

- HB 307** White, James
Relating to a study on the feasibility and potential costs and benefits of implementing a pay-for-performance contract program for certain criminal justice programs and services.
- HB 326** Wu
Relating to information provided by electronic means in support of the issuance of a search warrant.
- HB 335** Thompson, Ed
Relating to named driver insurance policies and certain related exclusions.
- HB 411** Turner, Chris
Relating to prohibiting certain telemarketing calls by a credit access business; adding a provision subject to criminal penalties.
- HB 510** Moody
Relating to disclosure of certain information about expert witnesses in a criminal case.
- HB 621** Lozano
Relating to the termination of a volunteer deputy registrar appointment.
- HB 1072** Thompson, Senfronia
Relating to the eligibility of certain persons to serve on the board of a property owners' association.
- HB 1110** King, Phil
Relating to the qualifications, duties, and limitations of Texas delegates to a convention called under Article V of the United States Constitution.
- HB 1232** Lucio III
Relating to a study by the Texas Water Development Board of the hydrology and geology of the confined and unconfined aquifers in this state.
- HB 1269** Springer
Relating to supplemental environmental projects implemented by certain local governments in lieu of administrative penalties assessed by the Texas Commission on Environmental Quality.
- HB 1363** Johnson
Relating to the prosecution of and punishment for the offense of prostitution; creating a criminal offense.
- HB 1486** Galindo
Relating to a prohibition on a vendor contact with a member of the board of trustees of certain independent school districts during the procurement process.
- HB 1596** Guerra
Relating to the Hidalgo County Healthcare District; decreasing the possible maximum rate of a tax.

- HB 1625** Faircloth
Relating to an exemption from the sales and use tax for certain lightbulbs for a limited period.
- HB 1639** Farias
Relating to providing information to the public and to purchasers of real property regarding the impact of military installations.
- HB 1681** Bohac
Relating to the authority of certain county clerks to require an individual to present photo identification to file certain documents.
- HB 1855** Rose
Relating to training, continuing education, and weapons proficiency standards for correctional officers employed by the Texas Department of Criminal Justice.
- HB 1871** Bonnen, Greg
Relating to the duty of the comptroller to report sales and use tax information to certain taxing entities.
- HB 1874** Zerwas
Relating to the establishment of the Palliative Care Interdisciplinary Advisory Council.
- HB 2212** Wray
Relating to the repeal of certain state taxes; adding provisions subject to a criminal penalty.
- HB 2291** Parker
Relating to increasing the punishment for certain persons convicted of the offense of possession or promotion of child pornography.
- HB 2340** Sheffield
Relating to regulation of prescribed pediatric extended care centers; amending a provision subject to a criminal penalty.
- HB 2396** Howard
Relating to eliminating requirements that certain public institutions of higher education set aside portions of tuition for student loan repayment programs for certain physicians and state attorneys.
- HB 2466** Collier
Relating to the creation of a safety reimbursement program for employers participating in the workers' compensation system.
- HB 2507** Kacal
Relating to a sales and use tax exemption for certain equipment used for digital audio broadcasting.
- HB 2532** Bell
Relating to a study on the effectiveness of regulations governing the design and construction of certain Type I municipal solid waste landfills overlying aquifers.

HB 2633

Hernandez

Relating to the release of a motor vehicle accident report; amending a provision subject to a criminal penalty.

HB 3225

Murr

Relating to lane restrictions for certain motor vehicles in highway construction or maintenance work zones.

HB 3601

Darby

Relating to the payment of interest by state agencies.

HB 4034

Darby

Relating to the dedication of revenue derived from the tax levied on crude petroleum production.

SB 112

Taylor, Van

Sponsor: Thompson,
Senfronia

Relating to the authority of a magistrate to prohibit certain communications in an order for emergency protection; amending provisions subject to a criminal penalty. (Committee Substitute)

SB 344

Huffman

Sponsor: Dale

Relating to the prosecution of the offense of online solicitation of a minor.

SB 901

Eltife

Sponsor: Collier

Relating to the amount of temporary income benefits to which an injured employee is entitled under the workers' compensation system.

SB 1353

Hinojosa

Sponsor: Coleman

Relating to the provision and administration of indigent defense services.

SB 1703

Huffman

Sponsor: Laubenberg

Relating to the deadlines for certain processes and procedures involving an election.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives**(Senator Eltife in Chair)****GUESTS PRESENTED**

Senator Birdwell was recognized and introduced to the Senate an Indian Spring Middle School delegation.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Watson was recognized and presented Dr. Erica Swegler of Austin as the Physician of the Day.

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

(President in Chair)**SENATE RESOLUTION 720**

Senator Schwertner offered the following resolution:

SR 720, Congratulating Michael K. Young on assuming the position of president of Texas A&M University.

SCHWERTNER
BETTENCOURT

The resolution was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution.

GUESTS PRESENTED

Senator Schwertner was recognized and introduced to the Senate a Texas A&M University delegation: President Michael K. Young and Chancellor John Sharp.

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.

GUESTS PRESENTED

Senator Huffman was recognized and introduced to the Senate the Berry family.

The Senate welcomed its guests.

SENATE RESOLUTIONS

Senator Menéndez offered the following resolutions:

SR 679, Recognizing the 2015 Texas Commission on the Arts honorees.

SR 680, Recognizing the 2016 Texas Commission on the Arts honorees.

The resolutions were again read.

SR 679 and **SR 680** were previously adopted on Monday, May 4, 2015.

GUESTS PRESENTED

Senator Menéndez was recognized and introduced to the Senate 2015 Texas Commission on the Arts honorees: Poet Laureate Carmen Tafolla, Musician Jimmie Vaughan, Two-Dimensional Artist Vincent Valdez, and Three-Dimensional Artist Margo Sawyer.

Senator Menéndez also introduced to the Senate 2016 Texas Commission on the Arts honorees: Poet Laureate Laurie Ann Guerrero, Musician Joe Ely, Two-Dimensional Artist Dornith Doherty, and Three-Dimensional Artist Dario Robleto.

The Senate welcomed its guests.

BILLS SIGNED

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

SB 193, SB 288, SB 505, SB 529, SB 572, SB 655, SB 700, SB 742, SB 784, SB 815, SB 1024, SB 1099, SB 1264, SB 1651.

GUEST PRESENTED

Senator Menéndez was recognized and introduced to the Senate Fiesta San Antonio Commission President Fernando Reyes.

The Senate welcomed its guest.

SENATE RESOLUTION 733

Senator Seliger offered the following resolution:

SR 733, Recognizing May 7, 2015, as Salad Day 2015.

The resolution was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution.

GUESTS PRESENTED

Senator Seliger was recognized and introduced to the Senate a McDonald's Salad Day 2015 delegation.

The Senate welcomed its guests.

SENATE BILL 996 ON SECOND READING

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

SB 996, Relating to notifying a parent or guardian whether an employee of a school is appointed school marshal and the confidentiality of information submitted to or collected by the Texas Commission on Law Enforcement in connection with a certification for appointment as school marshal.

The bill was read second time and was passed to engrossment without objection.

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

SENATE BILL 996 ON THIRD READING

Senator V. Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 996** be placed on its third reading and final passage.

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

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

COMMITTEE SUBSTITUTE
SENATE BILL 669 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 669** at this time on its second reading:

CSSB 669, Relating to state interventions and sanctions against public school campuses with unacceptable performance and the establishment of the Texas Opportunity School District for educating students at certain low-performing campuses.

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

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Perry, Schwertner, Seliger, L. Taylor, V. Taylor, West, Whitmire.

Nays: Ellis, Garcia, Hinojosa, Menéndez, Nichols, Rodríguez, Uresti, Watson, Zaffirini.

The bill was read second time.

Senator West offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 669** (senate committee report) as follows:

(1) In SECTION 2 of the bill, in added Section 11.401(g), Education Code (page 2, lines 3-4), between "Section 12.101, that" and "has demonstrated", strike "holds a charter granted under Chapter 12 and".

The amendment to **CSSB 669** was read and was adopted without objection.

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

Senator West offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 669** (senate committee report) as follows:

(1) In SECTION 2 of the bill, in added Section 11.401, Education Code (page 2, between lines 6 and 7), insert the following:

(g-1) The opportunity school district may contract with a school district to provide educational services to students attending a campus transferred to the district.

(2) In SECTION 2 of the bill, in added Section 11.402(e), Education Code (page 2, line 33), between "district," and "and students", insert "any managing entity,".

(3) In SECTION 5 of the bill, in the recital to amended Section 39.107, Education Code (page 4, line 15), strike "(a-5), (a-6),".

(4) In SECTION 5 of the bill, in amended Section 39.107, Education Code (page 4, lines 16-54), strike Subsections (a), (a-1), and (a-2) and substitute the following:

(a) After a campus has been identified as unacceptable for two consecutive school years, the commissioner shall determine whether the district or campus has instituted meaningful change for the campus, including reconstituting the staff or

leadership at the campus. If the commissioner determines that the district or campus has instituted meaningful change for the campus, the commissioner may reevaluate the campus under this subsection following the conclusion of the subsequent school year. If the commissioner determines the district or campus has not instituted meaningful change for the campus, the superintendent of the district may operate the campus with the same powers and authority granted to the superintendent of the opportunity school district established under Subchapter I, Chapter 11, to operate a campus placed in the jurisdiction of the opportunity school district unless the commissioner orders one or more of the following:

(1) ~~[order the]~~ reconstitution of the campus under this section;

(2) repurposing of the campus under this section;

(3) alternative management of the campus under this section; or

(4) placement of the campus in the opportunity school district, as provided by Section 39.1071.

(a-1) In making a determination regarding action to be taken under this section, the commissioner shall seek and give considerable weight to recommendations from parents of students enrolled at the campus and members of the community who reside in the attendance zone of the campus.

(5) In SECTION 5 of the bill, in amended Section 39.107, Education Code (page 5, lines 2 through 8), strike Subsection (a-5).

(6) Reletter remaining subsections of Section 39.107, Education Code, and correct cross-references to those subsections accordingly.

(7) In SECTION 6 of the bill, in added Section 39.1071, Education Code (page 5, lines 40-45), strike Subsection (d) and reletter subsequent subsections of added Section 39.1071, Education Code, and correct cross-references to those subsections accordingly.

(8) In SECTION 6 of the bill, in added Section 39.1071(f), Education Code (page 5, line 54), strike "operated by the opportunity school district" and substitute "operated under the jurisdiction of the opportunity school district".

(9) In SECTION 6 of the bill, in added Section 39.1071(h), Education Code (page 5, line 69), immediately following the underlined period, insert "This subsection does not create rights or entitlements in excess of contractual rights and entitlements."

The amendment to **CSSB 669** was read and was adopted without objection.

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

On motion of Senator West and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 669 as amended was passed to engrossment by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Perry, Schwertner, L. Taylor, V. Taylor, West.

Nays: Ellis, Garcia, Hinojosa, Menéndez, Nichols, Rodríguez, Seliger, Uresti, Watson, Whitmire, Zaffirini.

**COMMITTEE SUBSTITUTE
SENATE BILL 669 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 **CSSB 669** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor, Watson, West, Whitmire.

Nays: Ellis, Menéndez, Rodríguez, Uresti, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Perry, Schwertner, L. Taylor, V. Taylor, West.

Nays: Ellis, Garcia, Hinojosa, Menéndez, Nichols, Rodríguez, Seliger, Uresti, Watson, Whitmire, Zaffirini.

**COMMITTEE SUBSTITUTE
SENATE BILL 1583 ON SECOND READING**

Senator V. Taylor moved to suspend the regular order of business to take up for consideration **CSSB 1583** at this time on its second reading:

CSSB 1583, Relating to classifying synthetic cannabinoid or cathinone as a Schedule I controlled substance under the Texas Controlled Substances Act; affecting the prosecution of a criminal offense.

The motion prevailed.

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

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

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

Nays: Huffines.

**COMMITTEE SUBSTITUTE
SENATE BILL 1583 ON THIRD READING**

Senator V. Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1583** be placed on its third reading and final passage.

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

Nays: Huffines.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 339 ON SECOND READING**

Senator Eltife moved to suspend the regular order of business to take up for consideration **CSSB 339** at this time on its second reading:

CSSB 339, Relating to the medical use of low-THC cannabis and the regulation of related organizations and individuals; requiring a dispensing organization to obtain a license to dispense low-THC cannabis and any employee of a dispensing organization to obtain a registration; authorizing fees.

The motion prevailed.

Senators Birdwell, Creighton, Fraser, Hancock, and V. Taylor asked to be recorded as voting "Nay" on suspension of the regular order of business.

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

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

Nays: Birdwell, Creighton, Fraser, Hancock, V. Taylor.

**COMMITTEE SUBSTITUTE
SENATE BILL 339 ON THIRD READING**

Senator Eltife moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 339** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Burton, Campbell, Ellis, Eltife, Estes, Garcia, Hall, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Creighton, Fraser, Hancock, V. Taylor.

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

SENATE BILL 1918 ON SECOND READING

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1918** at this time on its second reading:

SB 1918, Relating to the use of certain lighting equipment on motorcycles.

The bill was read second time and was passed to engrossment without objection.

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

SENATE BILL 1918 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1918** be placed on its third reading and final passage.

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

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

SENATE BILL 968 ON SECOND READING

Senator West moved to suspend the regular order of business to take up for consideration **SB 968** at this time on its second reading:

SB 968, Relating to a prescription drug misuse awareness component of the health curriculum used in public schools.

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

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Nelson, Nichols.

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

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

Nays: Burton, Nelson, Nichols.

SENATE BILL 968 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 **SB 968** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Nelson, Nichols.

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

HOUSE BILL 1042 ON SECOND READING

On motion of Senator Estes and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1042** at this time on its second reading:

HB 1042, Relating to the designation of a site of unique value for the construction of a reservoir.

The bill was read second time and was passed to third reading without objection.

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

HOUSE BILL 1042 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 1042** be placed on its third reading and final passage.

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

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

GUESTS PRESENTED

Senator Menéndez was recognized and introduced to the Senate Robert L. Vale Middle School students.

The Senate welcomed its guests.

(Senator Bettencourt in Chair)

(President in Chair)

COMMITTEE SUBSTITUTE

SENATE BILL 1968 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **CSSB 1968** at this time on its second reading:

CSSB 1968, Relating to the organization of public employees.

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

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

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

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

HOUSE BILL 1016 ON SECOND READING

Senator Uresti moved to suspend the regular order of business to take up for consideration **HB 1016** at this time on its second reading:

HB 1016, Relating to the designation of certain river or stream segments as being of unique ecological value.

The motion prevailed.

Senators Bettencourt, Birdwell, Creighton, Estes, Fraser, Hall, Perry, and V. Taylor asked to be recorded as voting "Nay" on suspension of the regular order of business.

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

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

Nays: Bettencourt, Birdwell, Creighton, Estes, Fraser, Hall, Perry, V. Taylor.

HOUSE BILL 1016 ON THIRD READING

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1016** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Burton, Campbell, Ellis, Eltife, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Creighton, Estes, Fraser, Perry, V. Taylor.

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

Yeas: Burton, Campbell, Ellis, Eltife, Garcia, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Creighton, Estes, Fraser, Hall, Perry, V. Taylor.

SENATE BILL 722 ON SECOND READING

Senator Perry moved to suspend the regular order of business to take up for consideration **SB 722** at this time on its second reading:

SB 722, Relating to a disqualification for unemployment benefits for refusing to take or failing a preemployment drug test.

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

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

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

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

SENATE BILL 2055 ON SECOND READING

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2055** at this time on its second reading:

SB 2055, Relating to the designation of Loop 223 in Bastrop County as the Captain Jesse Billingsley Memorial Loop.

The bill was read second time and was passed to engrossment without objection.

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

SENATE BILL 2055 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2055** be placed on its third reading and final passage.

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

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

SENATE BILL 374 ON SECOND READING

Senator Schwertner moved to suspend the regular order of business to take up for consideration **SB 374** at this time on its second reading:

SB 374, Relating to requiring state agencies to participate in the federal electronic verification of employment authorization program, or E-verify.

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

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

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

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

COMMITTEE SUBSTITUTE**SENATE BILL 723 ON THIRD READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **CSSB 723** at this time on its third reading and final passage:

CSSB 723, Relating to mandatory participation in certain TANF employment and other programs by certain persons.

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

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

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

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

**COMMITTEE SUBSTITUTE
SENATE BILL 848 ON SECOND READING**

Senator Estes moved to suspend the regular order of business to take up for consideration **CSSB 848** at this time on its second reading:

CSSB 848, Relating to the regulation of medical radiologic technology; providing an administrative penalty; imposing fees; requiring an occupational license.

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 **CSSB 848** (senate committee report) as follows:

(1) In SECTION 3 of the bill, in added Subchapter B, Chapter 207, Occupations Code, (page 2, between lines 43 and 44), insert the following section and renumber subsequent sections and correct cross-references accordingly:

Sec. 207.054. REPORT REGARDING OCCUPATIONAL LICENSING. (a) Before the board complies with Section 207.051, the board must, to the extent applicable:

(1) solicit input from interested parties, including license holders and licensing authorities, and parties who favor decreasing or repealing occupational licensing requirements; and

(2) evaluate the costs associated with the license requirement, with a focus on:

(A) competition within the occupation; and

(B) associated increases in prices to consumers of goods or services;

(3) conduct a risk analysis of the harm to consumers in purchasing goods or services from practitioners in the licensed occupation;

(4) consider the extent to which consumers are adequately informed when making decisions related to the licensed occupation;

(5) consider whether the occupation is capable of regulating itself without governmental intervention;

(6) consider the availability and adequacy of alternatives to licensing by the state, including nonexclusive certifications or registrations provided by nongovernmental entities;

(7) consider whether the license requirement serves to protect existing practitioners; and

(8) conduct a cost-benefit analysis to determine if the social costs of the license requirement are justified by any benefits to the public health, safety, or welfare.

(b) Not later than January 1, 2016, the board shall:

(1) issue a report on the board's findings under Subsection (a) to:

(A) the legislature; and

(B) all interested parties who engaged with the board in completing the requirements of Subsection (a); and

(2) make the report available to the public on the board's Internet website.

(2) In SECTION 4 of the bill (page 10, line 9), strike "Not later than January 1, 2016," and substitute "As soon as practicable after the Texas Medical Board complies with Section 207.054, Occupations Code, as added by this Act,"

The amendment to **CSSB 848** was read.

Senator Huffines withdrew Floor Amendment No. 1.

CSSB 848 was passed to engrossment without objection.

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

COMMITTEE SUBSTITUTE SENATE BILL 848 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 **CSSB 848** be placed on its third reading and final passage.

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

Nays: Huffines.

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

RECESS

On motion of Senator Whitmire, the Senate at 2:15 p.m. recessed until 3:20 p.m. today.

AFTER RECESS

The Senate met at 3:20 p.m. and was called to order by the President.

SENATE BILL 2030 ON SECOND READING

On motion of Senator Seliger and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2030** at this time on its second reading:

SB 2030, Relating to the election date of the North Plains Groundwater Conservation District.

The bill was read second time and was passed to engrossment without objection.

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

SENATE BILL 2030 ON THIRD READING

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2030** be placed on its third reading and final passage.

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

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

HOUSE BILL 4 ON SECOND READING

Senator Campbell moved to suspend the regular order of business to take up for consideration **HB 4** at this time on its second reading:

HB 4, Relating to a high quality prekindergarten program provided by public school districts.

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

Yeas: Bettencourt, Birdwell, Campbell, Ellis, Eltife, Estes, Garcia, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Creighton, Fraser, Hall, Huffines, V. Taylor.

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 4** (senate committee report) in SECTION 4 of the bill, adding Section 29.165(a), Education Code (page 2, lines 25 through 27), by striking "Notwithstanding any other provision of this subchapter, a prekindergarten program implemented under this subchapter may operate on a full-day basis.".

The amendment to **HB 4** was read and was adopted by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor, West.

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

(Senator Bettencourt in Chair)

Senator Campbell offered the following amendment to the bill:

Floor Amendment No. 2

Amend **HB 4** (senate committee report) in SECTION 4 of the bill, in added Section 29.167(c), Education Code (page 3, line 21), following the underlined period, by inserting "Training may not include national curriculum standards developed by the Common Core State Standards Initiative.".

The amendment to **HB 4** was read and was adopted by the following vote: Yeas 27, Nays 4.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire.

Nays: Ellis, Garcia, Rodríguez, Zaffirini.

(President in Chair)

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 3

Amend **HB 4** as follows:

(1) In the caption of the bill (Committee printing page 1, line 21), between "prekindergarten" and "program", insert "grant".

(2) In SECTION 4 of the bill, in the heading to added Subchapter E-1, Chapter 29, Education Code (Committee printing page 2, line 17), between "PREKINDERGARTEN" and "PROGRAM", insert "GRANT".

(3) In SECTION 4 of the bill, in added Section 29.164, Education Code (Committee printing page 2, line 19), between "prekindergarten" and "program", insert "grant".

(4) In SECTION 4 of the bill, in the heading to added Section 29.165, Education Code (Committee printing page 2, line 21), between "PREKINDERGARTEN" and "PROGRAM", insert "GRANT".

(5) In SECTION 4 of the bill, in added Section 29.165(a), Education Code (Committee printing page 2, line 23), between "establish a" and "funding", insert "grant".

(6) In SECTION 4 of the bill, in added Section 29.165(a), Education Code (Committee printing page 2, line 26), between "prekindergarten" and "program", insert "grant".

(7) In SECTION 4 of the bill, in the heading to added Section 29.166, Education Code (Committee printing page 2, line 36), between "HIGH QUALITY" and "PROGRAM", insert "GRANT".

(8) In SECTION 4 of the bill, in added Section 29.166(b), Education Code (Committee printing page 2, line 42), between "receive" and "funding", insert "grant".

(9) In SECTION 4 of the bill, in added Section 29.167(a), Education Code (Committee printing page 2, line 65), between "prekindergarten" and "program", insert "grant".

(10) In SECTION 4 of the bill, in added Section 29.171, Education Code (Committee printing page 3, line 67), between "prekindergarten" and "program", insert "grant".

(11) In SECTION 4 of the bill, in added Section 29.172(a), Education Code (Committee printing page 4, line 15), between "participating in the" and "program", insert "grant".

The amendment to **HB 4** was read and was adopted by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

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

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 4

Amend **HB 4**, in SECTION 4 of the bill, by striking added Section 29.166(e), Education Code (Committee printing page 2, lines 56-62), and substituting the following:

(e) The total amount of funding distributed to school districts under Subsection (b) may not exceed \$130 million for the state fiscal biennium ending August 31, 2017.

The amendment to **HB 4** was read and was adopted by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor, West.

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

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 5

Amend **HB 4** (senate committee report) as follows:

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

SECTION _____. Section 29.1532, Education Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) A school district that offers prekindergarten classes, including a high quality prekindergarten program class under Subchapter E-1, shall include the following information in the district's Public Education Information Management System (PEIMS) report:

(1) demographic information, as determined by the commissioner, on students enrolled in district and campus prekindergarten classes, including the number of students who are eligible for classes under Section 29.153;

(2) the numbers of half-day and full-day prekindergarten classes offered by the district and campus; ~~and~~

(3) the sources of funding for the prekindergarten classes;

(4) the class size and ratio of instructional staff to students for each prekindergarten program class offered by the district and campus;

(5) if the district elects to administer an assessment instrument to students enrolled in district and campus prekindergarten program classes, a description and the results of each type of assessment instrument; and

(6) curricula used in the district's prekindergarten program classes.

(d) Information required under this section to be included in a school district's Public Education Information Management System (PEIMS) report may not be used for purposes of determining a district's accreditation or a campus or district performance rating under Subchapter C, Chapter 39.

SECTION _____. Subchapter E, Chapter 29, Education Code, is amended by adding Section 29.1543 to read as follows:

Sec. 29.1543. EARLY EDUCATION REPORTS. The agency shall produce and make available to the public on the agency's Internet website annual district and campus-level reports containing information from the previous school year on early education in school districts and open-enrollment charter schools. A report under this section must contain:

(1) the information required by Section 29.1532(c) to be reported through the Public Education Information Management System (PEIMS);

(2) a description of the diagnostic reading instruments administered in accordance with Section 28.006(c);

(3) the number of students who were administered a diagnostic reading instrument administered in accordance with Section 28.006(c);

(4) the number of students whose scores from a diagnostic reading instrument administered in accordance with Section 28.006(c) indicate reading proficiency; and

(5) the number of kindergarten students who were enrolled in a prekindergarten program in the previous school year in the same district or school as the district or school in which the student attends kindergarten.

(2) In SECTION 4 of the bill, strike added Section 29.171, Education Code (page 3, line 65, through page 4, line 13), and renumber subsequent sections in Subchapter E-1, Chapter 29, Education Code, and cross-references to those sections accordingly.

The amendment to **HB 4** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 5.

Senator West offered the following amendment to the bill:

Floor Amendment No. 6

Amend **HB 4** (senate committee report) as follows:

(1) In SECTION 4 of the bill, in added Section 29.165(a), Education Code (page 2, line 23), strike "funding program under which funds are awarded" and substitute "program under which funds are allotted under Section 42.162".

(2) In SECTION 4 of the bill, in added Section 29.166(b), Education Code (page 2, lines 42 through 46), strike the text and substitute "district is entitled to receive a high quality prekindergarten program allotment under Section 42.162."

(3) In SECTION 4 of the bill, in added Section 29.166(c), Education Code (page 2, line 47), strike "additional".

(4) In SECTION 4 of the bill, in added Section 29.166(c), Education Code (page 2, line 48), strike "Subsection (b)" and substitute "Section 42.162".

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

SECTION _____. Subchapter C, Chapter 42, Education Code, is amended by adding Section 42.162 to read as follows:

Sec. 42.162. HIGH QUALITY PREKINDERGARTEN PROGRAM ALLOTMENT. (a) A school district is entitled to an annual allotment of at least \$500 for each student in average daily attendance in a high quality prekindergarten program under Subchapter E-1, Chapter 29. The commissioner may increase the annual allotment under this section for each student in average daily attendance in accordance with funds appropriated for that purpose. In calculating the average daily attendance of a program operating on a full-day basis, a student attending a full-day program is eligible to be counted for only half-day attendance.

(b) A school district that is required to take action under Chapter 41 to reduce its wealth per student to the equalized wealth level is entitled to a credit, in the amount of the allotments to which the district is entitled under this section, against the total amount required under Section 41.093 for the district to purchase attendance credits. A school district that is otherwise ineligible for state aid under this chapter is entitled to receive allotments under this section.

(c) An open-enrollment charter school is entitled to an allotment under this section in the same manner as a school district.

(d) The commissioner shall adopt rules to administer this section, including rules related to the permissible use of funds allocated under this section to an open-enrollment charter school.

SECTION _____. Section 42.302(a), Education Code, is amended to read as follows:

(a) Each school district is guaranteed a specified amount per weighted student in state and local funds for each cent of tax effort over that required for the district's local fund assignment up to the maximum level specified in this subchapter. The amount of state support, subject only to the maximum amount under Section 42.303, is determined by the formula:

$$GYA = (GL \times WADA \times DTR \times 100) - LR$$

where:

"GYA" is the guaranteed yield amount of state funds to be allocated to the district;

"GL" is the dollar amount guaranteed level of state and local funds per weighted student per cent of tax effort, which is an amount described by Subsection (a-1) or a greater amount for any year provided by appropriation;

"WADA" is the number of students in weighted average daily attendance, which is calculated by dividing the sum of the school district's allotments under Subchapters B and C, less any allotment to the district for transportation, any allotment under Section 42.158, ~~or~~ 42.160, or 42.162, and 50 percent of the adjustment under Section 42.102, by the basic allotment for the applicable year;

"DTR" is the district enrichment tax rate of the school district, which is determined by subtracting the amounts specified by Subsection (b) from the total amount of maintenance and operations taxes collected by the school district for the applicable school year and dividing the difference by the quotient of the district's taxable value of property as determined under Subchapter M, Chapter 403, Government Code, or, if applicable, under Section 42.2521, divided by 100; and

"LR" is the local revenue, which is determined by multiplying "DTR" by the quotient of the district's taxable value of property as determined under Subchapter M, Chapter 403, Government Code, or, if applicable, under Section 42.2521, divided by 100.

The amendment to **HB 4** was read.

Senator West withdrew Floor Amendment No. 6.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 7

Amend **HB 4** (senate committee report) in SECTION 4 of the bill, in added Section 29.166(b), Education Code (page 2, line 46), by striking "under this subsection" and substituting "in attendance for the entire instructional period on a school day".

The amendment to **HB 4** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 7.

Senator West offered the following amendment to the bill:

Floor Amendment No. 8

Amend **HB 4** (senate committee report) in SECTION 4 of the bill as follows:

(1) In added Section 29.167(b)(1)(B), Education Code (page 3, line 11), delete "associated with", insert "accredited by".

The amendment to **HB 4** was read.

Senator West temporarily withdrew Floor Amendment No. 8.

Senator Rodríguez offered the following amendment to the bill:

Floor Amendment No. 9

Amend **HB 4** (senate committee printing) in SECTION 4 of the bill, between added Sections 29.166(c) and (d), Education Code (page 2, between lines 52 and 53), by inserting the following new subsection, appropriately lettered, and relettering the existing subsections of Section 29.166, Education Code, and correcting cross-references accordingly:

() The commissioner by rule shall establish a method for granting priority in awarding funding under this section based on school districts' need for that funding.

The amendment to **HB 4** was read.

Senator Rodríguez withdrew Floor Amendment No. 9.

Senator West again offered Floor Amendment No. 8.

The amendment to **HB 4** was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 8.

Senator West offered the following amendment to the bill:

Floor Amendment No. 10

Amend **HB 4** (senate committee report) in SECTION 4 of the bill as follows:

(1) In added Section 29.167(b)(2)(A), Education Code (page 3, line 9), between "credential" and the underlined semicolon, insert "or another early childhood education credential approved by the agency".

(2) In added Section 29.167(b)(2)(C), Education Code (page 3, line 15), between the underlined semicolon and "or", insert the following appropriately lettered paragraph and reletter subsequent paragraphs of Section 29.167(b)(2), Education Code, and any cross-references to those paragraphs, accordingly:

() be employed as a prekindergarten teacher in a school district that has received approval from the commissioner for the district's prekindergarten-specific instructional training plan that the teacher uses in the teacher's prekindergarten classroom;

The amendment to **HB 4** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 10.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 11

Amend **HB 4** (senate committee report) in SECTION 4 of the bill, adding Section 29.167, Education Code (page 3, between lines 21 and 22), by inserting the following:

(d) A school district must maintain a ratio in any prekindergarten program class of not less than one certified teacher or teacher's aide for each 18 students.

The amendment to **HB 4** was read.

Senator Menéndez withdrew Floor Amendment No. 11.

Senator Garcia offered the following amendment to the bill:

Floor Amendment No. 12

Amend **HB 4** (senate committee report) in SECTION 4 of the bill, adding Section 29.167, Education Code (page 3, between lines 21 and 22), by inserting the following:

(d) A school district must attempt to maintain an average ratio in any prekindergarten program class of not less than one certified teacher or teacher's aide for each 11 students.

The amendment to **HB 4** was read.

Senator Garcia temporarily withdrew Floor Amendment No. 12.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 13

Amend **HB 4** (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.464 to read as follows:

Sec. 21.464. PREKINDERGARTEN TEACHER TRAINING COURSE. (a) The commissioner shall develop a prekindergarten teacher training course to be offered to prekindergarten teachers employed by a school district or open-enrollment charter school.

(b) A course provided under this section shall provide instruction in the development and operation of effective prekindergarten classes, including training in:

- (1) the prekindergarten guidelines established by the agency;
- (2) effective and systematic instructional techniques for teaching prekindergarten students using the prekindergarten guidelines; and
- (3) designing and implementing a comprehensive curriculum in the classroom.

The amendment to **HB 4** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 13.

Senator Garcia offered the following amendment to the bill:

Floor Amendment No. 14

Amend **HB 4** (senate committee report) by inserting the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter E, Chapter 29, Education Code, is amended by adding Section 29.1545 to read as follows:

Sec. 29.1545. CLASS SIZE AND RATIO STUDY AND RECOMMENDATIONS. (a) The agency and the Department of Family and Protective Services shall conduct a joint study to develop recommendations regarding optimal class sizes and student to teacher ratios for prekindergarten classes. The agency and department shall base recommendations on:

- (1) data collected from prekindergarten programs, including high quality prekindergarten programs under Subchapter E-1, reported through the Public Education Information Management System (PEIMS); and
- (2) observations of best practices and examples from effective prekindergarten programs across the state.

(b) Not later than September 1, 2016, the agency shall submit a report to the legislature detailing the agency's findings and recommendations regarding class size and student to teacher ratios.

(c) This section expires January 1, 2017.

The amendment to **HB 4** 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. 14 except as follows:

Nays: Birdwell, Burton.

Senator Garcia again offered Floor Amendment No. 12.

The amendment to **HB 4** was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 12 except as follows:

Nays: Burton.

On motion of Senator Campbell and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 4 as amended was passed to third reading by the following vote: Yeas 25, Nays 6.

Yeas: Bettencourt, Birdwell, Campbell, Ellis, Eltife, Estes, Garcia, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Creighton, Fraser, Hall, Huffines, V. Taylor.

HOUSE BILL 4 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4** be placed on its third reading and final passage.

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

Yeas: Bettencourt, Birdwell, Campbell, Ellis, Eltife, Estes, Garcia, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Creighton, Fraser, Hall, Huffines, V. Taylor.

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

REASON FOR VOTE

Senator Burton submitted the following reason for vote on **HB 4**:

I voted against HB 4 because the bill is predicated on the policy that 3 and 4 year olds are better served in the care of the state rather than with their families at home. I fundamentally disagree with this principle. I am also concerned with the Family Engagement Plan established in Section 5 of the bill. This section requires school districts to work with agencies and organizations to engage families from birth to 5 years old in order to maintain "positive family attitudes toward education." This amounts to state intrusion into the private spheres of family life and the parent-child relationship. Past attempts at governmental social engineering have had disastrous effects on the American family.

Additionally, I voted against HB 4 because it establishes an entitlement grant program that will place an increasingly heavier financial burden on Texas taxpayers and decrease the state's ability to adequately fund public education. As an entitlement program, it will be politically very difficult to repeal, even if the program proves to be ineffective and wasteful. Because HB 4 only applies to specific categories of Texans, it will surely be deemed an unfair system that will be the basis of future calls for the program's expansion.

BURTON

REASON FOR VOTE

Senator Huffines submitted the following reason for vote on **HB 4**:

I greatly appreciate the passion our Governor has for improving public education. Governor Abbott campaigned on ideas that are very similar to those contained in House Bill 4, and he is holding true to his word. As much as I deeply appreciate the leadership of Governor Abbott and the hard work of many in the Legislature who have advanced this bill, I was obligated to vote "no".

I voted "no" because we are missing an opportunity to further parental empowerment. High-quality public education - at all levels - is indeed the ultimate goal we should pursue. Nothing will ensure high quality, however, like empowering parents with choice.

Competition in public education will improve quality and lower costs. I firmly believe that competition in schools will ensure we have the best possible education system in America.

Unfortunately, there is no element of parental choice in House Bill 4. Additionally, tens of thousands of our students, Texas' most precious resource, will remain trapped in schools that do not work for them.

HUFFINES

SENATE BILL 1317 ON SECOND READING

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1317** at this time on its second reading:

SB 1317, Relating to the prosecution of the offense of improper photography or visual recording.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1317** by striking all below the enacting clause and substituting the following:

SECTION 1. The heading to Section 21.15, Penal Code, is amended to read as follows:

Sec. 21.15. INVASIVE [~~IMPROPER PHOTOGRAPHY OR~~] VISUAL RECORDING.

SECTION 2. Sections 21.15(a) and (b), Penal Code, are amended to read as follows:

(a) In this section:

(1) "Female breast" means any portion of the female breast below the top of the areola.

(2) "Intimate area" means the naked or clothed genitals, pubic area, anus, buttocks, or female breast of a person.

(3) "Changing room" means a room or portioned area provided for or primarily used for the changing of clothing and includes dressing rooms, locker rooms, and swimwear changing areas.

(4) "Promote"["promote"] has the meaning assigned by Section 43.21.

(b) A person commits an offense if, without the other person's consent and with intent to invade the privacy of the other person, the person:

(1) photographs or by videotape or other electronic means records, broadcasts, or transmits a visual image of an intimate area of another person if the other person has a reasonable expectation that the intimate area is not subject to public view; [another at a location that is not a bathroom or private dressing room:

[(A) without the other person's consent; and

[(B) with intent to arouse or gratify the sexual desire of any person;]

(2) photographs or by videotape or other electronic means records, broadcasts, or transmits a visual image of another in a bathroom or changing room [another at a location that is a bathroom or private dressing room:

[(A) without the other person's consent; and

[(B) with intent to:

[(i) invade the privacy of the other person; or

[(ii) arouse or gratify the sexual desire of any person]; or

(3) knowing the character and content of the photograph, recording, broadcast, or transmission, promotes a photograph, recording, broadcast, or transmission described by Subdivision (1) or (2).

SECTION 3. Chapter 38, Code of Criminal Procedure, is amended by adding Article 38.451 to read as follows:

Art. 38.451. EVIDENCE DEPICTING INVASIVE VISUAL RECORDING.

(a) During the course of a criminal hearing or proceeding concerning an offense under Section 21.15, Penal Code, the court shall not make available or allow to be made available the copying or dissemination to the public property or material that constitutes or contains a visual image, as described by Section 21.15(b), Penal Code, that was seized by law enforcement based on a reasonable suspicion that an offense under that subsection has been committed.

(b) The court shall place property or material described by Subsection (a) under seal of the court on the conclusion of the hearing or proceeding.

(c) The attorney representing the state shall be provided access to the property or material described by Subsection (a). In the manner provided by Article 39.151, the defendant, the defendant's attorney, and any individual the defendant seeks to qualify to provide expert testimony at trial shall be provided access to the property or material provided by Subsection (a).

(d) A court that places property or material described by Subsection (a) under seal may issue an order lifting the seal on a finding that the order is in the best interest of the public.

SECTION 4. Chapter 39, Code of Criminal Procedure, is amended by adding Article 39.151 to read as follows:

Art. 39.151. DISCOVERY OF EVIDENCE DEPICTING INVASIVE VISUAL RECORDING. (a) In the manner provided by this article, a court shall allow discovery of property or material that constitutes or contains a visual image, as described by Section 21.15(b), Penal Code, that was seized by law enforcement based on a reasonable suspicion that an offense under that section has been committed.

(b) Property or material described by Subsection (a) must remain in the care, custody, or control of the court or the state as provided by Article 38.451.

(c) A court shall deny any request by a defendant to copy, photograph, duplicate, or otherwise reproduce any property or material described by Subsection (a), provided that the state makes the property or material reasonably available to the defendant.

(d) For purposes of Subsection (c), property or material is considered to be reasonably available to the defendant if, at a facility under the control of the state, the state provides ample opportunity for the inspection, viewing, and examination of the property or material by the defendant, the defendant's attorney, and any individual the defendant seeks to qualify to provide expert testimony at trial.

SECTION 5. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 6. 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, 2015.

The amendment to **SB 1317** was read and was adopted without objection.

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

On motion of Senator Menéndez and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 1317 as amended was passed to engrossment without objection.

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

SENATE BILL 1317 ON THIRD READING

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1317** be placed on its third reading and final passage.

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

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

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 4:44 p.m. adjourned until 4:50 p.m. today.

