or any evidence that show that a repeal of the straight-ticket voting would lead to a more informed voter in the down ballot, especially for the down ballot races?

Senator Hancock: I think, as you brought up, Senator Rodríguez, you know, there's a lot of discussion on it because, I think, there's a lot of belief that does occur, as you've suggested.

Senator Rodríguez: Well, but I mean, did you, did you look at any studies or anything that would point to that, or maybe the testimony, did the testimony show, what did it show in terms of impact on the, on the lines at the ballot box, for example?

Senator Hancock: There was just, really wasn't testimony regarding the lines of ballot box. I mean, it was discussed and there were provisions within the Election Code that allow for us to address those lines at the ballot box.

Senator Rodríguez: Was there any consideration on your part or any testimony, because I wasn't there at the hearing, regarding that some of the elderly voters, for example, have diminished eyesight or other limiting disabilities, and so they choose to prefer the straight-ticket option. And by the way, when I say straight-ticket option, I'm not talking about just Democrats, I'm talking about Republican voters as well, because I think we all know that the statistics show both parties have significant straight-party voting depending on what part of the state you're in. But so, the question that I'm asking is, was there any consideration to the impact this might have on the elderly, those who have some disability and that prefer to, rather than go down through the long, long ballot, as you know that we have these days, that can include up to 60 individual races and over 150 individual candidates, any consideration towards the elderly on this?

Senator Hancock: Yeah, I think our office, we tried to consider everything possible regarding this legislation.

Senator Rodríguez: But specifically, the elderly, were y'all at all apprised of those kinds of concerns that the elderly community has?

Senator Hancock: Senator Rodríguez, we tried to consider really everything that we possibly could that we could think of.

Senator Rodríguez: Okay, let me ask you about some of the legal concerns. Are you aware of the Michigan voting rights case in Michigan versus Johnson? This is a Sixth Circuit Court of Appeals decision out of Michigan.

Senator Hancock: Correct. That's Sixth Circuit, we don't, Texas doesn't go to the Sixth Circuit.

Senator Rodríguez: I, I know, but are you aware of that decision and, and the, and what came out of that case?

Senator Hancock: Our focus has really been more on the court system that Texas would apply to.

Senator Rodríguez: Well, here's the reason why I'm raising it. Okay, I mean, this is a legitimate concern. Back in January of 2016, the Michigan Legislature abolished straight-ticket voting in Michigan. And in July, a U.S. federal court, district court, found that the abolishment of straight-ticket voting disproportionately affected African Americans and placed a preliminary injunction on enforcing the law for that reason. So, now the state appealed to the U.S. Supreme Court, but the appeal was denied, so it left standing that decision in the Fifth Circuit— in the Sixth Circuit. And admittedly, we're not under the Sixth Circuit, but this is a federal appellate court, and down the line, I'm sure it will have an impact. But my question then is, in light of that decision, did it raise any red flags for you, for you at all, on whether or not there might be some legal considerations here?

Senator Hancock: Senator Rodríguez, we looked at the fact there are over 40 states act in this way, and the reality is we don't go to the Sixth Court.

Senator Rodríguez: Well, does this bill have any mitigating factors to take into account what the Sixth Circuit found up in Michigan?

Senator Hancock: We don't go to the Sixth Court.

Senator Rodríguez: Well, did, well, how about, I was asking you earlier about whether you looked at any studies on the impact of eliminating straight-ticket voting. Did you look at any studies or any data or information that would indicate that eliminating the straight-party ballot would have a disproportionate impact or harm for minority voters?

Senator Hancock: Senator Rodríguez, I think our office, we tried to consider everything before bringing this legislation to the floor.

Senator Rodríguez: Yeah. What was the input from African Americans and Hispanic organizations on this bill?

Senator Hancock: We had an open hearing and were able to hear it from everybody that chose to testify on HB 25, as well as the House had hearings as well.

Senator Rodríguez: Well, did you reach out to the NAACP, to MALDEF, LULAC, the Urban League, Southwest Voter, Mi Familia Vota? These are the usual organizations that are involved in promoting civic participation, registering to vote and voting. Did they have any input on this?

Senator Hancock: We posted our hearing notice just like the rules require us to do, as the House did as well.

Senator Rodríguez: Does, you know, usually, we run into wait times at the polling places, particularly when there's a significant issue on the ballot or highly contested races. Are you aware that increased wait times will occur in urban districts, Houston, Dallas, the large districts where ballots are already some of the longest in the country?

Senator Hancock: Senator Rodríguez, that's not necessary. You can actually add polling location, polling, additional polling booths, so the counties have provisions that allow them to address wait times.

Senator Rodríguez: Well, then, they do try to address it as best they can, but I'm asking specifically whether or not you considered the impact that this bill, in eliminating straight-ballot voting, on those waiting lines, and putting additional burdens on the election departments.

Senator Hancock: Yeah, we feel like we tried to consider everything before bringing the legislation to the floor.

Senator Rodríguez: You know, El Paso County opposes this bill, and that's one of the reasons why I'm standing here asking you questions. How much will increased wait times cost counties in additional voting machines and associated election costs? Do you have any idea of that?

Senator Hancock: That would be up to the individual counties.

Senator Rodríguez: Well, the, the, I mean, are you considering that this will, in fact, I think you said, well, it'll be up to the counties to deal with the wait times. But you do know then that it will have a fiscal impact in that they are going to have to allocate more resources, more funding then for the additional polling places and all the rest of it, materials and so forth.

Senator Hancock: Yeah, Senator Rodríguez, there's very little we do down here that doesn't have a fiscal impact in some way or another.

Senator Rodríguez: Well, I know. But normally, if this has a fiscal impact, we don't consider the bill, I mean, that's just generally the way we handle things around here. This one, it seems to me, is another one of those unfunded mandates that's going to require a tremendous additional cost on the part of counties, particularly the large urban jurisdictions.

Senator Hancock: Actually, I disagree, Senator Rodríguez. We actually handle billions and billions and billions of dollars worth of legislation each and every session.

Senator Rodríguez: Well, look, thank you for your time on this bill. You've been very patient with me. I appreciate it. Mr. President—

Senator Hancock: Thank you, Senator Rodríguez.

Senator Rodríguez: —yes, Sir. Thank you, Senator Hancock.

HOUSE BILL 100 ON SECOND READING

Senator Schwertner moved to suspend the regular order of business to take up for consideration **HB 100** at this time on its second reading:

HB 100, Relating to the regulation of transportation network companies; requiring an occupational permit; authorizing a fee.

The motion prevailed by the following vote: Yeas 20, Nays 10.

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

Nays: Garcia, Menéndez, Miles, Rodríguez, Seliger, Taylor of Collin, Watson, West, Whitmire, Zaffirini.

Absent-excused: Uresti.

The bill was read second time and was passed to third reading by the following vote: Yeas 20, Nays 10. (Same as previous roll call)

REMARKS ORDERED PRINTED

On motion of Senator Hughes and by unanimous consent, the remarks by Senators Schwertner and Hughes regarding **HB 100** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Hughes: Thank you, Mr. President. Senator, thank you for this bill. As we've discussed, it's needed. It's troubling what some municipalities have done in this area, and it's made us, made us a national, if not worldwide, embarrassment when people travel from third-world countries expecting this service. It's not available here in our capital city, so thank you for this bill. To follow up on a discussion that we had during the committee, like to ask you a couple of questions to make sure we understand what the bill does, if we—

Senator Schwertner: Sure.

Senator Hughes: —can do that. As you know, the bill defines a transportation network company as an entity that offers digitally prearranged rides in personal vehicles, and the bill defines a personal vehicle as one that's owned, leased, or authorized for use by a driver and a vehicle that is not a taxicab, limousine, or other vehicle regulated by a municipality or a joint airport board. Now, aren't there current examples where limousines or taxicabs are used to provide digitally prearranged rides like limos that also offer service through UberBLACK? That's happening today, right?

Senator Schwertner: Right.

Senator Hughes: And so, if a driver and a TNC both meet state requirements, then nothing will keep them from doing both with the same vehicle, just not at the same time, is that right?

Senator Schwertner: They could do both with the same vehicle, just not at the same time.

Senator Hughes: Okay. And so, to make it clear, the intent of this bill is not to interfere with, with something like that. Just so we're not talking about on the same ride, nothing would keep a driver from operating a limo service and then switching that off and using his same vehicle for a TNC, is that your intent?

Senator Schwertner: That is my intent, and that's what the legislation is drafted to imply, yes.

Senator Hughes: Thank you, Senator.

Senator Schwertner: You bet.

REMARKS ORDERED PRINTED

On motion of Senator Taylor of Collin and by unanimous consent, the remarks by Senators Schwertner and Taylor of Collin regarding **HB 100** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Taylor of Collin: Thank you, Senator Schwertner, appreciate your work on this. Clearly, I appreciate a lot of your lighter comments about free markets and the need to encourage those and foster those, and I just wanted to take you to something that I'm concerned about. I know we've discussed previously, and that is the, in the committee report, page 2, lines 19 through 28, which deal with reasonable fees. So, you, you, you have in here, and I, I'll read this to you, an airport owner or operator may impose regulations, including a reasonable fee, on a transportation network company that provides digitally prearranged rides to or from the airport. Uhm, now also in here, there's a specific prohibition on fees to the individual drivers themselves, is that—

Senator Schwertner: That's correct.

Senator Taylor of Collin: —okay. And so, does that prohibition apply to, also to this section of statute that you're saying that the fee is to the company? Because it says a reasonable fee on a transportation network company, so the company can be charged a fee but the driver cannot. Is that, is that the way you've intended it?

Senator Schwertner: That is, that is correct. The fee from TDLR is to the company not the driver.

Senator Taylor of Collin: Well—

Senator Schwertner: And then that's, what line are you on? Just so I—

Senator Taylor of Collin: —sure, sure—

Senator Schwertner: —make sure I'm—

Senator Taylor of Collin: —page—

Senator Schwertner: —with you.

Senator Taylor of Collin: —again, page 2, line 20. But I, and I agree with you, that's the way I read the TDLR fee, but the, the airport fee it seems is to the network company and not to the individual driver.

Senator Schwertner: That's correct, on a transportation network company, on line 21.

Senator Taylor of Collin: Okay so, and that, this is, this is very important, so as I read this, they can establish reasonable regulations, and they can establish regulations and a reasonable fee but only to the company, not to the driver, not to the car.

Senator Schwertner: That is correct.

Senator Taylor of Collin: Okay. And so, uhm, and then the second question I have is, can the fee be such a fee that is essentially prohibiting one of, one of these transportation network companies from operating a particular airport? In other words, it's going to be a \$30 million fee for our airport, and so we, we think that's reasonable for the following reasons, but it basically prohibits them from operating at that airport.

Senator Schwertner: The bill doesn't speak to the amount of the fee. I believe this legislation was carefully discussed between the House author, Representative Paddie, and, uhm, individuals from, from the major airports, Houston as well as DFW. Uhm, I think it does make some sense to allow TNCs to, to, and these airports to, to work in a slightly different manner because of security concerns and traffic flow management concerns. That said, though, I agree with you, if they are utilizing this as a back door to impose dramatically enhanced fees that inhibit TNCs from operating or, or a competitive disadvantage versus taxis, I think we're going to see that as this bill goes in effect and that we see it through the, the process of implementation. I would ask, and I would, I would hope that the Governor might consider maybe an, an interim, part of the interim charge of B&C to look at how the, this bill is being implemented. And we're going to be back here in two years, and we can certainly take action. I think this is a compromise that the, Representative Paddie, the House author, took in consideration after talking to various Members in, in the Dallas, Fort Worth, and Houston areas, to accommodate the concerns of the airports and, and the cruise, cruise line ports.

Senator Taylor of Collin: Okay but, again, the, your intent with reasonable fee is not to advantage or disadvantage a transportation network company, vis à vis taxes.

Senator Schwertner: Me personally, a reasonable fee would be zero, but the bill does speak to a reasonable fee, but it's not defined.

Senator Taylor of Collin: Right, but, but again, it's, it isn't a fee that's 100 percent higher. You know, we're going to charge you double because you're, because you happen to be a transportation network company, we're going to charge a lower fee if you're a taxi company.

Senator Schwertner: Senator, the bill does not speak to the specific amount of the fee.

Senator Taylor of Collin: Would, okay, but in your mind, is the, the term "reasonable" is not so high that it would be prohibitive to the company to pay it? For the—

Senator Schwertner: I, I agree with that statement. That is correct.

Senator Taylor of Collin: Okay, alright. Thank you very much. I appreciate you outlining that. I think that, you know, and I will point out there are airports in this state, right now, that are charging fees to the individual drivers, and so this, the way I read this, the way you've described it, this, this prohibits fees to drivers. It is fees to the companies, the, so the company has to pay it and not the driver, based on either trips or the number of drivers.

Senator Schwertner: The, the bill as drafted, and the way I read it, and my intent is that is on the transportation network company that provides, that's, that has drivers, but not on the driver individually.

Senator Taylor of Collin: Okay, I appreciate that. I think that is certainly a step forward for Texas.

REMARKS ORDERED PRINTED

On motion of Senator Menéndez and by unanimous consent, the remarks by Senators Schwertner and Menéndez regarding **HB 100** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Menéndez: Thank you, Mr. President. Senator Schwertner, I know you've been working on this bill for quite some time, and I appreciate your, your patience. Some of us have cities that have gone through a great deal of work and effort working with all the stakeholders in trying to get things accomplished, and, and based on the last soliloquy between you and Senator Van Taylor, I wanted you to know, it's come to my attention that the existing trip fee at the airport in San Antonio to either TNCs or a taxi is \$1.25. That is the fee, and the reason that they have to have the fee is that the FAA requires them to have funds that they've raised outside of airport fees in order to be able to compete for other fees, and that's why I believe all of the airports requested that you could have that reasonable fee provision in your bill. And so, I, I appreciate your having it there. I understand and agree with you that I'd, obviously, I'd rather us not have a fee, but it does make a difference in terms of competing for federal funds for our airports. But I have a question about the public policy decisions that were made in the writing of this bill, and my understanding is that if this bill goes, becomes law, all of the existing city agreements would be, really, null and void. This would, this would have supremacy over those, is that correct?

Senator Schwertner: That's right. This provides for statewide preemption.

Senator Menéndez: Okay. So then, the other question that I have is, you know, I was looking at the section that has to do with nondiscrimination, Section 2402.112.

Senator Schwertner: What page are you on?

Senator Menéndez: Page, got it right here, page 5.

Senator Schwertner: Okay.

Senator Menéndez: Starting line 5, pa- number 7. You have-

Senator Schwertner: I do.

Senator Menéndez: -nondiscrimination accessibility. And I want to thank you for the language that you have there, number one, on prohibit, prohibition of discrimination. Number two, the refusing to provide service for a passenger with a service animal. But the one that has me a little confused is what the purpose of the public policy is on line 16, (b). It says for the purposes of subsection (a), "sex" means the physical condition of being male or female. What does the, I don't understand in terms of what is the necessity for that definition.

Senator Schwertner: Well, the, I think it is important to have a nondiscrimination policy, and, of course, the language in subsection (1) mirrors federal law. And, and I think number two is also very important. The third section was something that was obviously contentious in the House and, and was a House amendment on the floor, and it's a, I, I think, really, kind of just self-obvious. But the House thought it was important to, to add it, and, and it again defines "sex" as the physical condition of, of being a male or a female, and that ties in to, you know, the first section that, that

prohibits discrimination on the basis of a passenger's or potential passenger's location or destination, race, color, national origin, religious belief or affiliation, sex, disability, or age. So, you know, the House thought it was important to further define that, that section and, and so they added that, that section.

Senator Menéndez: I'm concerned that—

Senator Schwertner: I think it's restating the obvious, to be quite frank.

Senator Menéndez: —I, I hope—

Senator Schwertner: I think Representative—

Senator Menéndez: —I—

Senator Schwertner: —Praddi, Paddie said it best, you know, it is what it is, it's the times we live in, and, and that's, that's, you know, a line that was added on the House floor.

Senator Menéndez: —I, I hope you're right. My concern is that, uhm, you know, we have popular businesses, popular places where it might not be extremely obvious or evident whether, what the actual sex of the person is, if they're male or female, but I don't understand why in a transportation bill we have to have the definition of what that condition would be. I just, it, it, it, while I agree with what you're doing in terms of the nondiscrimination, the accessibility, my concern is that that line has the potential for discrimination, and so, I'm, I'm just, I'm somewhat put off by that, because I don't, I see it as, as something that is the potential to use that as saying, well, uhm, I couldn't tell whether were a male or female, I couldn't tell, I don't know. I, I hope that there isn't anybody out there that wants to discriminate on someone, maybe because they look to be, appear to be male, but they're not dressed as a male. And so, that is, that's a, that's a concern for me, and that, I just wanted to bring that up. There's that and the fact that many of our cities, like our City of San Antonio, work long and hard to make it possible, it was a lot of political will and capital expended to have their own transportation network ordinance, but I, I understand that you'd like to have a statewide framework.

Senator Schwertner: Yes, Senator, I, I think a statewide framework is the appropriate level to, to regulate in the minimal, consistent, and conservative manner. Individuals at, that actually utilize TNCs, there was, been some data that shows that 23 percent of them cross artificial jurisdictions, political boundaries.

Senator Menéndez: Sure.

Senator Schwertner: So, to go from one framework of regulation to another just doesn't make any sense at all and prohibits, really, the growth of an industry and, and impedes mobility and, and puts people's lives in danger if they're, if they are not able to have a transportation option to, to, that's safe and, and reliable, and instead are getting in vehicles and driving drunk.

Senator Menéndez: Understood. You're a medical doctor when you're not serving the community in your district, correct?

Senator Schwertner: That's correct.

Senator Menéndez: In, in your capacity as a doctor, I mean, and, and, even as your capacity as a legislator, we've met over the years people who are in the transition phase of transitioning to their true gender, have we not met people like that, that are in the tran— my concern is do you share any concerns or any worries that this bill would open the door to potentially discriminating against people who are transitioning from the iden— the gender they were born to the, their true gender?

Senator Schwertner: No, I, I don't. The, you know, sex, again, the, they're just redefining what, what the meaning or the definition of sex is. That, that doesn't define gender.

Senator Menéndez: Okay, great. Well, I, I hope, I, you're, you're accurate, I hope you're right on that. I, I know that that's not what you're attempting to do, and I know this is language that was put on in the House, and I appreciate your answers. And, and what you're, you're trying to do because there, a lot of hard work went into this, and while I may not necessarily agree with the, the final product, I do appreciate the exchange, and if you don't mind, I'd like to have it, make a motion to record in the Journal so that if anything happens, people can look back and know that it's not our intention to do that.

Senator Schwertner: Thank you, Senator.

Senator Menéndez: Thank you, Senator.

RECESS

On motion of Senator Whitmire, the Senate at 12:58 p.m. recessed until 1:45 p.m. today.

AFTER RECESS

The Senate met at 1:53 p.m. and was called to order by Senator Hancock.

HOUSE BILL 100 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 100** be placed on its third reading and final passage:

HB 100, Relating to the regulation of transportation network companies; requiring an occupational permit; authorizing a fee.

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, Menéndez, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Whitmire.

Nays: Garcia, Miles, Rodríguez, Watson, West, Zaffirini.

Absent-excused: Uresti.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 9.

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

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

Absent-excused: Uresti.

REASON FOR VOTE

Senator Burton submitted the following reason for vote on **HB 100**:

I voted for HB 100; however, I feel the solution provided within it represents a missed opportunity for this legislature. TNCs are a prime example of an emerging technology that struggles to flourish due to the heavy hand of government. While the regulatory framework in HB 100 is better than the current patchwork of local ordinances—many of which are more restrictive—we are still imposing fees and mandating standards that are best left to businesses. As new emerging technologies arise, I look forward to continuing to work with my colleagues to provide free market solutions that empower consumers to make decisions they determine are in their best interest without the interference of government.

BURTON

HOUSE BILL 1819 ON SECOND READING

Senator Perry moved to suspend the regular order of business to take up for consideration **HB 1819** at this time on its second reading:

HB 1819, Relating to the criminal consequences of engaging in certain conduct with respect to a firearm silencer.

The motion prevailed.

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

The bill was read second time.

Senator Estes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1819** (senate committee report) in SECTION 1 of the bill, in amended Section 46.05(a)(1), Penal Code (page 1, line 30), between "or" and "classified", by inserting "otherwise not subject to that registration requirement or unless the item is".

The amendment to **HB 1819** 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-excused: Uresti.

HB 1819 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: Garcia, Rodríguez.

Absent-excused: Uresti.

HOUSE BILL 1819 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 1819** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

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

Nays: Garcia, Rodríguez.

Absent-excused: Uresti.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 1609 ON SECOND READING

On motion of Senator Bettencourt and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1609** at this time on its second reading:

CSSB 1609, Relating to regulation by a property owners' association of certain religious displays.

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:

Absent-excused: Uresti.

COMMITTEE SUBSTITUTE SENATE BILL 1609 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 **CSSB 1609** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

BILLS AND RESOLUTION SIGNED

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

SB 44, SB 495, SB 549, SB 559, SB 680, SB 1033, SB 1052, SB 1516, SB 1524, SB 1541, SB 1630, HCR 143.

HOUSE BILL 516 ON SECOND READING

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **HB 516** at this time on its second reading:

HB 516, Relating to the requirement that drivers younger than a certain age complete and pass a driver education course.

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 Huffines offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 516** (senate committee printing) as follows:

- (1) In SECTION 2 of the bill, in reenacted Section 521.142(d), Transportation Code (page 1, line 40), strike "25" and substitute "21".
- (2) In SECTION 3 of the bill, repealing Section 521.1601, Transportation Code, as added by Chapter 1253 (H.B. 339), Acts of the 81st Legislature, Regular Session, 2009 (page 1, line 44), strike "Chapter 1253 (H.B. 339)" and substitute "Chapter 1413 (S.B. 1317)".

The amendment to **HB 516** 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-excused: Uresti.

HB 516 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:

Absent-excused: Uresti.

HOUSE BILL 516 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 516** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

HOUSE BILL 29 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 29** at this time on its second reading:

HB 29, 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.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 29** (senate committee report) in SECTION 4 of the bill, by striking added Section 140A.051(6), Civil Practice and Remedies Code (page 2, lines 22 through 29), and substituting the following:

(6) "Racketeering violation" means any act or omission in violation of any of the prohibitions in Section 140A.002.

The amendment to **HB 29** 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-excused: Uresti.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 29** (senate committee printing) in SECTION 7 of the bill, by striking amended Article 24A.001(1), Code of Criminal Procedure (page 9, lines 23 through 29), and substituting the following:

(1) relates to the investigation or prosecution of a criminal offense:

(A) under Chapter 19, Penal Code;

(B) under Section 21.02, 21.11, 22.011, or 22.021, Penal Code;

(C) under Chapter 20A, Penal Code;

(D) under Section 25.08, 25.11, Penal Code;

(E) under Section 33.021, Penal Code;

(F) under Chapter 43, Penal Code; and

The amendment to **HB 29** 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-excused: Uresti.

Senator Garcia offered the following amendment to the bill:

Floor Amendment No. 3

Amend **HB 29** (senate committee printing) as follows:

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

SECTION _____. Subchapter C, Chapter 522, Transportation Code, is amended by adding Section 522.035 to read as follows:

Sec. 522.035. RECOGNITION AND PREVENTION OF HUMAN TRAFFICKING. The department shall provide informational materials regarding the recognition and prevention of human trafficking for distribution to commercial driver's license applicants. The department may coordinate with organizations that specialize in the recognition and prevention of human trafficking to provide informational materials as required by this section.

(2) In SECTION 45 of the bill (page 21, between lines 55 and 56), insert the following:

(c) Not later than December 1, 2017, the Department of Public Safety shall provide informational materials as required by Section 522.035, Transportation Code, as added by this Act.

The amendment to **HB 29** 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:

Absent-excused: Uresti.

(President in Chair)

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 4

Amend **HB 29** (senate committee report) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Chapter 102, Business & Commerce Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. NOTICE REQUIREMENTS ON PREMISES OF SEXUALLY ORIENTED BUSINESSES

Sec. 102.101. POSTING OF CERTAIN SIGN REQUIRED. (a) A sexually oriented business shall post by the sink area in each restroom on the premises one sign that directs a victim of human trafficking to contact the National Human Trafficking Resource Center. Except as provided by Subsection (c), the sign must be 11 inches by 17 inches in size.

(b) The attorney general by rule shall prescribe the design, content, and manner of display of the sign required by this section. The sign must:

(1) be in both English and Spanish; and

(2) include the telephone number and Internet website of the National

Human Trafficking Resource Center.

(c) The attorney general by rule may require the sign to:

(1) be in an additional language other than English or Spanish;

(2) be larger than 11 inches by 17 inches in size if the attorney general determines that a larger sign is appropriate; and

(3) include other information the attorney general considers necessary and appropriate.

Sec. 102.102. CRIMINAL PENALTY. (a) A person commits an offense if the person:

(1) is an owner or operator of a sexually oriented business; and

(2) fails to post the sign required by Section 102.101 in compliance with that section and rules adopted under that section.

(b) An offense under this section is a Class C misdemeanor. If it is shown on the trial of an offense under this section that the person has previously been convicted of an offense under this section, the offense is a Class B misdemeanor.

SECTION _____. (a) The attorney general shall adopt rules to implement Section 102.101, Business & Commerce Code, as added by this Act, not later than September 1, 2018.

(b) Each sexually oriented business shall post the sign required by Section 102.101, Business & Commerce Code, as added by this Act, not later than March 1, 2019.

(2) Strike SECTION 47 of the bill (page 21, line 60) and substitute the following appropriately numbered SECTION:

SECTION _____. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2017.

(b) Section 102.102, Business & Commerce Code, as added by this Act, takes effect March 1, 2019.

(3) Renumber the SECTIONS of the bill accordingly.

The amendment to **HB 29** 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:

Absent-excused: Uresti.

HB 29 as amended was passed to third reading by the following vote: Yeas 30, Nays 0.

Absent-excused: Uresti.

HOUSE BILL 29 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 29** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 1964 ON SECOND READING**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1964** at this time on its second reading:

CSSB 1964, Relating to the use of land in the William Goodrich Jones State Forest.

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1964** (senate committee printing) in SECTION 1 of the bill, in added Section 88.1085, Education Code (page 1, line 29), by striking "1,733 acres" and substituting "1,722 acres".

The amendment to **CSSB 1964** 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-excused: Uresti.

Senator Creighton offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1964** (senate committee printing) in SECTION 1 of the bill, in added Section 88.1085(b), Education Code (page 1, line 32), between "open" and the period, insert "in a manner that maintains the tree canopy cover of the forest".

The amendment to **CSSB 1964** 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-excused: Uresti.

CSSB 1964 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:

Absent-excused: Uresti.

**COMMITTEE SUBSTITUTE
SENATE BILL 1964 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 **CSSB 1964** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

HOUSE BILL 1774 ON THIRD READING

Senator Hancock moved to suspend the regular order of business to take up for consideration **HB 1774** at this time on its third reading and final passage:

HB 1774, Relating to actions on and liability associated with certain insurance claims.

The motion prevailed by the following vote: Yeas 21, Nays 7, Present-not voting 1.

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, Rodríguez, Watson, West, Whitmire, Zaffirini.

Present-not voting: Miles.

Absent: Menéndez.

Absent-excused: Uresti.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 7, Present-not voting 1. (Same as previous roll call)

HOUSE BILL 1729 ON SECOND READING

Senator Garcia moved to suspend the regular order of business to take up for consideration **HB 1729** at this time on its second reading:

HB 1729, Relating to establishing and funding a grant program for testing evidence collected in relation to sexual assaults or other sex offenses; authorizing voluntary contributions.

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 Garcia offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1729** (senate committee report) in SECTION 3 of the bill by striking added Section 772.00715(f), Government Code (page 2, lines 44 and 45).

The amendment to **HB 1729** 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-excused: Uresti.

HB 1729 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.

Absent-excused: Uresti.

HOUSE BILL 1729 ON THIRD READING

Senator Garcia moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1729** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Hall.

Absent-excused: Uresti.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

(Senator Kolkhorst in Chair)

HOUSE BILL 1586 ON SECOND READING

Senator Estes moved to suspend the regular order of business to take up for consideration **HB 1586** at this time on its second reading:

HB 1586, Relating to the services that require a structural pest control license; changing the applicability of an occupational license.

The motion prevailed by the following vote: Yeas 23, Nays 7.

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

Nays: Burton, Creighton, Hall, Hancock, Huffines, Hughes, Taylor of Collin.

Absent-excused: Uresti.

The bill was read second time and was passed to third reading by the following vote: Yeas 23, Nays 7. (Same as previous roll call)

HOUSE BILL 1586 ON THIRD READING

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1586** be placed on its third reading and final passage.

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

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

Nays: Burton, Creighton, Hall, Huffines, Hughes, Taylor of Collin.

Absent-excused: Uresti.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 7.

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

Nays: Burton, Creighton, Hall, Hancock, Huffines, Hughes, Taylor of Collin.

Absent-excused: Uresti.

HOUSE BILL 1619 ON SECOND READING

Senator Buckingham moved to suspend the regular order of business to take up for consideration **HB 1619** at this time on its second reading:

HB 1619, Relating to the prosecution and punishment of certain outdoor burning violations.

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

Absent-excused: Uresti.

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:

Absent-excused: Uresti.

HOUSE BILL 1619 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 1619** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Burton and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Administration might meet at 8:30 a.m. tomorrow.

HOUSE BILL 999 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 999** at this time on its second reading:

HB 999, Relating to requiring the election of directors of certain districts to be held on a uniform election date.

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:

Absent-excused: Uresti.

HOUSE BILL 999 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 999** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

COMMITTEE SUBSTITUTE HOUSE BILL 3101 ON SECOND READING

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSHB 3101** at this time on its second reading:

CSHB 3101, Relating to authorizing the sale of alcoholic beverages on certain passenger buses; authorizing a fee.

The motion prevailed by the following vote: Yeas 28, Nays 2.

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

Nays: Hall, Perry.

Absent-excused: Uresti.

The bill was read second time and was passed to third reading by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

COMMITTEE SUBSTITUTE HOUSE BILL 3101 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 3101** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

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

Nays: Hall, Perry.

Absent-excused: Uresti.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2. (Same as previous roll call)

HOUSE BILL 1501 ON SECOND READING

Senator Rodríguez moved to suspend the regular order of business to take up for consideration **HB 1501** at this time on its second reading:

HB 1501, Relating to child custody evaluations; creating an offense.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Bettencourt.

Absent-excused: Uresti.

The bill was read second time and was passed to third reading by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

HOUSE BILL 1501 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 **HB 1501** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Bettencourt.

Absent-excused: Uresti.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

GUESTS PRESENTED

Senator Menéndez was recognized and introduced to the Senate Norteño band Intocable members: Ricardo Javier "Ricky" Muñoz, René Orlando Martínez, Sergio Serna, Daniel Sanchez, Jose Juan Hernandez, Alejandro Gulmar, and Felix Salinas.

The Senate welcomed its guests.

COMMITTEE SUBSTITUTE SENATE BILL 1682 ON SECOND READING

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSSB 1682** at this time on its second reading:

CSSB 1682, Relating to a building used as a prescribed pediatric extended care center.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Huffines.

Absent-excused: Uresti.

The bill was read second time and was passed to engrossment by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1682 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 **CSSB 1682** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Huffines.

Absent-excused: Uresti.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

(Senator Creighton in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 370 ON SECOND READING**

Senator Garcia moved to suspend the regular order of business to take up for consideration **CSSB 370** at this time on its second reading:

CSSB 370, Relating to the discipline and behavior management of a student enrolled in a grade level below grade three at a school district or open-enrollment charter school.

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

Yeas: Campbell, Garcia, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Perry, Rodríguez, Seliger, Taylor of Galveston, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Burton, Creighton, Estes, Hall, Hancock, Nichols, Schwertner, Taylor of Collin.

Absent-excused: Uresti.

The bill was read second time.

(President in Chair)

Senator Garcia offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 370** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 12.104(b)(2)(J), Education Code (page 1, line 56), between "including" and "the", insert ", if applicable,".

(2) In SECTION 2 of the bill, strike added Section 21.451(d)(4), Education Code (page 2, lines 35 through 38), and substitute the following:

(4) notwithstanding Subdivision (1)(C), if the school district implements a positive behavior or early detection and prevention program under Section 37.0183, must include training on the program for educators who work with students enrolled in a grade level below grade three.

(3) In SECTION 5 of the bill, in added Sections 37.0183(a) and (b), Education Code, strike "Each school district shall" and substitute "A school district may" in each of the following places:

(A) page 3, lines 51 and 52; and

(B) page 3, line 67.

(4) In SECTION 5 of the bill, in added Section 37.0183(e), Education Code (page 4, line 11), between "district" and "shall", insert "that implements a program under Subsection (a) or (b)".

(5) In SECTION 5 of the bill, in added Section 37.0183(e)(1), Education Code (page 4, line 13), strike "each program under this section" and substitute "the program".

(6) In SECTION 5 of the bill, in added Section 37.0183(e)(3), Education Code (page 4, line 17), strike "the programs as required by this section" and substitute "the program".

The amendment to **CSSB 370** 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-excused: Uresti.

Senator Garcia offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 370** (senate committee printing) as follows:

(1) In SECTION 4 of the bill, in added Section 37.005(c), Education Code (page 3, line 34), between "suspension" and the underlined period, insert "for any reason other than engaging in conduct for which the student may be expelled under Section 37.007".

(2) In SECTION 5 of the bill, in added Section 37.0183(a)(5), Education Code (page 3, lines 61 and 62), strike "or placements in a disciplinary alternative education program".

(3) In SECTION 5 of the bill, in added Section 37.0183(e), Education Code (page 4, line 13), between "section" and the underlined semicolon, insert ", including procedures identifying the role of the campus behavior coordinator in implementing the program under Subsection (a)".

The amendment to **CSSB 370** 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-excused: Uresti.

CSSB 370 as amended was passed to engrossment by the following vote: Yeas 17, Nays 13.

Yeas: Campbell, Garcia, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Rodríguez, Seliger, Taylor of Galveston, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Burton, Creighton, Estes, Hall, Hancock, Huffines, Nichols, Perry, Schwertner, Taylor of Collin.

Absent-excused: Uresti.

HOUSE BILL 834 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 834** at this time on its second reading:

HB 834, Relating to regulating the custody transfer of an adopted child; creating a criminal offense.

The bill was read second time.

Senator Birdwell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 834** (senate committee printing) in SECTION 3 of the bill, in added Section 25.081(a)(1), Penal Code (page 1, lines 48-49), by striking "adopted through a governmental entity or a private child placement agency" and substituting "who was legally adopted through a governmental entity or through private means".

The amendment to **HB 834** 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-excused: Uresti.

HB 834 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:

Absent-excused: Uresti.

HOUSE BILL 834 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 834** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

SENATE BILL 2291 ON SECOND READING

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2291** at this time on its second reading:

SB 2291, Relating to the Texas Medal for the Defense of Freedom award.

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:

Absent-excused: Uresti.

SENATE BILL 2291 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 **SB 2291** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

(Senator Huffman in Chair)

COMMITTEE SUBSTITUTE

SENATE BILL 370 ON THIRD READING

Senator Garcia moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 370** be placed on its third reading and final passage:

CSSB 370, Relating to the discipline and behavior management of a student enrolled in a grade level below grade three at a school district or open-enrollment charter school.

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

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

Nays: Birdwell, Creighton, Estes, Hall, Nichols, Schwertner.

Absent-excused: Uresti.

The bill was read third time and was passed by the following vote: Yeas 17, Nays 13.

Yeas: Campbell, Garcia, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Rodríguez, Seliger, Taylor of Galveston, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Burton, Creighton, Estes, Hall, Hancock, Huffines, Nichols, Perry, Schwertner, Taylor of Collin.

Absent-excused: Uresti.

HOUSE BILL 1101 ON SECOND READING

On motion of Senator Rodríguez and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1101** at this time on its second reading:

HB 1101, Relating to the authority of the chief appraiser of an appraisal district to require a person to file a new application to confirm the person's current qualification for the exemption from ad valorem taxation of the total appraised value of the residence homestead of a 100 percent disabled veteran.

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:

Absent-excused: Uresti.

HOUSE BILL 1101 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 **HB 1101** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

HOUSE BILL 920 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 920** at this time on its second reading:

HB 920, Relating to the operation of all-terrain vehicles and recreational off-highway vehicles.

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 920** (senate committee printing) in SECTION 1 of the bill, in amended Section 663.037(g), Transportation Code (page 1, lines 55-61), by striking Subdivisions (3)-(5) and substituting the following:

(3) the vehicle's headlights and taillights are illuminated;

(4) the operator [~~officer~~] holds a driver's license, as defined by Section 521.001; and

(5) the operation of the all-terrain vehicle does not exceed a distance of 25 miles from the point of origin to the destination.

The amendment to **HB 920** was read.

Question: Shall Floor Amendment No. 1 to **HB 920** be adopted?

HOUSE BILLS AND RESOLUTION ON FIRST READING

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

HB 298 to Committee on Criminal Justice.

HB 550 to Committee on Agriculture, Water, and Rural Affairs.

HB 912 to Committee on Transportation.

HB 1300 to Committee on Natural Resources and Economic Development.

HB 1611 to Committee on Transportation.

HB 1622 to Committee on Finance.

HB 1731 to Committee on Education.

HB 2611 to Committee on Education.

HB 2619 to Committee on Criminal Justice.

HB 3649 to Committee on State Affairs.

HB 3655 to Committee on State Affairs.

HB 3871 to Committee on Business and Commerce.

HB 3997 to Committee on Business and Commerce.

HCR 61 to Committee on Administration.

BILLS AND RESOLUTION SIGNED

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

HB 88, HB 294, HB 544, HB 635, HB 728, HB 873, HB 886, HB 979, HB 1073, HB 1197, HB 1221, HB 1227, HB 1345, HB 1406, HB 1709, HB 1790, HB 1793, HB 2027, HB 2056, HB 2580, HB 2968, HB 3536, HB 4156, HCR 31.

Question: Shall Floor Amendment No. 1 to **HB 920** be adopted?

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

Floor Amendment No. 2

Amend Floor Amendment No. 1 by Creighton, to **HB 920**, on page 1, line 10, by striking "25" and substituting "10 [~~25~~]"

The amendment to Floor Amendment No. 1 to **HB 920** 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-excused: Uresti.

Question recurring on the adoption of Floor Amendment No. 1 to **HB 920**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 as amended except as follows:

Absent-excused: Uresti.

HB 920 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:

Absent-excused: Uresti.

HOUSE BILL 920 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 920** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

HOUSE BILL 932 ON SECOND READING

On motion of Senator West and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 932** at this time on its second reading:

HB 932, Relating to the collection of information concerning the number of juvenile offenders committed to the Texas Juvenile Justice Department who have been in foster care.

The bill was read second time.

Senator West offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 932** (senate committee printing) in SECTION 1 of the bill, in added Section 243.008, Human Resources Code, following added Section 243.008(b) (page 1, between lines 36 and 37), by adding new Sections 243.008(c), (d), and (e) as follows and relettering existing Subsection (c) and any subsequent subsections of the section as appropriate:

(c) The Department of Family and Protective Services shall, not later than the 14th day after receiving a request from a local juvenile probation department, provide the following information regarding a child in the custody of the probation department:

(1) whether the child is currently or has been in foster care; and

(2) if applicable, the number of times the child has previously been placed in foster care.

(d) The department, the Department of Family and Protective Services, and local juvenile probation departments shall collaborate to create a method or methods by which probation departments statewide may access information from the Department of Family and Protective Services relating to a child's placement in foster care. Not later than March 1, 2018, the department shall submit a report containing the method or methods created under this subsection to each member of the legislature and each standing committee of the legislature having primary jurisdiction over the department. This subsection expires April 1, 2018.

The amendment to **HB 932** 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-excused: Uresti.

HB 932 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:

Absent-excused: Uresti.

HOUSE BILL 932 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 932** be placed on its third reading and final passage.

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

Absent-excused: Uresti.

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

SENATE BILL 587 WITH HOUSE AMENDMENTS

Senator Campbell called **SB 587** 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 587** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to the ability of certain dependents of members of the United States military to enroll full-time in courses provided through the state virtual school network.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 30A.002(b), Education Code, is amended to read as follows:

(b) A student is eligible to enroll full-time in courses provided through the state virtual school network only if the student:

(1) was enrolled in a public school in this state in the preceding school year;

[or]

(2) is a dependent of a member of the United States military who has been deployed or transferred to this state and was enrolled in a publicly funded school outside of this state in the preceding school year; or

(3) has been placed in substitute care in this state, regardless of whether the student was enrolled in a public school in this state in the preceding school year.

SECTION 2. This Act applies beginning with the 2017-2018 school year.

SECTION 3. 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, 2017.

Floor Amendment No. 1

Amend **CSSB 587** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill appropriately:

SECTION _____. Section 30A.052(c), Education Code, is amended to read as follows:

(c) The commissioner shall[+]

[~~(4)~~] employ a limited number of administrative employees in connection with the network[~~;~~ and

[~~(2)~~] ~~contract with a regional education service center for the service center to operate the network~~].

The amendments were read.

Senator Campbell moved to concur in the House amendments to **SB 587**.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: West.

Absent-excused: Uresti.

SENATE BILL 179 WITH HOUSE AMENDMENTS

Senator Menéndez called **SB 179** 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 179** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to harassment, bullying, and cyberbullying of a public school student or minor and certain mental health programs for public school students.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act shall be known as David's Law.

SECTION 2. Section 37.0832, Education Code, is amended by amending Subsections (a) and (c) and adding Subsection (a-1) to read as follows:

(a) In this section:

(1) "Bullying":

(A) [~~,"bullying"~~] means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves [~~subject to Subsection (b),~~] engaging in written or verbal expression, expression through electronic means, or physical conduct, that satisfies the

applicability requirements provided by Subsection (a-1), [that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the district] and that:

(i) [(1)] has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; [or]

(ii) [(2)] is sufficiently severe, persistent, or [and] pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;

(iii) materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or

(iv) infringes on the rights of the victim at school; and

(B) includes cyberbullying.

(2) "Cyberbullying" means bullying that is done through the use of electronic communication, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

(a-1) This section applies to:

(1) bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;

(2) bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and

(3) cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:

(A) interferes with a student's educational opportunities; or

(B) substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

(c) The board of trustees of each school district shall adopt a policy, including any necessary procedures, concerning bullying that:

(1) prohibits the bullying of a student;

(2) prohibits retaliation against any person, including a victim, a witness, or another person, who in good faith provides information concerning an incident of bullying;

(3) establishes a procedure for providing notice of an incident of bullying to a parent or guardian of the alleged victim and a parent or guardian of the alleged bully within a reasonable amount of time after the incident;

(4) establishes the actions a student should take to obtain assistance and intervention in response to bullying;

(5) sets out the available counseling options for a student who is a victim of or a witness to bullying or who engages in bullying;

(6) establishes procedures for reporting an incident of bullying, including procedures for a student to anonymously report an incident of bullying, investigating a reported incident of bullying, and determining whether the reported incident of bullying occurred;

(7) prohibits the imposition of a disciplinary measure on a student who, after an investigation, is found to be a victim of bullying, on the basis of that student's use of reasonable self-defense in response to the bullying; and

(8) requires that discipline for bullying of a student with disabilities comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

SECTION 3. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.0052 to read as follows:

Sec. 37.0052. PLACEMENT OR EXPULSION OF STUDENTS WHO HAVE ENGAGED IN CERTAIN BULLYING BEHAVIOR. (a) In this section:

(1) "Bullying" has the meaning assigned by Section 37.0832.

(2) "Intimate visual material" has the meaning assigned by Section 98B.001, Civil Practice and Remedies Code.

(b) A student may be removed from class and placed in a disciplinary alternative education program as provided by Section 37.008 or expelled if the student:

(1) engages in bullying that encourages a minor to commit or attempt to commit suicide;

(2) incites violence against a minor through group bullying; or

(3) releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.

(c) Nothing in this section exempts a school from reporting a finding of intimate visual material of a minor.

SECTION 4. Sections 37.218(a)(1) and (2), Education Code, are amended to read as follows:

(1) "Bullying" has the meaning assigned by Section 37.0832 ~~[25.0342]~~.

(2) "Cyberbullying" has the meaning assigned by Section 37.0832 ~~[means the use of any electronic communication device to engage in bullying or intimidation]~~.

SECTION 5. Section 12.104(b), Education Code, is amended to read as follows:

(b) An open-enrollment charter school is subject to:

(1) a provision of this title establishing a criminal offense; and

(2) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B) criminal history records under Subchapter C, Chapter 22;

(C) reading instruments and accelerated reading instruction programs under Section 28.006;

(D) accelerated instruction under Section 28.0211;

(E) high school graduation requirements under Section 28.025;

(F) special education programs under Subchapter A, Chapter 29;

(G) bilingual education under Subchapter B, Chapter 29;

(H) prekindergarten programs under Subchapter E or E-1, Chapter 29;

(I) extracurricular activities under Section 33.081;

(J) discipline management practices or behavior management techniques under Section 37.0021;

- (K) health and safety under Chapter 38;
- (L) public school accountability under Subchapters B, C, D, E, F, G, and J, Chapter 39;
- (M) the requirement under Section 21.006 to report an educator's misconduct;
- (N) intensive programs of instruction under Section 28.0213; ~~and~~
- (O) the right of a school employee to report a crime, as provided by Section 37.148; and
- (P) bullying prevention policies and procedures under Section 37.0832.

SECTION 6. Section 21.054, Education Code, is amended by adding Subsections (d-2) and (e-2) to read as follows:

(d-2) Continuing education requirements for a classroom teacher may include instruction regarding how grief and trauma affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.

(e-2) Continuing education requirements for a principal may include instruction regarding how grief and trauma affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.

SECTION 7. Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.462 to read as follows:

Sec. 21.462. RESOURCES REGARDING STUDENTS WITH MENTAL HEALTH NEEDS. The agency, in coordination with the Health and Human Services Commission, shall establish and maintain an Internet website to provide resources for school district or open-enrollment charter school employees regarding working with students with mental health conditions. The agency must include on the Internet website information about:

- (1) grief-informed and trauma-informed practices;
- (2) building skills related to managing emotions, establishing and maintaining positive relationships, and responsible decision-making;
- (3) positive behavior interventions and supports; and
- (4) a safe and supportive school climate.

SECTION 8. Section 33.006(b), Education Code, is amended to read as follows:

(b) In addition to a school counselor's responsibility under Subsection (a), the school counselor shall:

(1) participate in planning, implementing, and evaluating a comprehensive developmental guidance program to serve all students and to address the special needs of students:

- (A) who are at risk of dropping out of school, becoming substance abusers, participating in gang activity, or committing suicide;
- (B) who are in need of modified instructional strategies; or
- (C) who are gifted and talented, with emphasis on identifying and serving gifted and talented students who are educationally disadvantaged;

(2) consult with a student's parent or guardian and make referrals as appropriate in consultation with the student's parent or guardian;

- (3) consult with school staff, parents, and other community members to help them increase the effectiveness of student education and promote student success;
- (4) coordinate people and resources in the school, home, and community;
- (5) with the assistance of school staff, interpret standardized test results and other assessment data that help a student make educational and career plans; ~~and~~
- (6) deliver classroom guidance activities or serve as a consultant to teachers conducting lessons based on the school's guidance curriculum; and
- (7) serve as an impartial, nonreporting resource for interpersonal conflicts and discord involving two or more students, including accusations of bullying under Section 37.0832.

SECTION 9. Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 129A to read as follows:

CHAPTER 129A. RELIEF FOR CYBERBULLYING OF CHILD

Sec. 129A.001. DEFINITION. In this chapter, "cyberbullying" has the meaning assigned by Section 37.0832(a), Education Code.

Sec. 129A.002. INJUNCTIVE RELIEF. (a) A recipient of cyberbullying behavior who is younger than 18 years of age at the time the cyberbullying occurs or a parent of or person standing in parental relation to the recipient may seek injunctive relief under this chapter against the individual who was cyberbullying the recipient or, if the individual is younger than 18 years of age, against a parent of or person standing in parental relation to the individual.

(b) A court may issue a temporary restraining order, temporary injunction, or permanent injunction appropriate under the circumstances to prevent any further cyberbullying, including an order or injunction:

- (1) enjoining a defendant from engaging in cyberbullying; or
- (2) compelling a defendant who is a parent of or person standing in parental relation to an individual who is younger than 18 years of age to take reasonable actions to cause the individual to cease engaging in cyberbullying.

(c) A plaintiff in an action for injunctive relief brought under this section is entitled to a temporary restraining order on showing that the plaintiff is likely to succeed in establishing that the individual was cyberbullying the recipient. The plaintiff is not required to plead or prove that, before notice can be served and a hearing can be held, immediate and irreparable injury, loss, or damage is likely to result from past or future cyberbullying by the individual against the recipient.

(d) A plaintiff is entitled to a temporary or permanent injunction under this section on showing that the individual was cyberbullying the recipient.

(e) A temporary restraining order or temporary injunction granted under this section shall order the preservation of any relevant electronic communication. The temporary restraining order or temporary injunction is not required to:

- (1) define the injury or state why it is irreparable;
- (2) state why the order was granted without notice; or
- (3) include an order setting the cause for trial on the merits with respect to the ultimate relief requested.

Sec. 129A.003. PROMULGATION OF FORMS. (a) The supreme court shall, as the court finds appropriate, promulgate forms for use as an application for initial injunctive relief by individuals representing themselves in suits involving cyberbullying and instructions for the proper use of each form or set of forms.

(b) The forms and instructions:

(1) must be written in language that is easily understood by the general public;

(2) shall be made readily available to the general public in the manner prescribed by the supreme court; and

(3) must be translated into the Spanish language.

(c) The Spanish language translation of a form must:

(1) state:

(A) that the Spanish language translated form is to be used solely for the purpose of assisting in understanding the form and may not be submitted to the court; and

(B) that the English language version of the form must be submitted to the court; or

(2) be incorporated into the English language version of the form in a manner that is understandable to both the court and members of the general public.

(d) Each form and its instructions must clearly and conspicuously state that the form is not a substitute for the advice of an attorney.

(e) The attorney general and the clerk of a court shall inform members of the general public of the availability of a form promulgated by the supreme court under this section as appropriate and make the form available free of charge.

(f) A court shall accept a form promulgated by the supreme court under this section unless the form has been completed in a manner that causes a substantive defect that cannot be cured.

Sec. 129A.004. INAPPLICABILITY. (a) An action filed under this chapter may not be joined with an action filed under Title 1, 4, or 5, Family Code.

(b) Chapter 27 does not apply to an action under this chapter.

Sec. 129A.005. CERTAIN CONDUCT EXCEPTED. This chapter does not apply to a claim brought against an interactive computer service, as defined by 47 U.S.C. Section 230, for cyberbullying.

SECTION 10. Sections 161.325(a-1), (d), (e), (f), and (i), Health and Safety Code, are amended to read as follows:

(a-1) The list must include programs in the following areas:

(1) early mental health intervention;

(2) mental health promotion [~~and positive youth development~~];

(3) substance abuse prevention;

(4) substance abuse intervention; [~~and~~]

(5) suicide prevention;

(6) grief-informed and trauma-informed practices;

(7) building skills related to managing emotions, establishing and maintaining positive relationships, and responsible decision-making;

(8) positive behavior interventions and supports and positive youth development; and

(9) safe and supportive school climate.

(d) A [The board of trustees of each] school district shall develop practices and procedures [may adopt a policy] concerning each area listed in Subsection (a-1), including mental health promotion and intervention, substance abuse prevention and intervention, and suicide prevention that:

(1) includes [establishes] a procedure for providing notice of a recommendation for early mental health or substance abuse intervention regarding a student to a parent or guardian of the student within a reasonable amount of time after the identification of early warning signs as described by Subsection (b)(2);

(2) includes [establishes] a procedure for providing notice of a student identified as at risk of committing suicide to a parent or guardian of the student within a reasonable amount of time after the identification of early warning signs as described by Subsection (b)(2);

(3) establishes that the district may develop a reporting mechanism and may designate at least one person to act as a liaison officer in the district for the purposes of identifying students in need of early mental health or substance abuse intervention or suicide prevention; and

(4) sets out available counseling alternatives for a parent or guardian to consider when their child is identified as possibly being in need of early mental health or substance abuse intervention or suicide prevention.

(e) The practices and procedures developed under Subsection (d) [policy] must prohibit the use without the prior consent of a student's parent or guardian of a medical screening of the student as part of the process of identifying whether the student is possibly in need of early mental health or substance abuse intervention or suicide prevention.

(f) The practices [policy] and [any necessary] procedures developed [adopted] under Subsection (d) must be included in:

(1) the annual student handbook; and

(2) the district improvement plan under Section 11.252, Education Code.

(i) Nothing in this section is intended to interfere with the rights of parents or guardians and the decision-making regarding the best interest of the child. Practices [Policy] and procedures developed [adopted] in accordance with this section are intended to notify a parent or guardian of a need for mental health or substance abuse intervention so that a parent or guardian may take appropriate action. Nothing in this section shall be construed as giving school districts the authority to prescribe medications. Any and all medical decisions are to be made by a parent or guardian of a student.

SECTION 11. Sections 42.07(a) and (c), Penal Code, are amended to read as follows:

(a) A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:

(1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;

(2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;

(3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;

(4) causes the telephone of another to ring repeatedly or makes repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;

(5) makes a telephone call and intentionally fails to hang up or disengage the connection;

(6) knowingly permits a telephone under the person's control to be used by another to commit an offense under this section; ~~or~~

(7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; or

(8) engages in bullying, as that term is defined by Section 37.0832(a), Education Code.

(c) An offense under this section is a Class B misdemeanor, except that the offense is a Class A misdemeanor if the actor:

(1) has previously been convicted under this section; or

(2) engages in the conduct described by Subsection (a)(8) and:

(A) the actor has previously violated a temporary restraining order or injunction issued under Chapter 129A, Civil Practice and Remedies Code; or

(B) the actor's conduct results in serious bodily injury or death.

SECTION 12. Section 42.07(b)(1), Penal Code, is amended to read as follows:

(1) "Electronic communication" means a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. The term includes:

(A) a communication initiated through the use of [by] electronic mail, instant message, network call, a cellular or other type of telephone, a computer, a camera, text message, a social media platform or application, an Internet website, any other Internet-based communication tool, or facsimile machine; and

(B) a communication made to a pager.

SECTION 13. Section 37.0832(b), Education Code, is repealed.

SECTION 14. The change in law made by this Act applies only to an offense committed or conduct violating a penal law of this state that occurs on or after the effective date of this Act. An offense committed or conduct that occurs before the effective date of this Act is governed by the law in effect on the date the offense was committed or conduct occurred, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed or conduct violating a penal law of this state occurred before the effective date of this Act if any element of the offense or conduct occurred before that date.

SECTION 15. It is the intent of the legislature that every provision, section, subsection, sentence, clause, phrase, or word in this Act, and every application of the provisions in this Act to each person or entity, are severable from each other. If any application of any provision in this Act to any person, group of persons, or

circumstances is found by a court to be invalid for any reason, the remaining applications of that provision to all other persons and circumstances shall be severed and may not be affected.

SECTION 16. This Act takes effect September 1, 2017.

Floor Amendment No. 1

Amend **CSSB 179** (house committee report) as follows:

(1) On page 14, line 8, strike "Sections 42.07(a) and (c), Penal Code, are" and substitute "Section 42.07(c), Penal Code, is".

(2) Strike page 14, line 10 through page 15, line 9.

(3) On page 15, strike lines 11-20 and substitute the following:
except that the offense is a Class A misdemeanor if:

(1) the actor has previously been convicted under this section; or

(2) the offense was committed under Subsection (a)(7) and the actor:

(A) has previously violated a temporary restraining order or injunction issued under Chapter 129A, Civil Practice and Remedies Code; or

(B) intentionally causes a child under 18 years of age to:

(i) commit suicide; or

(ii) engage in conduct causing serious bodily injury to the child.

Floor Amendment No. 2

Amend **CSSB 179** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 5.001, Education Code, is amended by adding Subdivisions (5-a) and (9) to read as follows:

(5-a) "Mental health condition" means an illness, disease, or disorder, other than epilepsy, dementia, substance abuse, or intellectual disability, that:

(A) substantially impairs a person's thought, perception of reality, emotional process, or judgment; or

(B) grossly impairs behavior as demonstrated by recent disturbed behavior.

(9) "Substance abuse" means a patterned use of a substance, including a controlled substance, as defined by Chapter 481, Health and Safety Code, and alcohol, in which the person consumes the substance in amounts or with methods that are harmful to the person's self or to others.

The amendments were read.

Senator Menéndez moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The Presiding Officer asked if there were any motions to instruct the conference committee on **SB 179** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators Menéndez, Chair; Huffman, Zaffirini, Creighton, and Nelson.

SENATE BILL 1289 WITH HOUSE AMENDMENTS

Senator Creighton called **SB 1289** 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 1289** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT

relating to the purchase of iron and steel products made in the United States for certain governmental entity projects.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2252, Government Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. CERTAIN CONSTRUCTION AND INSTALLATION PROJECTS

Sec. 2252.201. DEFINITIONS. In this subchapter:

(1) "Governmental entity" means this state or a board, commission, department, office, or other agency in the executive branch of state government. The term does not include a political subdivision.

(2) "Manufacturing process" means the application of a process to alter the form or function of materials or elements of a product in a manner that adds value and transforms the materials or elements into a new finished product that is functionally different from a finished product produced merely from assembling the materials or elements into a product.

(3) "Political subdivision" includes a county, municipality, municipal utility district, water control and improvement district, special utility district, and other types of water district.

(4) "Produced in the United States" means, with respect to iron and steel products, a product for which all manufacturing processes, from initial melting through application of coatings, occur in the United States, other than metallurgical processes to refine steel additives.

(5) "Project" means a contract between a governmental entity and another person, including a political subdivision, to:

(A) construct, remodel, or alter a building, a structure, or infrastructure;

(B) supply a material for a project described by Paragraph (A); or

(C) finance, refinance, or provide money from funds administered by a governmental entity for a project described by Paragraph (A).

Sec. 2252.202. UNIFORM PURCHASING CONDITION; RULES. (a) Except as provided by Section 2252.203, the uniform general conditions for a project in which iron or steel products will be used must require that the bid documents provided to all bidders and the contract include a requirement that any iron or steel product used in the project be produced in the United States.

(b) A governmental entity subject to the requirements for a project described by Subsection (a) shall adopt rules to promote compliance with this section.

Sec. 2252.203. EXEMPTIONS. (a) Section 2252.202 does not apply to a project for which the governing body of the governmental entity responsible for the project determines that:

(1) iron or steel products produced in the United States are not:

(A) produced in sufficient quantities;

(B) reasonably available; or

(C) of a satisfactory quality;

(2) use of iron or steel products produced in the United States will increase the total cost of the project by more than 20 percent; or

(3) complying with that section is inconsistent with the public interest.

(b) Electrical components, equipment, systems, and appurtenances, including supports, covers, shielding, and other appurtenances related to an electrical system, necessary for operation or concealment are not considered to be iron or steel products and are exempt from the requirements of Section 2252.202. An electrical system includes all equipment, facilities, and assets owned by an electric utility, as that term is defined in Section 31.002, Utilities Code.

(c) Section 2252.202 does not apply to a contract subject to Section 223.045, Transportation Code, or 23 C.F.R. Section 635.410.

Sec. 2252.204. INTERNATIONAL AGREEMENTS. This subchapter shall be applied in a manner consistent with this state's obligations under any international agreement.

Sec. 2252.205. CONFLICT OF LAW. To the extent of any conflict or inconsistency, this subchapter prevails over any other state law relating to the use of iron and steel products in projects directly funded by a governmental entity or financed by funds administered by a governmental entity.

SECTION 2. Section 223.045, Transportation Code, is amended to read as follows:

Sec. 223.045. IRON AND STEEL PREFERENCE PROVISIONS IN IMPROVEMENT CONTRACTS. A contract awarded by the department for the improvement of the state highway system without federal aid must contain the same preference provisions for iron and steel and iron and steel products that are required under federal law for an improvement made with federal aid.

SECTION 3. Section 17.183(a), Water Code, is amended to read as follows:

(a) The governing body of each political subdivision receiving financial assistance from the board shall require in all contracts for the construction of a project:

(1) that each bidder furnish a bid guarantee equivalent to five percent of the bid price;

(2) that each contractor awarded a construction contract furnish performance and payment bonds:

(A) the performance bond shall include without limitation guarantees that work done under the contract will be completed and performed according to approved plans and specifications and in accordance with sound construction principles and practices; and

(B) the performance and payment bonds shall be in a penal sum of not less than 100 percent of the contract price and remain in effect for one year beyond the date of approval by the engineer of the political subdivision;

(3) that payment be made in partial payments as the work progresses;

(4) that each partial payment shall not exceed 95 percent of the amount due at the time of the payment as shown by the engineer of the project, but, if the project is substantially complete, a partial release of the five percent retainage may be made by the political subdivision with approval of the executive administrator;

(5) that payment of the retainage remaining due upon completion of the contract shall be made only after:

(A) approval by the engineer for the political subdivision as required under the bond proceedings;

(B) approval by the governing body of the political subdivision by a resolution or other formal action; and

(C) certification by the executive administrator in accordance with the rules of the board that the work to be done under the contract has been completed and performed in a satisfactory manner and in accordance with approved plans and specifications;

(6) that no valid approval may be granted unless the work done under the contract has been completed and performed in a satisfactory manner according to approved plans and specifications;

(7) that, if a political subdivision receiving financial assistance under Subchapter K of this chapter, labor from inside the political subdivision be used to the extent possible; and

(8) that the contract include a requirement that iron and steel products ~~[and manufactured goods]~~ used in the project be produced in the United States, unless:

(A) such products ~~[or goods]~~ are not:

(i) available in sufficient quantities;

(ii) readily available; or

(iii) of a satisfactory quality; or

(B) the use of such products ~~[or goods]~~ will increase the total cost of the project by more than 20 percent.

SECTION 4. Section 17.183(c)(4), Water Code, is amended to read as follows:

(4) "Produced in the United States" means[-

~~[(A)]~~ in the case of iron and steel products, products for which all manufacturing processes, from initial melting through application of coatings, take place in the United States, except metallurgical processes that involve the refinement of steel additives]; ~~and~~

~~[(B) in the case of a manufactured good, a good for which:~~

~~[(i) all of the manufacturing process that produced the manufactured good takes place in the United States; and~~

~~[(ii) more than 60 percent of the components of the manufactured good, by cost, originate in the United States].~~

SECTION 5. Sections 17.183(c)(1) and (2) and (d), Water Code, are repealed.

SECTION 6. (a) Subchapter F, Chapter 2252, Government Code, as added by this Act, applies only to bid documents submitted or contracts entered into on or after the effective date of this Act.

(b) Subchapter F, Chapter 2252, Government Code, as added by this Act, does not apply to a project as described by Section 15.432 or 15.472, Water Code, that the Texas Water Development Board has formally approved for financial assistance before the effective date of this Act. In this subsection, the term "formally approved" includes any project that is the subject of a resolution approving an application for financial assistance adopted by the Texas Water Development Board before January 1, 2018, for any portion of the financing of the project.

SECTION 7. This Act takes effect September 1, 2017.

Floor Amendment No. 1

Amend **CSSB 1289** (house committee report), on page 2, line 18, by striking "used in the project" and substituting "produced through a manufacturing process and used in the project".

The amendments were read.

Senator Creighton moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The Presiding Officer asked if there were any motions to instruct the conference committee on **SB 1289** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators Creighton, Chair; Lucio, Menéndez, Nichols, and Perry.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Estes and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Natural Resources and Economic Development might meet at his desk and consider the following bills today: **HB 1300, HB 108, HB 4187, HB 3360**.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Intergovernmental Relations might meet at his desk and consider **HB 1009** today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Buckingham and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Health and Human Services might meet and consider the following bills today:

HB 2962, HB 337, HB 810, HB 661, HB 3204.

SENATE RULES SUSPENDED
(Posting Rules)

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

HB 1036, HB 3047, HB 3131, HB 2949, HB 3003, HB 2542, HB 3879, HB 2304, HB 3052.

SENATE RULES SUSPENDED
(Posting Rules)

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

HB 31, HB 1207, HB 1208, HB 1260, HB 1724, HB 2004, HB 2369, HB 2377, HB 2817, HB 2825, HB 2938, HB 3025, HB 3735, HB 3987.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Taylor of Galveston and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet at his desk today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Taylor of Galveston and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet and consider the following bills tomorrow:

SB 155, HB 2537, HB 3706, HB 3270.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Campbell and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Veteran Affairs and Border Security might meet and consider the following bills today: **HB 1905, HB 3567.**

(President in Chair)**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Hinojosa and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Finance might meet and consider **HB 28** tomorrow.

CO-AUTHORS OF SENATE BILL 370

On motion of Senator Garcia, Senators Menéndez and Rodríguez will be shown as Co-authors of **SB 370**.

CO-SPONSOR OF HOUSE BILL 8

On motion of Senator Nelson, Senator Campbell will be shown as Co-sponsor of **HB 8**.

CO-SPONSORS OF HOUSE BILL 29

On motion of Senator Huffman, Senators Hinojosa, Kolkhorst, and West will be shown as Co-sponsors of **HB 29**.

CO-SPONSOR OF HOUSE BILL 45

On motion of Senator Huffman, Senator Hughes will be shown as Co-sponsor of **HB 45**.

CO-SPONSOR OF HOUSE BILL 239

On motion of Senator Whitmire, Senator Garcia will be shown as Co-sponsor of **HB 239**.

CO-SPONSOR OF HOUSE BILL 490

On motion of Senator Kolkhorst, Senator Lucio will be shown as Co-sponsor of **HB 490**.

CO-SPONSOR OF HOUSE BILL 674

On motion of Senator Garcia, Senator West will be shown as Co-sponsor of **HB 674**.

CO-SPONSOR OF HOUSE BILL 1729

On motion of Senator Garcia, Senator Nelson will be shown as Co-sponsor of **HB 1729**.

CO-SPONSOR OF HOUSE BILL 1808

On motion of Senator Garcia, Senator Perry will be shown as Co-sponsor of **HB 1808**.

CO-SPONSOR OF HOUSE BILL 1816

On motion of Senator Creighton, Senator Garcia will be shown as Co-sponsor of **HB 1816**.

CO-SPONSORS OF HOUSE BILL 1819

On motion of Senator Perry, Senators Estes and Schwertner will be shown as Co-sponsors of **HB 1819**.

CO-SPONSOR OF HOUSE BILL 2252

On motion of Senator Taylor of Galveston, Senator Zaffirini will be shown as Co-sponsor of **HB 2252**.

CO-SPONSOR OF HOUSE CONCURRENT RESOLUTION 101

On motion of Senator Huffman, Senator Hughes will be shown as Co-sponsor of **HCR 101**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 799 by Hughes, In memory of Howard Payne Coghlan.

Congratulatory Resolutions

SR 798 by Hughes, Recognizing Brad Chappell on the occasion of his retirement.

SR 800 by Seliger, Recognizing Mark Wade Sheffield Sr. on the occasion of his 60th birthday.

SR 801 by Hancock, Recognizing search and rescue dog Luca for his life-saving actions.

SR 802 by Zaffirini, Recognizing Philip and Elizabeth Wales for their service to the nation.

SR 803 by Zaffirini, Recognizing STCH Ministries on the occasion of its 65th anniversary.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 5:10 p.m. adjourned until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

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

May 17, 2017

AGRICULTURE, WATER, AND RURAL AFFAIRS — **HB 3398, CSHB 367, CSHB 1891, CSHB 2567, HB 3433, HB 2798, HB 1730, HB 1083, HB 338, HB 3907, HB 4291, HB 3185**

CRIMINAL JUSTICE — **HB 3130, HB 3167, HB 4280, HB 238, HB 239, CSHB 1111, HB 678, HB 1442, HB 1810, HB 1860, HB 1866, HB 3051, HB 2931**

STATE AFFAIRS — **CSHB 62**

HEALTH AND HUMAN SERVICES — **CSHB 2950, HB 3859, CSHB 4**

HIGHER EDUCATION — **HB 2285, HCR 102**

CRIMINAL JUSTICE — **HB 1780, HB 2359, HB 1779, HB 3237**

HEALTH AND HUMAN SERVICES — **CSHB 1600, CSHB 1407**

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — **HB 2819, HB 3726, HB 4181, CSHB 2662, HB 2588, HB 2443, HB 2386, HB 2252, HB 2079, HB 1515, HB 1481**

BUSINESS AND COMMERCE — **HB 1989, HB 1990, HB 2856, HB 10, HB 490, HB 931, HB 1099, HB 1247, HB 2053, HB 2275, HB 2339, HB 2463, HB 2546, HB 2765, HB 3124, HB 3223, HB 3496, HJR 37, HB 471**

INTERGOVERNMENTAL RELATIONS — **SB 2297 (Amended), SB 2298 (Amended), SB 2299 (Amended), SB 2295 (Amended), SB 2296 (Amended), HB 1631, HB 1716, CSSB 702, HB 2985, CSHB 2912, HB 2351, HB 2566, HB 2565, HB 2803, HB 3727, CSHB 3178, HB 3504, HB 3470, CSHB 3453**

HEALTH AND HUMAN SERVICES — **HB 492, HB 3934, HB 3338, HB 1787, HB 1917, HB 785, HB 280, CSHB 1486, CSHB 13, HB 284, HB 1543, HB 1642**

HIGHER EDUCATION — **CSHB 2994**

CRIMINAL JUSTICE — **CSSB 1424**

VETERAN AFFAIRS AND BORDER SECURITY — **CSHB 846**

HIGHER EDUCATION — **CSHB 66**

TRANSPORTATION — **HB 2068, HB 812, HB 1256, HB 1355, HB 1570, HB 1693, HB 2319, HB 2557, HB 2646, HB 2663, HB 3087, HB 3272, HB 3359, SB 2294, HB 1317, HB 2610, HB 3376, HB 3654**

HEALTH AND HUMAN SERVICES — **CSHB 2561**

BILLS ENGROSSED

May 16, 2017

SB 610, SB 825, SB 1151, SB 1696, SB 1971, SB 1972

BILLS AND RESOLUTIONS ENROLLED

May 16, 2017

SB 44, SB 495, SB 549, SB 559, SB 680, SB 1033, SB 1052, SB 1516, SB 1524, SB 1541, SB 1630, SR 770, SR 781, SR 792, SR 793, SR 794, SR 796, SR 797

SENT TO GOVERNOR

May 17, 2017

**SB 44, SB 495, SB 549, SB 559, SB 680, SB 1033, SB 1052, SB 1516, SB 1524,
SB 1541, SB 1630**

