

# HOUSE JOURNAL

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EIGHTY-SEVENTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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THIRTY-THIRD DAY — MONDAY, APRIL 26, 2021

The house met at 10:14 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 419).

Present — Mr. Speaker(C); Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Biedermann; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Cain; Canales; Capriglione; Cason; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Frullo; Gates; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Middleton; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Sanford; Schaefer; Schofield; Shaheen; Sherman; Shine; Slaton; Slawson; Smith; Smithee; Spiller; Stephenson; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, J.; VanDeaver; Vasut; Vo; Walle; White; Wilson; Wu; Zwiener.

Absent, Excused — Campos; Ellzey; Herrero; Huberty; Morales Shaw; Tinderholt.

Absent — Landgraf.

The invocation was offered by Representative Raymond as follows:

Our Father, who art in heaven, hallowed be thy name. Thy kingdom come. Thy will be done, on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation but deliver us from evil. For thine is the kingdom and the power and the glory, forever and ever. Amen.

The chair recognized Representative VanDeaver who led the house in the pledges of allegiance to the United States and Texas flags.

**LEAVES OF ABSENCE GRANTED**

The following member was granted leave of absence for today and tomorrow because of important business:

Ellzey on motion of Harris.

The following members were granted leaves of absence for today because of important business in the district:

Campos on motion of C. Morales.

Herrero on motion of Hunter.

Morales Shaw on motion of C. Morales.

The following members were granted leaves of absence for today because of important business:

Huberty on motion of Murphy.

Tinderholt on motion of Biedermann.

**BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 11).

(Speaker pro tempore in the chair)

**ADDRESS BY SPEAKER PHELAN**

The chair recognized Speaker Phelan who addressed the house, speaking as follows:

Members, I stand here before you today not as the speaker of the house but as a member of this body and as a former staff member of the Texas House. Recently, the Texas Department of Public Safety began investigating a report of a lobbyist drugging a legislative staffer during a meeting that took place off-site in recent weeks. These allegations shake our Capitol family to its core, and I am disgusted that this sort of predatory behavior is still taking place in and around our Capitol. We can and we must do better when it comes to changing the culture in this building. In this particular case, the victim has bravely come forward and chosen to pursue justice by contacting law enforcement, and we are going to allow the process to work exactly as it was intended.

In the meantime, I want to remind everyone who serves or works within the house of the rules and processes we have in place for reporting this sort of behavior in a confidential and official manner. We adopted House Rule 15 in a commitment to providing a safe and professional environment in which each individual is treated with respect. Pursuant to these rules and our housekeeping resolution, we have detailed policies and procedures in place that are designed to prevent harassment and appropriately address it if it occurs. The protocols are essential for conducting the legislative business of Texas. Members, officers, and employees of the house who have direct or personal knowledge of harassment in the workplace may file a complaint through the General Investigating Committee,

where confidential proceedings may then take place. For too long, the culture of the house has made victims of harassment feel as though they can't or shouldn't come forward because it might ruin their reputation or ruin their career. Victims shouldn't have to decide between their career and coming forward. That has to change.

To make it easier for an individual to confidently come forward and report harassment, today I am directing the General Investigating Committee to establish an e-mail hotline for the purpose of submitting reports or complaints of harassment in the workplace. Each house member will be provided with official office signage that includes this e-mail address and encourages members, staff, and visitors to report knowledge or experience of harassment taking place. In years past, we've also required sexual harassment prevention training to be completed virtually by members, staff, and house officers. I believe this training will be far more effective if it were conducted in person rather than through video, and I have instructed the House Administration Committee to begin the process of changing those protocols accordingly. This will apply to all sexual harassment training moving forward.

Members, this is just a start. We've come a long way but we haven't gone far enough, and we will continue to examine paths to protect our own. In this session alone, we've gone from talking about COVID-19 to the budget deficit to Winter Storm Uri and more. I find it infuriating that amid conversations about these monumental issues, I stand here today having to address these disgusting, detestable allegations that are a symptom of a culture that has been festering in this building for far too long. There's an active investigation underway, and we must let that process play out. However, this sort of behavior has no place in this Capitol, and moving forward, we can and will do better by listening to those who speak up, by protecting them when they come forward, by identifying smarter solutions, and by being mindful of the impacts that these very real scenarios have on people's lives. To the brave victims who have experienced these horrible, senseless acts: We hear you, we're behind you, and you have our commitment and our protection. Today, let's all renew our commitment to making sure that every single person who works so hard in this building feels safe and protected.

### **REMARKS ORDERED PRINTED**

Representative S. Thompson moved to print remarks by Speaker Phelan.

The motion prevailed.

(Speaker in the chair)

### **LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of important business in the district:

Smithee on motion of Shine.

**SB 13 - RECOMMITTED**

Representative Paddie moved to recommit **SB 13** to the Committee on State Affairs.

The motion prevailed.

(Landgraf now present)

**ADDRESS BY REPRESENTATIVE THIERRY**

The chair recognized Representative Thierry who addressed the house, speaking as follows:

"Come to me, all you who are weary and burdened, and I will give you rest. Take my yoke upon you and learn from me, for I am gentle and humble in heart, and you will find rest for your souls. For my yoke is easy and my burden is light." (Matthew 11:28-30) Members, a memorial resolution was done on the resolutions calendar for my dad, Frederick Thierry, on Friday. And I had planned to give some remarks then, but I couldn't do it. I spoke with Sharon and the speaker and they were gracious enough to allow me to do it today.

Losing my father is one of the most difficult things I have gone through. And on standing up here today, I realize how fortunate I am to have had him as my dad. There are no words to express his influence on my life. I can assure you I would not be standing here today without my dad. It is through his discipline, his drive, his courage, his conviction, his compassion, that I was able to become the first black woman, the first woman, to be hired at one of the top ten law firms in the state out of law school and the only woman to hold the seat for Texas House District 146. My father was hardworking, strong, loving, and gentle. He loved his family so dearly. One of the biggest lessons I learned from my dad was hard work and perfectionism. He was a perfectionist.

Prior to him having heart trouble, which started last year, I could actually count on my hand the number of times my dad missed work. He was never sick. He retired from the City of Houston as a senior manager of logistics. He worked for over 60 years, retired, and then went back to work because he just didn't like sitting at home. He was beyond resilient and strong. He would set his alarm clock at 5 a.m. every morning even if he had nowhere to go. In March of last year, I had a primary opponent. My dad would go to the polls with the push cards for me, and he would be the first car parked at the polls. He was like, "I've got to get a good spot so I can catch 'em, baby, right when they're coming up. I've got to give them your card." And he was so good at it that candidates, other elected officials, started to call me and say, "I don't want to insult you, but can I pay your dad to work for me? He is so good. He's like flipping folks left and right." I'd say, "Sure, give him a call." He just took pride in everything he did.

Last October, some of you know this—Jared knows, Carl knows, Representative Dutton knows—my dad had to undergo a very risky heart surgery. They only give this procedure—it's called the LVAD; Dick Cheney had one—to maybe 800 people a year. And so my father was considered one of the special ones to get approved for this. He was very afraid to do it, but true to form, he played through the pain and operated by faith not fear. I'm grateful that he

survived the surgery. And I did have the privilege to be by his side for 30 more days in the ICU unit at Methodist. I've spoken with Jared about my grief and Representative Carl Sherman, who drove all the way to my district to attend my dad's funeral to speak. I spoke with Representative Burns who has been there as a confidante for me and shared with me how he had to cope with losing his dad during his second session. And I just want to thank you all for being understanding. It is really something that, no matter how old you are, you feel like a little bitty child again.

I told Jared recently—last week, I think—that I was disappointed and a little bit depressed because I don't get any of those little signs. Sometimes people say when someone passes away, you'll feel them or you'll see a butterfly or you'll see something. I told Jared, "I don't get anything. I don't see any symbol of my dad." I said, "And that's shocking to me, as close as we were." But if you'll just give me one more minute and indulge me, I got a letter mailed to me on Friday of last week. It's from a cousin that I've never met. And I just want to share it with you to also encourage any of you, uplift you who may need a positive testimony or a message that God is real:

"Dear Shawn: My wife and I want to gift you, your mom, and daughter this money order in hopes that it can help out in any way. It's not a campaign donation. We want nothing in return. I just want you to know that your father was an inspiration to the family. My aunt, who is still living, told me about him when I asked about him. She had nothing but great things and stories to share about him, especially his beautiful hair"—that was that beautiful head of hair. "Your father helped many people out. His nickname was 'Boy.' I think I was told that he was always a sharp and clean dresser, and he always told a joke or two. Unfortunately, I never even met him, but we're family. I grew up in Baton Rouge, and I was told that your dad really helped my dad out. For what, I have no idea. In return, we're sending this to you. Keep doing what you do, and I want you to know I'm proud to share your last name. Best wishes, Justus Christopher Thierry."

So members, I shouldn't have to have this to have a sign, but it did warm my heart and reaffirm that my dad is still out here watching over me and taking care of me just like all of you were here today. So I just want to thank you, and I appreciate every last one of you. And I ask that we all just try. This is why I've been wearing this dove of peace, because I know we have challenges and adversities in this house, but there are moments I believe that we can use grace and peace to lift each other up. Thank you, and thank you to my dad.

#### **REMARKS ORDERED PRINTED**

Representative Patterson moved to print remarks by Representative Thierry.

The motion prevailed.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Frank moved to suspend the five-day posting rule to allow the Committee on Human Services to consider **HB 4047** at 8 a.m. tomorrow in E2.030.

The motion prevailed.

Representative White moved to suspend the five-day posting rule to allow the Committee on Homeland Security and Public Safety to consider **SB 24** at 10:30 a.m. or upon final adjournment or recess or bill referral, if permission is granted, Thursday, April 29 in E2.030.

The motion prevailed.

Representative T. King moved to suspend the five-day posting rule to allow the Committee on Natural Resources to consider **HB 2194** at 8 a.m. tomorrow in JHR 120.

The motion prevailed.

**POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

**CSHB 2189 ON SECOND READING  
(by P. King, Craddick, Price, K. King, and C. Bell)**

**CSHB 2189**, A bill to be entitled An Act relating to state contracts with and investments in certain companies that boycott energy companies.

**CSHB 2189** was read second time on April 19 and was postponed until 10 a.m. today.

Representative P. King moved to postpone consideration of **CSHB 2189** until 10 a.m. Monday, May 3.

The motion prevailed.

**HB 1380 ON SECOND READING  
(by Longoria)**

**HB 1380**, A bill to be entitled An Act relating to information technology purchased through the Department of Information Resources.

**HB 1380** was read second time on April 20 and was postponed until 10 a.m. today.

Representative Rose moved to postpone consideration of **HB 1380** until 10 a.m. tomorrow.

The motion prevailed.

**MAJOR STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

The following bills were laid before the house and read second time:

**CSHB 4492 ON SECOND READING****(by Paddie)**

**CSHB 4492**, A bill to be entitled An Act relating to securitizing costs associated with electric markets; granting authority to issue bonds.

Representative Paddie moved to postpone consideration of **CSHB 4492** until 10 a.m. Wednesday, April 28.

The motion prevailed.

**HB 1925 ON SECOND READING****(by Capriglione, Harless, Lucio, Geren, P. King, et al.)**

**HB 1925**, A bill to be entitled An Act relating to prohibitions on camping in a public place; creating a criminal offense.

**HB 1925 - POINT OF ORDER**

Representative Israel raised a point of order against further consideration of **HB 1925** under Rule 4, Section 32(c), of the House Rules on the grounds that the bill analysis is materially misleading. The point of order was withdrawn.

**Amendment No. 1**

Representative Capriglione offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) as follows:

(1) On page 1, line 15, between "without the" and "consent", insert "effective".

(2) On page 2, line 4, between "(b)" and the underlined period, insert the following:

, unless given to authorize the person to camp for:

(1) recreational purposes;

(2) purposes of housing or otherwise sheltering homeless individuals, if the property on which the camping occurs is subject to a plan approved under Subchapter PP, Chapter 2306, Government Code, and the camping occurs in a manner that complies with the plan; or

(3) purposes permitted by a beach access plan that has been approved under Section 61.015, Natural Resources Code, and the camping occurs in a manner that complies with the plan

(3) Strike page 2, lines 5-11, and reletter subsequent subsections of added Section 48.05, Penal Code, and any cross-references to those subsections accordingly.

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

SECTION \_\_\_\_\_. Title 5, Civil Practice and Remedies Code, is amended by adding Chapter 115 to read as follows:

**CHAPTER 115. LIABILITY TO STATE FOR DAMAGES CAUSED BY  
CERTAIN HOMELESS INDIVIDUALS**

Sec. 115.001. DEFINITION. In this chapter, "camp" has the meaning assigned by Section 48.05, Penal Code.

Sec. 115.002. LIABILITY FOR DAMAGE TO STATE PROPERTY. (a) A political subdivision is liable to the state for the cost to repair damages occurring to property owned by the state and caused by homeless individuals camping:

(1) within the boundaries of the political subdivision;

(2) near or adjacent to the property; and

(3) consistently in an area to the extent that the political subdivision knows or should know that the area is regularly used for camping by homeless individuals.

(b) The attorney general may bring an action to enforce this section.

Sec. 115.003. GOVERNMENTAL IMMUNITY WAIVED. A political subdivision's governmental immunity to suit and from liability is waived to the extent of liability created by this chapter.

SECTION \_\_\_\_\_. Chapter 2306, Government Code, is amended by adding Subchapter PP to read as follows:

SUBCHAPTER PP. APPROVAL FOR PURCHASE OR USE CONVERSION OF PROPERTY TO HOUSE HOMELESS INDIVIDUALS

Sec. 2306.1121. APPROVAL. (a) A political subdivision may not purchase property to house homeless individuals unless the department approves a plan described by Section 2306.1122(b).

(b) A political subdivision may not convert the use of a property owned by the political subdivision to enable the property to house homeless individuals unless the department approves a plan that meets the requirements of Section 2306.1122(b).

(c) Not later than the 30th day after the date the department receives a plan submitted under this section, the department shall make a final determination regarding approval of the plan.

Sec. 2306.1122. PLAN REQUIREMENTS. (a) In this section, "proposed new residents" means homeless individuals the applicant intends to house at the property intended for purchase or conversion of use.

(b) A plan required by Section 2306.1121 must describe:

(1) the availability of local health care for proposed new residents, including access to Medicaid services and mental health services;

(2) the availability of indigent services for proposed new residents;

(3) the availability of reasonably affordable public transportation for proposed new residents;

(4) local law enforcement resources in the area of the property; and

(5) the steps the applicant has taken to coordinate with the local mental health authority to provide for any proposed new residents.

(c) An applicant shall respond to reasonable requests for additional information made by the department regarding the proposed property purchase or use conversion.

Sec. 2306.1123. NOTICE. A political subdivision that intends to purchase or convert property to house homeless individuals shall:

(1) post notice of the proposed use of the property at the property not later than the 61st day before the proposed date of purchase or conversion; and



(2) publish notice of the proposed purchase or conversion of the property for 10 consecutive days in a newspaper of general circulation in the county in which the property is located, with the first day being not later than the 61st day before the proposed date of purchase or conversion.

SECTION \_\_\_\_\_. Subchapter PP, Chapter 2306, Government Code, as added by this Act, applies only to a purchase or use conversion described by that subchapter that is not final on the effective date of this Act. A purchase or use conversion that was final before the effective date of this Act is governed by the law in effect when the purchase or use conversion was completed, and the former law is continued in effect for that purpose.

### **Amendment No. 1 - Point of Order**

Representative Hinojosa raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane. The point of order was withdrawn.

Amendment No. 1 was withdrawn.

### **Amendment No. 2**

Representative Capriglione offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) as follows:

(1) On page 1, line 15, between "without the" and "consent", insert "effective".

(2) On page 2, line 4, between "(b)" and the underlined period, insert the following:

, unless given to authorize the person to camp for:

(1) recreational purposes; or

(2) purposes permitted by a beach access plan that has been approved under Section 61.015, Natural Resources Code, and the camping occurs in a manner that complies with the plan

(3) Strike page 2, lines 5-11, and reletter subsequent subsections of added Section 48.05, Penal Code, and any cross-references to those subsections accordingly.

Amendment No. 2 was adopted.

### **Amendment No. 2 - Vote Reconsidered**

Representative Capriglione moved to reconsider the vote by which Amendment No. 2 was adopted.

The motion to reconsider prevailed.

Amendment No. 2 was withdrawn.

### **Amendment No. 3**

Representative Capriglione offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) as follows:

(1) On page 1, line 15, between "without the" and "consent", insert "effective".

(2) On page 2, line 4, between "(b)" and the underlined period, insert the following:

, unless given to authorize the person to camp for:

(1) recreational purposes; or

(2) purposes permitted by a beach access plan that has been approved under Section 61.015, Natural Resources Code, and the camping occurs in a manner that complies with the plan

Amendment No. 3 was adopted.

Representative Capriglione moved to postpone consideration of **HB 1925** until 2 p.m. today.

The motion prevailed.

**CSHB 2000 ON SECOND READING**  
**(by Huberty)**

**CSHB 2000**, A bill to be entitled An Act relating to the funding of utility reliability and resiliency projects by the Texas Water Development Board; authorizing the issuance of revenue bonds.

Representative Harris moved to postpone consideration of **CSHB 2000** until 10 a.m. Wednesday, April 28.

The motion prevailed.

**CONSTITUTIONAL AMENDMENTS CALENDAR**  
**HOUSE JOINT RESOLUTIONS**  
**SECOND READING**

The following resolutions were laid before the house and read second time:

**CSHJR 2 ON SECOND READING**  
**(by Huberty)**

**CSHJR 2**, A joint resolution proposing a constitutional amendment creating the State Utilities Reliability Fund and the State Utilities Reliability Revenue Fund to provide financial support for projects that enhance the reliability and resiliency of water, electric, and natural gas utilities, broadband providers, and power generation resources in this state.

Representative Harris moved to postpone consideration of **CSHJR 2** until 10 a.m. Wednesday, April 28.

The motion prevailed.

**GENERAL STATE CALENDAR**  
**HOUSE BILLS**  
**SECOND READING**

The following bills were laid before the house and read second time:

**HB 217 ON SECOND READING**  
**(by S. Thompson)**

**HB 217**, A bill to be entitled An Act relating to postconviction forensic DNA testing.

**HB 217** was passed to engrossment.

**HB 3397 ON SECOND READING**  
**(by Murphy)**

**HB 3397**, A bill to be entitled An Act relating to contributions to the Employees Retirement System of Texas.

**HB 3397** was passed to engrossment.

**CSHB 3516 ON SECOND READING**  
**(by T. King and Guillen)**

**CSHB 3516**, A bill to be entitled An Act relating to the regulation of the recycling of oil and gas waste.

**Amendment No. 1**

Representative T. King offered the following amendment to **CSHB 3516**:

Amend **CSHB 3516** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 122.004, Natural Resources Code, is amended to read as follows:

Sec. 122.004. COMMISSION RULES FOR TREATMENT AND BENEFICIAL USE. (a) The commission shall adopt rules to govern the treatment and beneficial use of oil and gas waste.

(b) Rules adopted under this section must:

- (1) encourage fluid oil and gas waste recycling for beneficial purposes;  
and  
(2) establish standards for the issuance of permits for commercial recycling of fluid oil and gas waste.

(c) In adopting rules under this section, the commission shall consider previously adopted rules for recycling fluid oil and gas waste.

(d) Rules adopted under this section for commercial recycling of fluid oil and gas waste must establish:

- (1) minimum siting standards for fluid recycling pits;  
(2) uniform technical, construction, and placement standards;  
(3) uniform standards for estimating closure costs;  
(4) minimum and maximum bonding and financial security amounts based on factors determined by the commission; and  
(5) standards for sampling and analysis of fluid oil and gas waste.

(e) The commission shall approve or deny an application for a permit issued under rules adopted under this section not later than the 90th day after the date the complete application was received by the commission, unless a protest is filed with the commission, in which case the commission may extend the amount of time to approve or deny the application in order to allow for notice, public

comment, and a public hearing on the application. If the commission does not approve or deny the application before that date, the permit application is considered approved and the applicant may operate under the terms specified in the application for a period of one year.

(f) An application requesting a variance from the standards adopted under this section must be evaluated and determined to be substantially similar to previous variances approved by the commission.

SECTION 2. This Act takes effect September 1, 2021.

Amendment No. 1 was adopted.

**CSHB 3516**, as amended, was passed to engrossment.

**HB 1783 ON SECOND READING**  
**(by White)**

**HB 1783**, A bill to be entitled An Act relating to the age of a child at which a juvenile court may exercise jurisdiction over the child and to the minimum age of criminal responsibility.

**Amendment No. 1**

Representative White offered the following amendment to **HB 1783**:

Amend **HB 1783** (house committee printing) as follows:

(1) On page 1, line 23, strike "13 [~~ten~~]" and substitute "10 [~~ten~~]".

(2) Strike SECTION 5 of the bill (page 3, lines 18-22) and substitute the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. Chapter 54, Family Code, is amended by adding Section 54.021 to read as follows:

Sec. 54.021. WAIVER OF JURISDICTION FOR CHILD UNDER 13 YEARS OF AGE. (a) The juvenile court shall, before holding an adjudication hearing, hold a hearing without a jury to determine whether to waive its exclusive original jurisdiction over a child under 13 years of age.

(b) At a hearing under this section, the juvenile court shall consider whether:

(1) normal interventions by the child's parent, guardian, family, or school, or by child protective services or county family and youth services, will be sufficient to ensure the safety of the public and of the child;

(2) intervention by the court is warranted; and

(3) it is in the best interest of the child for the court to intervene.

(c) If the court elects not to waive its jurisdiction over a child in a hearing under this section, the court shall state the reasons for its decision in the order.

(d) If the court elects to waive its jurisdiction over a child in a hearing under this section, the court shall dismiss all charges against the child. The court shall refer the child to the person who conducted the preliminary investigation of the child under Section 53.01 for a referral for services described by Subsection (b)(1), as appropriate.

(3) On page 3, line 25, strike "13".

(4) On page 3, line 26, strike "[~~(A) 10~~]" and substitute "[~~(A)~~] 10".

Amendment No. 1 was adopted.

**HB 1783**, as amended, was passed to engrossment.

**CSHB 1920 ON SECOND READING**  
**(by Capriglione, Tinderholt, P. King, and White)**

**CSHB 1920**, A bill to be entitled An Act relating to the offense of possessing a weapon in a secured area of an airport.

**CSHB 1920** was passed to engrossment.

**HB 2914 ON SECOND READING**  
**(by C. Turner, Meza, and J. González)**

**HB 2914**, A bill to be entitled An Act relating to the fee for emergency medical services in certain municipalities.

**HB 2914** was passed to engrossment.

**CSHB 3745 ON SECOND READING**  
**(by Capriglione)**

**CSHB 3745**, A bill to be entitled An Act relating to prohibitions in connection with the online sale of goods.

Representative C. Turner moved to postpone consideration of **CSHB 3745** until 2:05 p.m. today.

The motion prevailed.

**CSHB 3853 ON SECOND READING**  
**(by Anderson, Guillen, T. King, Ashby, K. King, et al.)**

**CSHB 3853**, A bill to be entitled An Act relating to middle mile broadband service provided by an electric utility.

**Amendment No. 1**

Representative Anderson offered the following amendment to **CSHB 3853**:

Amend **CSHB 3853** (house committee printing) as follows:

(1) On page 2, between "unserved" and "areas", insert "and underserved" in each of the following places it appears:

- (A) line 5;
- (B) line 15; and
- (C) line 19.

(2) On page 8, line 8, between "entity" and the period, insert ", unless the property owner protests the use as provided by this section".

(3) On page 14, lines 2 and 3, strike "the provision and maintenance of adequate, efficient, safe, reliable, and".

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

SECTION \_\_\_\_\_. The Public Utility Commission of Texas is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commission may, but is not required to, implement a provision of this Act using other appropriations that are available for that purpose.

Amendment No. 1 was adopted.

**CSHB 3853**, as amended, was passed to engrossment.

**HB 956 ON SECOND READING**  
**(by Dutton and Frullo)**

**HB 956**, A bill to be entitled An Act relating to the places where certain knives are prohibited.

Representative Frullo moved to postpone consideration of **HB 956** until 10 a.m. tomorrow.

The motion prevailed.

**HB 193 ON SECOND READING**  
**(by Rose)**

**HB 193**, A bill to be entitled An Act relating to the destruction of juvenile court records of victims of sex trafficking.

**Amendment No. 1**

Representative Rose offered the following amendment to **HB 193**:

Amend **HB 193** (house committee printing) as follows:

(1) Strike SECTION 1 of the bill (page 1, line 5, through page 2, line 4).

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

SECTION \_\_\_\_\_. Chapter 54, Family Code, is amended by adding Section 54.12 to read as follows:

Sec. 54.12. TRAFFICKING VICTIM FINDING. (a) This section applies to a child who was referred to a juvenile probation department and whose records include conduct:

(1) that constitutes an offense under Section 43.02(a), Penal Code; and

(2) for which the defense under Section 43.02(d), Penal Code, applies.

(b) If applicable, the court shall enter a finding in the case of a child to whom this section applies stating that the child is a victim of trafficking.

SECTION \_\_\_\_\_. Subchapter C-1, Chapter 58, Family Code, is amended by adding Section 58.2552 to read as follows:

Sec. 58.2552. SEALING RECORDS WITH OR WITHOUT APPLICATION: TRAFFICKING VICTIM. (a) If a juvenile court enters a finding that a child is a victim of trafficking under Section 54.12, the court, on the court's own motion and without a hearing, shall immediately order the sealing of all records of the child that are related to the conduct described under that section.

(b) Notwithstanding Subsection (a), a child who is entitled to have records sealed under that subsection may file an application for the sealing of records related to the child's applicable conduct in the juvenile court served by the juvenile probation department to which the child was referred. The court may not charge a fee for filing the application, regardless of the form of the application. An application filed under this subsection must include the information required under Section 58.256(b).

(c) On receipt of an application under Subsection (b), the court shall immediately order the sealing of the child's records related to the applicable conduct without a hearing.

Amendment No. 1 was adopted.

**HB 193**, as amended, was passed to engrossment.

**CSHB 541 ON SECOND READING****(by Patterson, Collier, Burrows, Hunter, Canales, et al.)**

**CSHB 541**, A bill to be entitled An Act relating to certain claims for benefits, compensation, or assistance by certain public safety employees and survivors of certain public safety employees.

**Amendment No. 1**

Representative Patterson offered the following amendment to **CSHB 541**:

Amend **CSHB 541** (house committee report) on page 5, line 10, by striking "10" and substituting "14".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Patterson offered the following amendment to **CSHB 541**:

Amend **CSHB 541** (house committee report) on page 5, between lines 18 and 19, by inserting the following:

(d) Sections 409.009 and 409.0091, Labor Code, do not apply to a claim for compensation determined to be compensable or accepted by an insurance carrier as compensable using the presumption under this section. Notwithstanding this subsection, an injured employee may request reimbursement for health care paid by the employee as provided by rule of the division of workers' compensation of the Texas Department of Insurance.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Patterson offered the following amendment to **CSHB 541**:

Amend **CSHB 541** (house committee report) on page 7, between lines 11 and 12, by inserting the following:

(e) A rebuttal offered under this section to a presumption under Section 607.0545 may be based on evidence that a person with whom a detention officer, corrections employee, firefighter, peace officer, or emergency medical technician resides had a confirmed diagnosis of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) or coronavirus disease 2019 (COVID-19).

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative C. Turner offered the following amendment to **CSHB 541**:

Amend **CSHB 541** (house committee report) as follows:

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

SECTION \_\_\_\_\_. Section 409.022(d), Labor Code, is amended to read as follows:

(d) In this subsection, the terms "corrections employee," "detention officer," "emergency medical technician," "firefighter," and "peace officer" have the meanings assigned by Section 607.051, Government Code. In addition to the other requirements of this section, if an insurance carrier's notice of refusal to pay benefits under Section 409.021 is sent in response to a claim for compensation resulting from a corrections employee's, a detention officer's, an emergency medical technician's, a firefighter's, or a peace officer's disability or death for which a presumption is claimed to be applicable under Subchapter B, Chapter 607, Government Code, the notice must include a statement by the carrier that:

(1) explains why the carrier determined a presumption under that subchapter does not apply to the claim for compensation; and

(2) describes the evidence that the carrier reviewed in making the determination described by Subdivision (1).

(2) On page 7, strike lines 19 through 26 and substitute the following:

(b) Notwithstanding Subsection (a) of this section or Sections 409.003, 410.169, or 410.205, Labor Code, a person who on or after the date the governor declared a disaster under Chapter 418, Government Code, relating to SARS-CoV-2, coronavirus disease 2019 (COVID-19), but before the effective date of this Act, filed a claim for benefits, compensation, or assistance related to SARS-CoV-2, coronavirus disease 2019 (COVID-19), and whose claim was subsequently denied may, on or after the effective date of this Act, request in writing that the insurance carrier reprocess the claim and the changes in law made by this Act shall apply to that claim. A request to reprocess a claim as authorized by this subsection shall be filed not later than one year after the effective date of this Act.

(c) Not later than the 60th day after the date an insurance carrier receives a written request to reprocess a claim under Subsection (b) of this section, the insurance carrier shall reprocess the claim and notify the person in writing whether the carrier accepted or denied the claim. If the insurance carrier denies the claim, the notice must include information on the process for disputing the denial. The notice provided by the insurance carrier must use the notice provisions prescribed by the division of workers' compensation of the Texas Department of Insurance under Subsection (d) of this section.

(d) As soon as practicable after the effective date of this Act, the division of workers' compensation of the Texas Department of Insurance shall prescribe notice provisions for an insurance carrier to use when providing notice of the insurance carrier's acceptance or denial of a person's claim. The notice provisions must be clear and easily understandable.

Amendment No. 4 was adopted.

**CSHB 541**, as amended, was passed to engrossment.

**HB 2812 ON SECOND READING**  
**(by Murphy)**

**HB 2812**, A bill to be entitled An Act relating to the creation of the disaster response loan fund and the permissible uses of that fund; making an appropriation.



**Amendment No. 1**

Representative Slaton offered the following amendment to **HB 2812**:

Amend **HB 2812** (house committee printing) by striking page 3, lines 1 through 3, and substituting the following:  
subchapter if:

(1) the award would affect the political subdivision's receipt of federal money to which the political subdivision is eligible as a result of the disaster; or

(2) during the 12-month period preceding the date on which the political subdivision applies for the loan, the political subdivision directly or indirectly funded the legal defense against removal of a person who is not a citizen or national of the United States and is unlawfully present in the United States under the federal Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.).

**Amendment No. 1 - Point of Order**

Representative Hernandez raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2, of the House Rules. The point of order was sustained and the speaker submitted the following ruling:

**RULING BY THE SPEAKER**

on Amendment No. 1 to House Bill 2812

Announced in the House on April 26, 2021

Representative Hernandez raises a point of order against further consideration of the Slaton Amendment under Rule 11, Section 2, of the House Rules on the grounds that the amendment is not germane.

The subject of the bill is the creation and administration of a disaster loan response fund. The bill prohibits the award of a loan from the fund to a political subdivision if that award would affect the subdivision's eligibility for certain federal aid. The Slaton Amendment would prohibit the award of a loan if the political subdivision took certain actions related to the defense of certain persons in removal proceedings under Federal law.

The burden of proof of the germaneness of an amendment rests upon its proponents. 87 H. Jour. 788 (2021). Here, the burden of proof was not met. See 47 H. Jour. 1123 (1941). The amendment is not related to the existing limitation in the bill because it is not of the same scope and effect. The amendment is not germane.

Accordingly, the point of order is well-taken and sustained.

The ruling precluded further consideration of Amendment No. 1.

A record vote was requested by Representative Slaton.

**HB 2812** was passed to engrossment by (Record 420): 124 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchia; Anderson; Ashby; Bailes; Beckley; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Canales; Capriglione; Clardy; Cole; Coleman; Collier; Cook; Cortez; Craddick;

Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Dutton; Fierro; Frank; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Israel; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, K.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murphy; Murr; Neave; Noble; Oliverson; Ordaz Perez; Ortega; Pacheco; Paddie; Parker; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Rodriguez; Rogers; Romero; Rose; Rosenthal; Schaefer; Schofield; Sherman; Shine; Slawson; Smith; Spiller; Stephenson; Swanson; Talarico; Thompson, E.; Thompson, S.; Turner, C.; Turner, J.; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Biedermann; Cain; Cason; Frullo; Hefner; Middleton; Patterson; Shaheen; Slaton; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Ellzey; Herrero; Huberty; Morales Shaw; Smithee; Tinderholt.

Absent — Goldman; Krause; Sanford; Stucky; Thierry; White.

#### STATEMENTS OF VOTE

When Record No. 420 was taken, I was shown voting yes. I intended to vote no.

Craddick

When Record No. 420 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 420 was taken, I was temporarily out of the house chamber. I would have voted no.

Krause

When Record No. 420 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 420 was taken, I was excused because of important business in the district. I would have voted yes.

Morales Shaw

When Record No. 420 was taken, I was shown voting yes. I intended to vote no.

Schaefer

When Record No. 420 was taken, I was shown voting yes. I intended to vote no.

Slawson

**HB 4422 ON SECOND READING**  
**(by T. King)**

**HB 4422**, A bill to be entitled An Act relating to the authority to request attorney general advice on questions relating to actions in which the state is interested.

Representative T. King moved to postpone consideration of **HB 4422** until 10 a.m. Monday, May 3.

The motion prevailed.

**HB 2446 ON SECOND READING**  
**(by Canales)**

**HB 2446**, A bill to be entitled An Act relating to the reimbursement of expenses to certain counsel appointed to represent a defendant in a criminal proceeding.

**HB 2446** was passed to engrossment.

**HB 1256 ON SECOND READING**  
**(by Ashby, Price, Rose, Minjarez, Stucky, et al.)**

**HB 1256**, A bill to be entitled An Act relating to the allocation of certain revenue from mixed beverage gross receipts and sales taxes.

**Amendment No. 1**

Representatives Ashby, Burrows, and Frullo offered the following amendment to **HB 1256**:

Amend **HB 1256** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. This Act may be cited as the Judge Ruben G. Reyes Act.

Amendment No. 1 was adopted.

**HB 1256**, as amended, was passed to engrossment.

**CSHB 2555 ON SECOND READING**  
**(by Neave, Button, Collier, M. González, Meyer, et al.)**

**CSHB 2555**, A bill to be entitled An Act relating to evidence to be included and tracked in the statewide electronic tracking system maintained for evidence of a sexual assault or other sex offense and to noncompliance with requirements imposed with respect to that evidence.

**Amendment No. 1**

Representative Neave offered the following amendment to **CSHB 2555**:

Amend **CSHB 2555** (house committee report) on page 1 as follows:

(1) On line 7, strike "Section 420.034(c), Government Code, is" and substitute "Sections 420.034(a) and (c), Government Code, are".

(2) Between lines 8 and 9, insert the following:

(a) For purposes of this section, "evidence" means evidence collected during the investigation of a ~~[an alleged]~~ sexual assault or other sex offense, including:

(1) evidence from an evidence collection kit used to collect and preserve evidence of a sexual assault or other sex offense; and

(2) other biological evidence of a sexual assault or other sex offense.

Amendment No. 1 was adopted.

**CSHB 2555**, as amended, was passed to engrossment.

**CSHB 1647 ON SECOND READING**  
**(by Walle and Crockett)**

**CSHB 1647**, A bill to be entitled An Act relating to the confidentiality of eviction case information for evictions related to the COVID-19 pandemic.

**Amendment No. 1**

Representative Cain offered the following amendment to **CSHB 1647**:

Amend **CSHB 1647** (house committee report) by striking page 2, lines 17-20, and substituting the following:

(f) This section does not apply to an eviction case:

(1) based on actions of the tenant that create an imminent threat to the health or safety of the landlord, a member of the landlord's or tenant's household, other tenants, or neighbors; or

(2) that was dismissed because the tenant had vacated the leased property after the filing of the complaint but before trial.

A record vote was requested by Representative Gates.

Amendment No. 1 was adopted by (Record 421): 75 Yeas, 66 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Toth; VanDeaver; Vasut; White; Wilson.

Nays — Allen; Anchia; Beckley; Bernal; Bowers; Bucy; Canales; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Campos; Ellzey; Herrero; Huberty; Morales Shaw; Smithee; Tinderholt.

Absent — Smith.

### STATEMENTS OF VOTE

When Record No. 421 was taken, I was shown voting no. I intended to vote yes.

Frullo

When Record No. 421 was taken, I was excused because of important business in the district. I would have voted no.

Morales Shaw

A record vote was requested by Representative Gates.

**CSHB 1647**, as amended, was passed to engrossment by (Record 422): 82 Yeas, 58 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Beckley; Bernal; Bowers; Buckley; Bucy; Burns; Canales; Clardy; Cole; Coleman; Collier; Cortez; Craddick; Crockett; Cyrier; Darby; Davis; Dean; Deshotel; Dominguez; Fierro; Frullo; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Hunter; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Kacal; King, T.; Larson; Leach; Longoria; Lopez; Lozano; Lucio; Martinez; Martinez Fischer; Meyer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Muñoz; Neave; Oliverson; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Shine; Stephenson; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; White; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Burrows; Button; Cain; Capriglione; Cason; Cook; Frank; Gates; Goldman; Harless; Harris; Hefner; Holland; Hull; Jetton; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Leman; Metcalf; Middleton; Morrison; Murphy; Murr; Noble; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Slaton; Slawson; Spiller; Stucky; Swanson; Thompson, E.; Toth; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C); Dutton.

Absent, Excused — Campos; Ellzey; Herrero; Huberty; Morales Shaw; Smithee; Tinderholt.

Absent — Smith.

### STATEMENTS OF VOTE

When Record No. 422 was taken, I was shown voting yes. I intended to vote no.

Buckley

When Record No. 422 was taken, I was shown voting yes. I intended to vote no.

Burns

When Record No. 422 was taken, I was shown voting yes. I intended to vote no.

Cyrier

When Record No. 422 was taken, I was shown voting yes. I intended to vote no.

Darby

When Record No. 422 was taken, I was shown voting yes. I intended to vote no.

Dean

When Record No. 422 was taken, I was shown voting yes. I intended to vote no.

Frullo

When Record No. 422 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 422 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 422 was taken, I was excused because of important business in the district. I would have voted yes.

Morales Shaw

When Record No. 422 was taken, I was shown voting yes. I intended to vote no.

Shine

When Record No. 422 was taken, I was shown voting yes. I intended to vote no.

Stephenson

**CSHB 3120 ON SECOND READING**  
**(by Capriglione, Guillen, Patterson, and Button)**

**CSHB 3120**, A bill to be entitled An Act relating to the eligibility of an injured employee for lifetime income benefits under the workers' compensation system.

Representative Stucky moved to postpone consideration of **CSHB 3120** until 2:10 p.m. today.

The motion prevailed.

**HB 3023 ON SECOND READING**  
**(by K. King and Guillen)**

**HB 3023**, A bill to be entitled An Act relating to the eligibility of the Professional Bull Riders World Finals for funding under the Major Events Reimbursement Program.

Representative K. King moved to postpone consideration of **HB 3023** until the end of today's calendar.

The motion prevailed.

**HB 3529 ON SECOND READING**  
**(by Meyer)**

**HB 3529**, A bill to be entitled An Act relating to consent for the use or possession of personal identifying information under the Identity Theft Enforcement and Protection Act.

**HB 3529** was passed to engrossment.

**HB 2879 ON SECOND READING**  
**(by Landgraf)**

**HB 2879**, A bill to be entitled An Act relating to notice required in connection with possessory liens on certain motor vehicles.

**Amendment No. 1**

Representatives Harless, Holland, Raney, and Cain offered the following amendment to **HB 2879**:

Amend **HB 2879** (house committee report) as follows:

(1) Strike the recital to SECTION 1 of the bill (page 1, lines 5 and 6) and substitute the following:

SECTION 1. Section 70.006, Property Code, is amended by amending Subsections (a) and (b-1) and adding Subsection (a-1) to read as follows:

(2) On page 1, strike lines 14 through 17, and substitute the following: certificate of title. Subject to Subsection (a-1) [Not later than the 30th day after the date on which the charges accrue], a holder of a possessory lien on a

(3) On page 2, between lines 3 and (4), insert the following:

(a-1) A copy of the notice and information required to be filed with the county tax assessor-collector's office under Subsection (a) must be filed:

(1) for a motor vehicle that has a gross vehicle weight rating of less than 19,500 pounds, not later than the 30th day after the date on which the charges accrue; and

(2) for a motor vehicle that has a gross vehicle weight rating equal to or greater than 19,500 pounds, not later than the later of the 30th day after the date on which the charges accrue or the 30th day before the date of a proposed sale or disposition of the motor vehicle under Subsection (f) or (f-1).

Amendment No. 1 was adopted.

**HB 2879**, as amended, was passed to engrossment.

**HB 3022 ON SECOND READING**  
**(by Herrero and Collier)**

**HB 3022**, A bill to be entitled An Act relating to the expunction of arrest records and files by a statutory county court.

**HB 3022** was passed to engrossment.

**CSHB 3614 ON SECOND READING****(by Cain)**

**CSHB 3614**, A bill to be entitled An Act relating to a biennial report on state lending and credit support programs.

**CSHB 3614** was passed to engrossment.

**HB 3717 ON SECOND READING****(by Burns)**

**HB 3717**, A bill to be entitled An Act relating to the sale of a water or sewer utility system by a municipality without an election.

**HB 3717** was passed to engrossment.

**CSHB 2093 ON SECOND READING****(by Cortez, Oliverson, et al.)**

**CSHB 2093**, A bill to be entitled An Act relating to including certain licensed physician assistants in the definition of non-physician mental health professional for purposes of certain provisions applicable to non-physician mental health professionals.

**CSHB 2093** was passed to engrossment.

**HB 2448 ON SECOND READING****(by Canales)**

**HB 2448**, A bill to be entitled An Act relating to the verification of the incarceration of an accused person in a criminal case for the purpose of discharging a surety's liability on a bail bond.

**HB 2448** was passed to engrossment. (Leach recorded voting no.)

**CSHB 4548 ON SECOND READING****(by Burns and Guillen)**

**CSHB 4548**, A bill to be entitled An Act relating to the issuance of oversize or overweight permits for vehicles transporting agricultural commodities during or preceding a disaster.

**CSHB 4548** was passed to engrossment.

**HB 2631 ON SECOND READING****(by Krause, Leach, Cason, Collier, S. Thompson, et al.)**

**HB 2631**, A bill to be entitled An Act relating to the use of in-custody informant testimony in a criminal trial.

**Amendment No. 1**

Representative Krause offered the following amendment to **HB 2631**:

Amend **HB 2631** (house committee report) on page 1 by striking lines 12 through 15 and substituting the following:



(2) "Benefit" means any of the following that are offered to or requested by an in-custody informant in exchange for testimony or that the informant could reasonably expect to receive in exchange for testimony:

(A) a reduction in sentence;

(B) immunity from prosecution; or

(C) any other form of leniency or special treatment.

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representatives Krause and S. Thompson offered the following amendment to **HB 2631**:

Amend **HB 2631** (house committee report) as follows:

(1) On page 5, line 1, strike "except for good cause shown" and substitute "unless an extension of time has been granted under Section 5 of this article"

(2) On page 5, between lines 1 and 2, insert the following:

Sec. 5. CONTINUANCE. (a) The court shall, for sufficient cause shown, extend the time by which the attorney representing the state is required to provide notice under Section 3(a)(1) or provide information under Section 4(b).

(b) The court shall, for sufficient cause shown, continue an admissibility hearing under this article or continue the defendant's trial in accordance with Article 29.03 if the defendant or the attorney representing the state needs additional time to prepare for the admissibility hearing.

(c) An extension of time under Subsection (a) constitutes sufficient cause shown for continuing the admissibility hearing or the trial as described by Subsection (b) if the continuance is requested by the defendant.

(3) On page 5, line 2, strike "Sec. 5" and substitute "Sec. 6".

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Collier offered the following amendment to **HB 2631**:

Amend **HB 2631** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. This Act may be cited as the John Nolley Act.

Amendment No. 3 was adopted.

**HB 2631**, as amended, was passed to engrossment.

### **LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of important business:

Anchia on motion of C. Turner.

**CSHB 1005 ON SECOND READING****(by Leman, Collier, A. Johnson, Smith, and Hunter)**

**CSHB 1005**, A bill to be entitled An Act relating to the requisites of a bail bond given by certain defendants and to conditions of release on bond for certain defendants.

**CSHB 1005** was passed to engrossment.

**HB 1763 ON SECOND READING****(by Oliverson, Hefner, Lucio, C. Bell, Raymond, et al.)**

**HB 1763**, A bill to be entitled An Act relating to the contractual relationship between a pharmacist or pharmacy and a health benefit plan issuer or pharmacy benefit manager.

**Amendment No. 1**

Representative Lucio offered the following amendment to **HB 1763**:

Amend **HB 1763** (house committee report) as follows:

(1) Strike page 3, line 23, through page 4, line 6, and substitute "except in accordance with an audit performed under Subchapter F.".

(2) Strike page 6, lines 15 through 20.

(3) On page 6, line 22, strike "(a)".

(4) On page 6, line 25, strike "except as provided by Subsection (b).".

(5) On page 7, strike lines 11 through 21.

Amendment No. 1 was adopted.

**HB 1763**, as amended, was passed to engrossment.

**CSHB 988 ON SECOND READING****(by Shine, Rodriguez, Lucio, Button, et al.)**

**CSHB 988**, A bill to be entitled An Act relating to the administration of the system for appraising property for ad valorem tax purposes.

**Amendment No. 1**

Representative Shine offered the following amendment to **CSHB 988**:

Amend **CSHB 988** (house committee printing) on page 13 by striking lines 2 through 4 and substituting the following:

(n) An award under this section does not affect the property owner's right to:

(1) appeal the final determination of a protest by the appraisal review board under Chapter 42; or

(2) pursue any other legal or statutory remedy available to the property owner.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representatives Canales and Burrows offered the following amendment to **CSHB 988**:

Amend **CSHB 988** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 6, Tax Code, is amended by adding Section 6.155 to read as follows:

Sec. 6.155. CERTAIN COMMUNICATIONS BY TAXING UNITS PROHIBITED; PENALTY. (a) A member of the governing body, officer, or employee of a taxing unit commits an offense if the person directly or indirectly communicates with the chief appraiser or another employee of the appraisal district in which the taxing unit participates for the purpose of influencing the value at which property in the district is appraised.

(b) An offense under this section is a state jail felony.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Bonnen offered the following amendment to **CSHB 988**:

Amend **CSHB 988** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 41, Tax Code, is amended by adding Section 41.445 to read as follows:

Sec. 41.445. INFORMAL CONFERENCE BEFORE HEARING ON PROTEST. (a) The appraisal review board shall schedule an informal conference with the appraisal office for each property owner who files a notice of protest with the board, to be held before the hearing on the protest. Notice of the date, time, and location of the informal conference shall be delivered to the property owner with the notice of protest hearing required under Section 41.46.

(b) Except as provided by Subsection (c), the informal conference may not be scheduled to be held on the same day on which the hearing on the protest is scheduled to be held or during the five-day period preceding that date.

(c) On request made in writing by the property owner to the appraisal office with good cause shown, the appraisal office shall reschedule the informal conference for a later date that is before the date of the hearing on the protest. The rescheduling of the informal conference under this subsection does not require the delivery of additional written notice to the property owner. The appraisal office may reschedule the informal conference for a date during the five-day period described by Subsection (b) with the property owner's consent.

(d) The appraisal office shall cancel the informal conference if the property owner informs the appraisal office, in writing, that the property owner elects not to participate in the conference.

(e) The property owner's failure to appear at the informal conference does not prevent the appraisal review board from hearing the protest and issuing an order determining the protest.

SECTION \_\_\_\_\_. Section 41.45(b-1), Tax Code, is amended to read as follows:

(b-1) An appraisal review board shall conduct a hearing on a protest by telephone conference call if [±

~~[(±)]~~ the property owner notifies the board that the property owner intends to appear by telephone conference call in the owner's notice of protest or by written notice filed with the board not later than the 10th day before the date of the hearing [± or

~~[(2) the board proposes that the hearing be conducted by telephone conference call and the property owner agrees to the hearing being conducted in that manner].~~

SECTION \_\_\_\_\_. Section 41.445, Tax Code, as added by this Act, and Section 41.45(b-1), Tax Code, as amended by this Act, apply only to a protest under Chapter 41, Tax Code, for which a notice of protest is filed by a property owner on or after the effective date of this Act. A protest under Chapter 41, Tax Code, for which a notice of protest is filed by a property owner before the effective date of this Act is governed by the law in effect on the date the notice of protest is filed, and the former law is continued in effect for that purpose.

Amendment No. 3 was adopted.

#### **Amendment No. 4**

Representative Lucio offered the following amendment to **CSHB 988**:

Amend **CSHB 988** (house committee report) as follows:

(1) Strike page 14, lines 14 through 18, and substitute the following appropriately numbered SECTION to the bill:

SECTION \_\_\_\_\_. (a) Except as provided by Subsection (b) of this section, this Act takes effect January 1, 2022.

(b) Sections 5.103, 5.104, 6.04, 6.052, 41.01, 41.461, and 41.66, Tax Code, as amended by this Act, and Section 41A.015, Tax Code, as added by this Act, take effect immediately if this Act 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, those sections of this Act take effect September 1, 2021.

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

SECTION \_\_\_\_\_. Section 11.253(a)(2), Tax Code, is amended to read as follows:

(2) "Goods-in-transit" means tangible personal property that:

(A) is acquired in or imported into this state to be forwarded to another location in this state or outside this state;

(B) is stored under a contract of bailment by a public warehouse operator at one or more public warehouse facilities in this state that are not in any way owned or controlled by the owner of the personal property for the account of the person who acquired or imported the property;

(C) is transported to another location in this state or outside this state not later than 175 days, or, if applicable, the greater number of days adopted by the taxing unit as authorized by Subsection (I), after the date the person acquired the property in or imported the property into this state; and

(D) does not include oil, natural gas, petroleum products, aircraft, dealer's motor vehicle inventory, dealer's vessel and outboard motor inventory, dealer's heavy equipment inventory, or retail manufactured housing inventory.

SECTION \_\_\_\_\_. Section 11.253, Tax Code, is amended by amending Subsections (e) and (g) and adding Subsection (I) to read as follows:

(e) In determining the market value of goods-in-transit that in the preceding year were stored in this state, the chief appraiser shall exclude the cost of equipment, machinery, or materials that entered into and became component parts of the goods-in-transit but were not themselves goods-in-transit or that were not transported to another location in this state or outside this state before the expiration of 175 days, or, if applicable, the greater number of days adopted by the taxing unit as authorized by Subsection (I), after the date they were brought into this state by the property owner or acquired by the property owner in this state. For component parts held in bulk, the chief appraiser may use the average length of time a component part was held by the owner of the component parts during the preceding year at a location in this state that was not owned by or under the control of the owner of the component parts in determining whether the component parts were transported to another location in this state or outside this state before the expiration of 175 days, or, if applicable, the greater number of days adopted by the taxing unit as authorized by Subsection (I).

(g) If the property owner or the chief appraiser demonstrates that the method provided by Subsection (d) significantly understates or overstates the market value of the property qualified for an exemption under Subsection (b) in the current year, the chief appraiser shall determine the market value of the goods-in-transit to be exempt by determining, according to the property owner's records and any other available information, the market value of those goods-in-transit owned by the property owner on January 1 of the current year, excluding the cost of equipment, machinery, or materials that entered into and became component parts of the goods-in-transit but were not themselves goods-in-transit or that were not transported to another location in this state or outside this state before the expiration of 175 days, or, if applicable, the greater number of days adopted by the taxing unit as authorized by Subsection (I), after the date they were brought into this state by the property owner or acquired by the property owner in this state.

(I) This subsection applies only to a taxing unit any part of which is located in an area designated a disaster area by a disaster declaration issued under Section 418.014 or 418.108, Government Code, that has not expired or otherwise been terminated. The governing body of a taxing unit, in the manner provided by law for official action, may extend the date by which goods-in-transit must be transported to another location in this state or outside this state to a date not later

than the 270th day after the date the person acquired the property in or imported the property into this state. An extension adopted by official action under this subsection applies only to:

(1) the exemption from ad valorem taxation by the taxing unit adopting the extension; and

(2) the tax year in which the extension is adopted.

SECTION \_\_\_\_\_. Section 23.55, Tax Code, is amended by adding Subsections (e-1) and (r) to read as follows:

(e-1) A property owner may request in writing that the chief appraiser determine whether a change of use of the property owner's land has occurred. The request must state the manner in which the property owner is currently using the land. Not later than the 90th day after the date the chief appraiser receives the request, the chief appraiser shall provide the property owner with a written determination that includes a description of the current use of the land and a statement as to whether the current use of the land has resulted in a change of use of the land. If the chief appraiser determines that a change of use of the land has not occurred, the chief appraiser may not later determine that a change of use of the land has occurred on the basis of the use described in the written determination.

(r) The sanctions provided by Subsection (a) do not apply to a change in the use of land if, after the change in use, the physical characteristics of the land remain consistent with the physical characteristics of the land during the period for which the land was eligible for appraisal under this subchapter.

SECTION \_\_\_\_\_. Section 25.02, Tax Code, is amended by adding Subsections (c), (d), (e), and (f) to read as follows:

(c) Each appraisal record must have a unique account number. If an appraisal district changes the account number of an appraisal record, the appraisal district must provide written notice of the change to the property owner as soon as practicable after the change and provide notice of the change in the next notice of appraised value of the property included in the record that is delivered to the property owner under Section 25.19.

(d) This subsection does not apply to an appraisal record for a residential property, for an improvement only, or for a property on which a delinquent tax is due. On the written request of a property owner, the chief appraiser shall combine contiguous parcels or tracts of the owner's real property into a single appraisal record. On the written request of a property owner, the chief appraiser shall separate identifiable segments of the owner's parcel or tract of real property into individual appraisal records.

(e) A property owner must make a request under Subsection (d) before January 1 of the tax year for which the requested change to the appraisal records is to be made. The request must contain a legal description as contained in a deed sufficient to describe the property subject to the request.

(f) If a chief appraiser refuses to combine parcels or tracts, or separate a parcel or tract, on request of a property owner under Subsection (d), the appraisal review board may order the requested change on a motion filed by the property owner under Section 25.25 or a protest filed under Chapter 41.

SECTION \_\_\_\_\_. Section 25.19, Tax Code, is amended by adding Subsections (m) and (n) to read as follows:

(m) The chief appraiser may not deliver a corrected or amended notice of appraised value later than June 1 for property for which a person files a rendition statement or property report as required by Chapter 22 unless the purpose of the notice is to:

- (1) include omitted property; or
- (2) correct a clerical error.

(n) As soon as practicable after delivering a notice required by this section to a property owner, the chief appraiser shall post the notice on the appraisal district's Internet website, if the appraisal district maintains a website, as part of the appraisal record pertaining to the property.

SECTION \_\_\_\_\_. Section 31.11(h), Tax Code, is amended to read as follows:

(h) This section does not apply to an overpayment caused by a change of exemption status or correction of a tax roll, including an overpayment received after a correction of a tax roll as a result of an appeal under Chapter 42. Such an overpayment is covered by Section 26.15 or 42.43, as applicable.

SECTION \_\_\_\_\_. Section 41.44(d), Tax Code, is amended to read as follows:

(d) A notice of protest is sufficient if it identifies the protesting property owner, including a person claiming an ownership interest in the property even if that person is not listed on the appraisal records as an owner of the property, identifies the property that is the subject of the protest, and indicates apparent dissatisfaction with some determination of the appraisal office. The notice need not be on an official form, but the comptroller shall prescribe a form that provides for more detail about the nature of the protest. The form must permit a property owner to include each property in the appraisal district that is the subject of a protest. The form must permit a property owner to request that the protest be heard by a special panel established under Section 6.425 if the protest will be determined by an appraisal review board to which that section applies and the property is included in a classification described by Section 6.425(b). The form must permit a property owner to request that the protest be heard by a single-member panel authorized by Section 41.45(b-4). The comptroller, each appraisal office, and each appraisal review board shall make the forms readily available and deliver one to a property owner on request.

SECTION \_\_\_\_\_. Section 41.45, Tax Code, is amended by adding Subsections (b-4) and (b-5) and amending Subsections (d), (d-2), and (d-3) to read as follows:

(b-4) An appraisal review board shall sit in a single-member panel to conduct a protest hearing under this section if the property owner requests that the hearing be conducted by a single-member panel:

- (1) in the notice of protest; or
- (2) in writing submitted to the board not later than the 10th day before the date of the hearing.

(b-5) If the recommendation of a single-member panel that conducts a hearing under Subsection (b-4) is not accepted by the appraisal review board, the board may refer the matter for rehearing to a single-member panel composed of a member who did not hear the original protest or the board may determine the protest.

(d) This subsection does not apply to a single-member panel established under Subsection (b-4) of this section or a special panel established under Section 6.425. An appraisal review board consisting of more than three members may sit in panels of not fewer than three members to conduct protest hearings. If the recommendation of a panel is not accepted by the board, the board may refer the matter for rehearing to a panel composed of members who did not hear the original protest or, if there are not at least three members who did not hear the original protest, the board may determine the protest.

(d-2) The determination of a protest heard by a panel under Subsection (b-4), (d), or (d-1) must be made by the board.

(d-3) The board must deliver notice of a hearing or meeting to determine a protest heard by a panel, or to rehear a protest, under Subsection (b-4), (d), or (d-1) in accordance with the provisions of this subchapter.

SECTION \_\_\_\_\_. Section 41.47, Tax Code, is amended by amending Subsection (c) and adding Subsection (d-1) to read as follows:

(c) If the protest is of the determination of the appraised value of the owner's property, the appraisal review board must state in the order the appraised value of the property, listed separately in the case of real property as the appraised value of the land and the appraised value of any improvement to the land as allocated by the chief appraiser:

(1) as shown in the appraisal records submitted to the board by the chief appraiser under Section 25.22 or 25.23; and

(2) as finally determined by the board.

(d-1) This subsection applies only to an appraisal district established in a county with a population of 120,000 or more. The requirements of this subsection are in addition to the requirements of Subsection (d). On written request submitted to the chief appraiser, the chief appraiser shall deliver by e-mail, in the manner provided by this subsection, a copy of the notice of issuance of the order and a copy of the order required by Subsection (d) if the property subject to the order is not the subject of an agreement under Section 1.085. A request under this subsection may be submitted only by the property owner whose property is subject to the protest for which the order is issued, an attorney representing the property owner, or an individual designated by the property owner under Section 1.111. A person may include in a single request more than one property owned by the same property owner or multiple properties owned by multiple property owners. A person may submit more than one request. A person submitting a request must indicate in the request that the chief appraiser must make the delivery to the property owner, an attorney representing the property owner, an individual designated by the property owner under Section 1.111, or a combination of those persons. A person must submit a request before the protest hearing relating to each property included in the request. The chief appraiser shall



deliver, as provided by this subsection, a copy of the notice of issuance of the order and a copy of the order required by Subsection (d) not later than the 21st day after the date the appraisal review board issues the order.

SECTION \_\_\_\_\_. Section 42.01, Tax Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A property owner may not appeal separately the portion of an order of an appraisal review board determining the appraised value of land or the portion of the order determining the appraised value of an improvement to the land if the order determined the appraised value of both.

SECTION \_\_\_\_\_. Section 42.015(a), Tax Code, is amended to read as follows:

(a) A person leasing property who is contractually obligated to reimburse the property owner for taxes imposed on the property is entitled to appeal an order of the appraisal review board determining a protest relating to the property:

(1) brought by the person under Section 41.413; or

(2) brought by the property owner if the property owner does not appeal the order.

SECTION \_\_\_\_\_. Section 42.23(e), Tax Code, is amended to read as follows:

(e) For purposes of Subsection (d), a property owner may designate a cause of action under Section 42.25 or 42.26 as the basis for an appeal, but may not designate a cause of action under both sections as the basis for the appeal. Discovery regarding a cause of action that is not specifically designated by the property owner under Subsection (d) shall be conducted as provided by the Texas Rules of Civil Procedure. A [The] court may not enter an order, including a protective order [to modify the provisions of this subsection] under Rule 192.6 of the Texas Rules of Civil Procedure, that conflicts with Subsection (d).

SECTION \_\_\_\_\_. Section 11.253, Tax Code, as amended by this Act, applies only to a tax year beginning on or after January 1, 2022.

SECTION \_\_\_\_\_. Section 25.19, Tax Code, as amended by this Act, applies only to a notice of appraised value for a tax year beginning on or after January 1, 2022.

SECTION \_\_\_\_\_. Sections 41.45 and 41.47, Tax Code, as amended by this Act, apply only to a protest under Chapter 41, Tax Code, for which a notice of protest is filed on or after January 1, 2022.

SECTION \_\_\_\_\_. Sections 42.01, 42.015, and 42.23, Tax Code, as amended by this Act, apply only to an appeal under Chapter 42, Tax Code, that is filed on or after January 1, 2022.

(3) Renumber SECTIONS of the bill as appropriate.

Amendment No. 4 was adopted.

**CSHB 988**, as amended, was passed to engrossment.

**HB 1281 ON SECOND READING****(by Wilson)**

**HB 1281**, A bill to be entitled An Act relating to the operation of certain low-powered vehicles.

**HB 1281** was passed to engrossment.

**HB 582 ON SECOND READING****(by Cole, Toth, VanDeaver, Howard, Lopez, et al.)**

**HB 582**, A bill to be entitled An Act relating to the exemption of tuition and laboratory fees at public institutions of higher education for certain paramedics.

**HB 582** was passed to engrossment.

**CSHB 148 ON SECOND READING****(by Toth, Craddick, Collier, and Leman)**

**CSHB 148**, A bill to be entitled An Act relating to the limitations period for certain offenses involving dating or family violence.

**Amendment No. 1**

Representative Craddick offered the following amendment to **CSHB 148**:

Amend **CSHB 148** (house committee report) as follows:

(1) On page 4, strike lines 13-15, and substitute the following:

(F) assault under Section 22.01, Penal Code, if the assault was committed against a person whose

(2) On page 4, line 17, following the underlined semicolon, strike "or".

(3) On page 4, line 19, following the underlined semicolon, insert the following:

or

(H) aggravated assault under Section 22.02, Penal Code;

Amendment No. 1 was adopted.

**CSHB 148**, as amended, was passed to engrossment.

**HB 1153 ON SECOND READING****(by Vo)**

**HB 1153**, A bill to be entitled An Act relating to the applicability of the Texas Fair Housing Act to certain sales and rentals.

**HB 1153** was passed to engrossment.

**CSHB 4344 ON SECOND READING****(by Jetton)**

**CSHB 4344**, A bill to be entitled An Act relating to the dismissal of a complaint filed with the State Commission on Judicial Conduct.

**Amendment No. 1**

Representative Jetton offered the following amendment to **CSHB 4344**:

Amend **CSHB 4344** (house committee printing) on page 1 of the bill as follows:

(1) On line 11, strike "455th" and substitute "365th".

(2) On lines 14 and 15, strike ", including a need for further investigation,".

Amendment No. 1 was adopted.

**CSHB 4344**, as amended, was passed to engrossment.

(Goldman in the chair)

### POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

#### **HB 1925 ON SECOND READING**

(by Capriglione, Harless, Lucio, Geren, P. King, et al.)

**HB 1925**, A bill to be entitled An Act relating to prohibitions on camping in a public place; creating a criminal offense.

**HB 1925** was read second time earlier today, amendments were offered and disposed of, and **HB 1925** was postponed until this time.

#### **Amendment No. 4**

Representatives Moody and Collier offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) as follows:

(1) On page 2, between lines 23 and 24, insert the following:

(h) If the person is arrested or detained solely for an offense under this section, a peace officer enforcing this section shall ensure that all of the person's personal property not designated as contraband under other law is preserved by:

(1) permitting the person to remove all the property from the public place at the time of the person's departure; or

(2) taking custody of the property and allowing the person to retrieve the property after the person is released from custody.

(i) A fee may not be charged for the storage or release of property under Subsection (h)(2).

(2) On page 3, between lines 21 and 22, insert the following appropriately lettered subsection:

( ) This section does not prohibit a policy that encourages diversion or a provision of services in lieu of citation or arrest.

Amendment No. 4 was adopted.

#### **Amendment No. 5**

Representative Ramos offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) on page 1, line 11-12, by striking "sleeping bag, bedroll, blankets, or any form of shelter, other than clothing," and substituting "or any form of semi-permanent shelter".

A record vote was requested by Representative Cason.

Amendment No. 5 failed of adoption by (Record 423): 63 Yeas, 75 Nays, 2 Present, not voting.

Yeas — Allen; Beckley; Bernal; Bonnen; Bowers; Bucy; Canales; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Martinez; Martinez Fischer; Meza; Minjarez; Moody;

Morales, C.; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Geren; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Lucio; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Anchia; Campos; Ellzey; Herrero; Huberty; Morales Shaw; Smithee; Tinderholt.

Absent — Gates; Slawson.

### STATEMENTS OF VOTE

When Record No. 423 was taken, I was shown voting yes. I intended to vote no.

Bonnen

When Record No. 423 was taken, I was in the house but away from my desk. I would have voted no.

Gates

When Record No. 423 was taken, I was excused because of important business in the district. I would have voted yes.

Morales Shaw

When Record No. 423 was taken, my vote failed to register. I would have voted no.

Slawson

### Amendment No. 6

Representative J. Turner offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) by striking page 1, lines 10-13, and substituting the following appropriately numbered subdivision and renumbering subsequent subdivisions of added Section 48.05(a), Penal Code, accordingly:

( ) "Shelter" includes a tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets, cardboard, or any other form of makeshift shelter intended to protect a person from weather conditions that threaten personal health and safety.  
The term does not include:

(A) a supervised publicly or privately operated facility that is designated by a political subdivision as a homeless or emergency shelter with a structure designed to provide temporary living accommodations for individuals who lack a fixed, regular, and adequate residence while providing them with social services and other assistance to find a home; or

(B) clothing or any handheld device.

Amendment No. 6 was adopted.

#### **Amendment No. 7**

Representatives Bernal and S. Thompson offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) on page 2, between lines 23 and 24, by inserting the following:

(h) Except as provided by Subsection (i), before or at the time a peace officer arrests or issues a citation to a person for an offense under this section, the peace officer must make a reasonable effort to:

(1) advise the person of an alternative place at which the person may lawfully camp; and

(2) contact, if reasonable and appropriate, an appropriate official of the political subdivision or nonprofit organization in which the public place is located and request the official to:

(A) provide information regarding human trafficking; and

(B) provide any other services that would reduce the likelihood of the person suspected of committing the offense continuing to camp in the public place.

(i) Subsection (h) does not apply if the peace officer determines there is an imminent threat to the health or safety of any person to the extent that compliance with that subsection is impracticable.

Amendment No. 7 was adopted.

#### **Amendment No. 8**

Representative Goodwin offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) on page 3, between lines 14 and 15, by inserting the following:

Sec. 364.0015. NONAPPLICABILITY. This chapter does not apply to a municipality or county, or any local entity associated with the municipality or county, that is:

(1) providing temporary or permanent shelter to at least 75 percent of the municipality's or county's population of homeless individuals, as determined based on the most recent point-in-time homeless census applicable to the municipality or county; or

(2) administering programs that consistently increase, from one year to the next, the percentage of homeless individuals in the municipality or county who are provided temporary or permanent shelter as described by Subdivision (1), if the percentage of homeless individuals provided shelter is less than the percentage specified by that subdivision.

Amendment No. 8 was withdrawn.

### **Amendment No. 9**

Representative Crockett offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Article 45.014, Code of Criminal Procedure, is amended by adding Subsection (h) to read as follows:

(h) A justice or judge may not issue an arrest warrant for the defendant's failure to appear at the initial court setting, including failure to appear as required by a citation issued under Article 14.06(b), if the offense for which the defendant failed to appear is an offense under Section 48.05, Penal Code.

SECTION \_\_\_\_\_. Article 45.045, Code of Criminal Procedure, is amended by adding Subsection (d) to read as follows:

(d) The court may not issue a capias pro fine for the defendant's failure to satisfy the judgment according to its terms if the judgment is for an offense under Section 48.05, Penal Code.

A record vote was requested by Representative Cason.

Amendment No. 9 failed of adoption by (Record 424): 61 Yeas, 79 Nays, 2 Present, not voting.

Yeas — Allen; Beckley; Bernal; Bowers; Bucy; Canales; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Rogers; Romero; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Anchia; Campos; Ellzey; Herrero; Huberty; Morales Shaw; Smithee; Tinderholt.

### STATEMENT OF VOTE

When Record No. 424 was taken, I was shown voting no. I intended to vote yes.

Romero

#### Amendment No. 10

Representative Crockett offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee report) as follows:

(1) Strike SECTION 2 of the bill (page 2, line 24, through page 4, line 14).

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

SECTION \_\_\_\_\_. Subchapter B, Chapter 45, Code of Criminal Procedure, is amended by adding Articles 45.02161 and 45.0219 to read as follows:

Art. 45.02161. EXPUNCTION OF CERTAIN RECORDS RELATED TO PROHIBITED CAMPING. (a) This article applies only to a person charged with an offense under Section 48.05, Penal Code.

(b) Records of a person relating to a complaint may be expunged under this article only if:

(1) the complaint was dismissed under Article 45.051 or 45.052 or other law; or

(2) the person was acquitted of the offense.

(c) On dismissal or acquittal of the offense, as described by Subsection (b), the court shall order all complaints, verdicts, sentences, and prosecutorial and law enforcement records and any other documents relating to the offense expunged from the person's record if the court finds that the person satisfies the requirements of this article.

(d) A person entitled to expunction under this article is not required to pay any fee or cost for an expunction under this article.

Art. 45.0219. CONFIDENTIAL RECORDS RELATED TO PROHIBITED CAMPING. (a) Except as provided by Subsection (b), all records and files, including those held by law enforcement, and information stored by electronic means or otherwise, from which a record or file could be generated, relating to a person arrested for or convicted of an offense under Section 48.05, Penal Code, are confidential and may not be disclosed to the public.

(b) Information subject to Subsection (a) may be open to inspection only by:

(1) judges or court staff;

(2) a criminal justice agency for a criminal justice purpose, as those terms are defined by Section 411.082, Government Code;

(3) the Department of Public Safety;

(4) an attorney for a party to the proceeding;

(5) the defendant; or

(6) if the defendant is a minor or otherwise has a court-appointed guardian or managing conservator, the defendant's parent, guardian, or managing conservator.

A record vote was requested by Representative Cason.

Amendment No. 10 failed of adoption by (Record 425): 62 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Beckley; Bernal; Bowers; Bucy; Canales; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Raymond; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Frullo; Gates; Geren; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Patterson; Paul; Price; Raney; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Anchia; Campos; Ellzey; Herrero; Huberty; Morales Shaw; Smithee; Tinderholt.

Absent — Parker.

### **Amendment No. 11**

Representative Dutton offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee printing) on page 2, line 12, by inserting the following after the underlined period:

The fine imposed for a violation of this section may not exceed \$5.

A record vote was requested by Representative Cason.

Amendment No. 11 failed of adoption by (Record 426): 60 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Beckley; Bernal; Bowers; Bucy; Canales; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Geren; Gervin-Hawkins; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody; Morales, C.; Morales, E.;



Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Frank; Frullo; Gates; González, J.; González, M.; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Anchia; Campos; Ellzey; Herrero; Huberty; Morales Shaw; Smithee; Tinderholt.

Absent — Dean; Guillen.

#### STATEMENTS OF VOTE

When Record No. 426 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 426 was taken, I was in the house but away from my desk. I would have voted no.

Guillen

#### Amendment No. 12

Representative Dutton offered the following amendment to **HB 1925**:

Amend **HB 1925** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly.

SECTION \_\_\_\_\_. Article 14.06, Code of Criminal Procedure, is amended by adding Subsection (b-1) to read as follows:

(b-1) A citation under Subsection (b) for an offense under Section 48.05, Penal Code, is void if the citation does not contain the correct address for the person to whom the citation is issued.

A record vote was requested by Representative Cason.

Amendment No. 12 failed of adoption by (Record 427): 62 Yeas, 77 Nays, 2 Present, not voting.

Yeas — Allen; Beckley; Bernal; Bowers; Bucy; Canales; Cole; Coleman; Collier; Cortez; Crockett; Davis; Deshotel; Dominguez; Dutton; Fierro; Frullo; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Israel; Johnson, A.; Johnson, J.D.; Johnson, J.E.; King, T.; Longoria; Lopez; Lucio; Martinez; Martinez Fischer; Meza; Minjarez; Moody;

Morales, C.; Morales, E.; Muñoz; Neave; Ordaz Perez; Ortega; Pacheco; Perez; Ramos; Reynolds; Rodriguez; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner, C.; Turner, J.; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Biedermann; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Cason; Clardy; Cook; Craddick; Cyrier; Darby; Dean; Frank; Gates; Geren; Guillen; Harless; Harris; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, P.; Klick; Krause; Kuempel; Lambert; Landgraf; Larson; Leach; Leman; Lozano; Metcalf; Meyer; Middleton; Morrison; Murphy; Murr; Noble; Oliverson; Paddie; Parker; Patterson; Paul; Price; Raney; Raymond; Rogers; Sanford; Schaefer; Schofield; Shaheen; Shine; Slaton; Slawson; Smith; Spiller; Stephenson; Stucky; Swanson; Thompson, E.; Toth; VanDeaver; Vasut; White; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Anchia; Campos; Ellzey; Herrero; Huberty; Morales Shaw; Smithee; Tinderholt.

Absent — King, K.

### **HB 1925 - POINT OF ORDER**

Representative Deshotel raised a point of order against further consideration of **HB 1925** under Rule 4, Section 18(b), and Rule 4, Section 32(b)(10), of the House Rules on the grounds that the witness lists attached to the committee minutes and committee report are inaccurate. The point of order was withdrawn.

### **HB 1925 - RECOMMITTED**

Representative Capriglione moved to recommit **HB 1925** to the Committee on State Affairs.

The motion prevailed.

### **CSHB 3745 ON SECOND READING (by Capriglione)**

**CSHB 3745**, A bill to be entitled An Act relating to prohibitions in connection with the online sale of goods.

**CSHB 3745** was read second time earlier today and was postponed until this time.

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

Representative Capriglione offered the following amendment to **CSHB 3745**:

Amend **CSHB 3745** (house committee report) as follows:

(1) On page 1, line 9, strike "A" and substitute "For commercial purposes, a".

(2) On page 1, line 9, strike "method".

(3) On page 2, line 1, strike "or about to violate".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Capriglione offered the following amendment to **CSHB 3745**:

Amend **CSHB 3745** (house committee report) as follows:

(1) On page 1, line 17, strike "or".

(2) On page 1, between lines 17 and 18, insert the following:

(4) allows for the unauthorized access to or identification of gift card information, including gift card numbers and gift card personal identification numbers; or

(3) On page 1, line 18, strike "(4)" and substitute "(5)".

Amendment No. 2 was adopted.

**CSHB 3745**, as amended, was passed to engrossment.

**CSHB 3120 ON SECOND READING**  
**(by Capriglione, Guillen, Patterson, and Button)**

**CSHB 3120**, A bill to be entitled An Act relating to the eligibility of an injured employee for lifetime income benefits under the workers' compensation system.

**CSHB 3120** was read second time earlier today and was postponed until this time.

**CSHB 3120** was passed to engrossment.

**HB 3023 ON SECOND READING**  
**(by K. King and Guillen)**

**HB 3023**, A bill to be entitled An Act relating to the eligibility of the Professional Bull Riders World Finals for funding under the Major Events Reimbursement Program.

**HB 3023** was read second time earlier today and was postponed until this time.

**Amendment No. 1**

Representative K. King offered the following amendment to **HB 3023**:

Amend **HB 3023** (house committee report) on page 1 of the bill by striking line 17 and substituting the following:

(F) the [a] Formula One United States Grand Prix [automobile race];

Amendment No. 1 was adopted.

**Amendment No. 2**

On behalf of Representative Ellzey, Representative Clardy offered the following amendment to **HB 3023**:

Amend **HB 3023** (house committee report) as follows:

(1) Strike page 2, line 19, through page 3, line 8, and substitute the following:

(S) the National Hot Rod Association Fall Nationals at the Texas Motorplex;

(T) a national political convention of the Republican National Committee or the Democratic National Committee;

(U) [~~(F)~~] an Olympic activity, including a Junior or Senior activity, training program, or feeder program sanctioned by the United States Olympic Committee's Community Olympic Development Program;

(V) [~~(U)~~] a presidential general election debate;

(W) the Professional Bull Riders World Finals;

(X) [~~(V)~~] the Professional Rodeo Cowboys Association National Finals Rodeo;

(Y) [~~(W)~~] a Super Bowl;

(Z) [~~(X)~~] the United States Open Championship;

(AA) [~~(Y)~~] a World Cup soccer game or the World Cup soccer tournament;

(BB) [~~(Z)~~] the World Games; or

(CC) [~~(AA)~~] the X Games.

(2) On page 4, strike lines 5 through 13 and substitute the following:

(S) the National Hot Rod Association;

(T) Professional Bull Riders, LLC;

(U) the Professional Rodeo Cowboys Association;

(V) [~~(F)~~] the Republican National Committee;

(W) [~~(U)~~] the Ultimate Fighting Championship;

(X) [~~(V)~~] the United States Golf Association;

(Y) [~~(W)~~] the United States Olympic Committee; or

(Z) [~~(X)~~] the national governing body of a sport that is recognized

by:

(Speaker in the chair)

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representatives Meyer and Holland offered the following amendment to **HB 3023**:

Amend **HB 3023** (house committee printing) as follows:

(1) Strike page 1, line 18, through page 3, line 8, and substitute the following:

(G) the Ladies Professional Golf Association (LPGA) Championship tournament;

(H) the largest event held each year at a sports entertainment venue in this state with a permanent seating capacity, including grandstand and premium seating, of at least 125,000;

(I) [~~(H)~~] the Major League Baseball All-Star Game;

(J) [~~(I)~~] the Major League Soccer All-Star Game or the Major League Soccer Cup;

(K) [~~(J)~~] a mixed martial arts championship;

- (L) [~~(K)~~] the Moto Grand Prix of the United States;  
 (M) [~~(L)~~] the National Association for Stock Car Auto Racing (NASCAR);
- (i) All-Star Race; or  
 (ii) season-ending Championship Race;
- (N) [~~(M)~~] the National Basketball Association All-Star Game;  
 (O) [~~(N)~~] a National Collegiate Athletic Association Final Four tournament game;
- (P) [~~(O)~~] the National Collegiate Athletic Association men's or women's lacrosse championships;
- (Q) [~~(P)~~] a national collegiate championship of an amateur sport sanctioned by the national governing body of the sport that is recognized by the United States Olympic Committee;
- (R) [~~(Q)~~] the National Cutting Horse Association Triple Crown;  
 (S) [~~(R)~~] the National Hockey League All-Star Game;
- (T) [~~(S)~~] a national political convention of the Republican National Committee or the Democratic National Committee;
- (U) [~~(T)~~] an Olympic activity, including a Junior or Senior activity, training program, or feeder program sanctioned by the United States Olympic Committee's Community Olympic Development Program;
- (V) [~~(U)~~] a presidential general election debate;  
 (W) the Professional Bull Riders World Finals;  
 (X) the Professional Golfers' Association (PGA) Championship;  
 (Y) [~~(V)~~] the Professional Rodeo Cowboys Association National Finals Rodeo;
- (Z) the Ryder Cup;  
 (AA) the Senior Professional Golfers' Association (PGA) Championship;
- (BB) [~~(W)~~] a Super Bowl;  
 (CC) [~~(X)~~] the United States Open Championship;  
 (DD) [~~(Y)~~] a World Cup soccer game or the World Cup soccer tournament;
- (EE) [~~(Z)~~] the World Games; or  
 (FF) [~~(AA)~~] the X Games.
- (2) Strike page 3, line 22, through page 4, line 19, and substitute the following:
- (K) the Ladies Professional Golf Association (LPGA);  
 (L) Major League Baseball;  
 (M) [~~(L)~~] Major League Soccer;  
 (N) [~~(M)~~] the National Association for Stock Car Auto Racing (NASCAR);
- (O) [~~(N)~~] the National Basketball Association;  
 (P) [~~(O)~~] the National Collegiate Athletic Association;  
 (Q) [~~(P)~~] the National Cutting Horse Association;  
 (R) [~~(Q)~~] the National Football League;  
 (S) [~~(R)~~] the National Hockey League;

(T) Professional Bull Riders, LLC;

(U) the Professional Golfers' Association of America (PGA);

(V) [~~(S)~~] the Professional Rodeo Cowboys Association;

(W) [~~(T)~~] the Republican National Committee;

(X) [~~(U)~~] the Ultimate Fighting Championship;

(Y) [~~(V)~~] the United States Golf Association;

(Z) [~~(W)~~] the United States Olympic Committee; or

(AA) [~~(X)~~] the national governing body of a sport that is

recognized by:

- (i) the Federation Internationale de l'Automobile;
- (ii) Formula One Management Limited;
- (iii) the National Thoroughbred Racing Association; or
- (iv) the United States Olympic Committee.

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

SECTION \_\_\_\_\_. Section 478.0053, Government Code, is amended to read as follows:

Sec. 478.0053. EXEMPTION FROM CERTAIN ELIGIBILITY REQUIREMENT FOR CERTAIN LARGE VENUES. Section 478.0051(b)(1) does not apply to an event described by Section 478.0001(3)(H) [~~478.0001(3)(G)~~]. If an endorsing municipality or endorsing county requests the office to make a determination under Section 478.0102 for an event described by Section 478.0001(3)(H) [~~478.0001(3)(G)~~], the remaining provisions of this chapter apply to that event as if the event satisfied the eligibility requirements under Section 478.0051(b)(1).

Amendment No. 3 was adopted.

#### **Amendment No. 4**

Representative Howard offered the following amendment to **HB 3023**:

Amend **HB 3023** (house committee printing) as follows:

(1) On page 3, strike lines 3-8, and substitute the following:

(X) the South by Southwest Conference and Festivals;

(Y) [~~(W)~~] a Super Bowl;

(Z) [~~(X)~~] the United States Open Championship;

(AA) [~~(Y)~~] a World Cup soccer game or the World Cup soccer tournament;

(BB) [~~(Z)~~] the World Games; or

(CC) [~~(AA)~~] the X Games.

(2) On page 4, strike lines 8-13, and substitute the following:

(V) South by Southwest;

(W) [~~(U)~~] the Ultimate Fighting Championship;

(X) [~~(V)~~] the United States Golf Association;

(Y) [~~(W)~~] the United States Olympic Committee; or

(Z) [~~(X)~~] the national governing body of a sport that is recognized

by:

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

SECTION \_\_\_\_\_. Section 478.0053, Government Code, is amended to read as follows:

Sec. 478.0053. EXEMPTION FROM CERTAIN ELIGIBILITY REQUIREMENT FOR CERTAIN EVENTS [~~LARGE VENUES~~]. Section 478.0051(b)(1) does not apply to an event described by Section 478.0001(3)(G) or (X). If an endorsing municipality or endorsing county requests the office to make a determination under Section 478.0102 for an event described by Section 478.0001(3)(G) or (X), the remaining provisions of this chapter apply to that event as if the event satisfied the eligibility requirements under Section 478.0051(b)(1).

Amendment No. 4 was adopted.

**HB 3023**, as amended, was passed to engrossment.

**MOTION IN WRITING  
CHIEF CLERK INSTRUCTED**

Representative K. King offered the following motion in writing:

Mr. Speaker:

I move to instruct the chief clerk to update all cross-references in the adopted floor amendments and in the reported bill as necessary to correctly engross **HB 3023**.

K. King

The motion was read and prevailed.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Cortez moved to suspend the five-day posting rule to allow the Committee on Urban Affairs to consider **SB 591** at 10:30 a.m. or upon final adjournment or recess or bill referral, if permission is granted, Wednesday, April 28 in E1.026.

The motion prevailed.

**COMMITTEES GRANTED PERMISSION TO MEET**

Representative S. Thompson moved that the house grant permission for all committees and subcommittees to meet while the house is in session, pursuant to their committee postings or recess motions. For purposes of this motion, committees and subcommittees scheduled to meet or reconvene today upon final adjournment or recess or during bill referral if permission is granted are authorized to convene upon adoption by the house of today's adjournment motion.

Permission to meet was granted.

**PROVIDING FOR ADJOURNMENT**

At 3:32 p.m., Representative Shine moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in memory of John Rhoden of Bell County.

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING  
AND REFERRAL TO COMMITTEES  
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Wilson in the chair)

**ADJOURNMENT**

In accordance with a previous motion, the house, at 3:50 p.m., adjourned until 10 a.m. tomorrow.

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**ADDENDUM**

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**REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

**List No. 1**

**HB 4653** (By Sherman), Relating to the creation of the Lancaster Logistics District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Urban Affairs.

**HCR 92** (By Craddick), Congratulating Sharla Hotchkiss on her receipt of a 2021 West Texas Women of Distinction Award from the Girl Scouts of the Desert Southwest.

To Resolutions Calendars.

**HCR 93** (By Craddick), Congratulating Libby Campbell on her receipt of a 2021 West Texas Women of Distinction Award from the Girl Scouts of the Desert Southwest.

To Resolutions Calendars.

**HCR 94** (By Craddick), Congratulating Susan Spratlen on her receipt of a 2021 West Texas Women of Distinction Award from the Girl Scouts of the Desert Southwest.

To Resolutions Calendars.

**HCR 95** (By Craddick), Congratulating Shelby Landgraf on her receipt of a 2021 West Texas Women of Distinction Award from the Girl Scouts of the Desert Southwest.

To Resolutions Calendars.



**HR 728** (By M. González), Honoring Martina Silva of El Paso for her contributions to her community.

To Resolutions Calendars.

**HR 729** (By C. Turner), Honoring Jeff Williams on the occasion of his retirement as mayor of Arlington.

To Resolutions Calendars.

**HR 730** (By Fierro), In memory of George Ira Leeser of El Paso.

To Resolutions Calendars.

**HR 731** (By Fierro), Honoring FirstLight Community Foundation.

To Resolutions Calendars.

**HR 732** (By Jetton), Honoring Alings Chinese Bistro for its service during Winter Storm Uri.

To Resolutions Calendars.

**HR 733** (By Jetton), Honoring River Pointe Church in Richmond for its service during the Winter Storm Uri.

To Resolutions Calendars.

**HR 734** (By Jetton), Honoring Grand Parkway Baptist Church in Richmond for its service during Winter Storm Uri.

To Resolutions Calendars.

**HR 735** (By Jetton), Honoring Alexis Geissler and the staff of CraftWorx for their service during Winter Storm Uri.

To Resolutions Calendars.

**HR 736** (By Jetton), Honoring Nelvin Adriatico for his service during Winter Storm Uri.

To Resolutions Calendars.

**HR 737** (By Jetton), Honoring Apurva Parikh of Sugar Land for his service during Winter Storm Uri.

To Resolutions Calendars.

**HR 738** (By Jetton), Honoring Jim McIngvale and the employees of Gallery Furniture in Houston for their service during Winter Storm Uri.

To Resolutions Calendars.

**HR 739** (By Vo), Recognizing April 21, 2021, as McDonald's Virtual Legislative Day.

To Resolutions Calendars.

**HR 740** (By Israel), Commending Judge Nicholas Chu for his service to Travis County during the COVID-19 pandemic.

To Resolutions Calendars.

**HR 741** (By Morrison), Congratulating the Rockport Police Department on its recognition by the Texas Police Chiefs Association.

To Resolutions Calendars.

**HR 742** (By Dean), Congratulating Joe Don Holley on his receipt of a 2021 Distinguished Alumni Award from Longview ISD.

To Resolutions Calendars.

**HR 743** (By Anderson), Honoring Charles Wallis for his lifetime of artistic achievements.

To Resolutions Calendars.

**HR 744** (By Anderson), In memory of Jerry Don Noles of McGregor.

To Resolutions Calendars.

**HR 745** (By Dutton), In memory of Robert Warren McGowan of Houston.

To Resolutions Calendars.

**HR 746** (By Jetton), Honoring Gyro Hut for its service during Winter Storm Uri.

To Resolutions Calendars.

**HR 747** (By Jetton), Honoring the Indo-American Conservatives of Texas.

To Resolutions Calendars.

**HR 748** (By S. Thompson), Recognizing May 2021 as Mental Health Awareness Month.

To Resolutions Calendars.

**HR 749** (By Raney), In memory of Judge William Thomas McDonald Jr. of Bryan.

To Resolutions Calendars.

**HR 750** (By Price and Smithee), In memory of Joseph Robert "Joe Bob" McCart of Amarillo.

To Resolutions Calendars.

**HR 751** (By Price and Smithee), In memory of Roger Fenlaw of Amarillo.

To Resolutions Calendars.

**HR 752** (By Fierro), Congratulating El Paso Community College on receiving a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association.

To Resolutions Calendars.

**HR 753** (By Fierro), Congratulating El Paso Community College on being selected as one of the top 15 colleges in the nation offering an associate's degree in chemistry.

To Resolutions Calendars.

**HR 754** (By Fierro), Honoring El Paso Community College professor Manuela Gomez for her academic achievements and civic engagement.

To Resolutions Calendars.

**HR 755** (By Fierro), Commending El Paso Community College on developing an exemplary geosciences program.

To Resolutions Calendars.

**HR 756** (By Fierro), Honoring the El Paso Community College culinary arts program for its EPCC Cares, Chefs Share initiative.

To Resolutions Calendars.

**HR 757** (By Fierro), Congratulating El Paso Community College on receiving the 2020 Higher Education Excellence in Diversity Award from INSIGHT Into Diversity magazine.

To Resolutions Calendars.

**HR 758** (By Fierro), Commemorating the establishment of the Joe K. Foster Endowed Scholarship at El Paso Community College and paying tribute to the legacy of Joe K. Foster.

To Resolutions Calendars.

**HR 759** (By Fierro), Commending El Paso Community College on ranking first in the nation for most associate's degrees granted to Hispanic students.

To Resolutions Calendars.

**HR 760** (By Fierro), In memory of El Paso Community College professor Dr. Dominic I. Lannutti.

To Resolutions Calendars.

**HR 761** (By Price and Smithee), In memory of Edward K. Norfleet Jr. of Amarillo.

To Resolutions Calendars.

**HR 762** (By Price), In memory of Billie Faye Schumacher.

To Resolutions Calendars.

**HR 763** (By Hull), Commemorating the National Hispanic Professional Organization 2021 Cinco de Mayo Hispanos Unidos networking event.

To Resolutions Calendars.

**HR 764** (By Howard), Recognizing April 16, 2021, as National Healthcare Decisions Day.

To Resolutions Calendars.

**HR 765** (By Ordaz Perez), Commending El Pasoans Fighting Hunger for its continuing service to the community during the COVID-19 pandemic.

To Resolutions Calendars.

**HR 766** (By Toth), Commending Tammy McRae for her service as president of the Tax Assessor-Collectors Association of Texas.

To Resolutions Calendars.

**HR 767** (By Spiller), In memory of John Edward Fortenberry of Valley View.

To Resolutions Calendars.

**HR 768** (By Dutton), Honoring 100 Black Men of America for its service to African American youth.

To Resolutions Calendars.

**HR 769** (By Price), In memory of E. J. "Jeep" Webb of Borger.

To Resolutions Calendars.

**HR 770** (By Buckley), In memory of U.S. Army Colonel (Ret.) and former Killeen mayor Raul Gabriel Villaronga.

To Resolutions Calendars.

**HR 771** (By Buckley), In memory of Johnny Douglas Carnes of Harker Heights.

To Resolutions Calendars.

**HR 772** (By Dominguez), In memory of Daniel "Danny" William Tower of New Braunfels.

To Resolutions Calendars.

**HR 773** (By Leach), Congratulating Dr. Paul Busch on his retirement as a professor of marketing at Texas A&M University.

To Resolutions Calendars.

**HR 774** (By Leach), Congratulating Tiffany Syfert on being named the 2021 Teacher of the Year at the STEAM Center in Allen ISD.

To Resolutions Calendars.

**HR 775** (By Leach), Congratulating Cara Lundberg on being named the 2021 Teacher of the Year at Boon Elementary School in Allen ISD.

To Resolutions Calendars.

**HR 776** (By Leach), Congratulating Amy Larson on being named the 2021 Teacher of the Year at Cheatham Elementary School in Allen ISD.

To Resolutions Calendars.

**HR 777** (By Leach), Congratulating Erica Butler on being named the 2021 Teacher of the Year at Evans Elementary School in Allen ISD.

To Resolutions Calendars.

**HR 778** (By Leach), Congratulating Sarah Wallwork on being named the 2021 Teacher of the Year at Green Elementary School in Allen ISD.

To Resolutions Calendars.

**HR 779** (By Leach), Congratulating Paula Stephens on being named the 2021 Teacher of the Year at Kerr Elementary School in Allen ISD.

To Resolutions Calendars.

**HR 780** (By Leach), Congratulating Nicholas Hill on being named the 2021 Teacher of the Year at Norton Elementary School in Allen ISD.

To Resolutions Calendars.

**HR 781** (By Leach), Congratulating Jennifer Bush on being named the 2021 Teacher of the Year at Preston Elementary School in Allen ISD.

To Resolutions Calendars.

**HR 782** (By Leach), Congratulating Reagan Fuller on being named the 2021 Teacher of the Year at Reed Elementary School in Allen ISD.

To Resolutions Calendars.

**HR 783** (By Leach), Congratulating Don Anderson on being named the 2021 Teacher of the Year at Allen High School in Allen ISD.

To Resolutions Calendars.

**HR 784** (By Leach), Congratulating Vicki Neumann on being named the 2021 Teacher of the Year at Ereckson Middle School in Allen ISD.

To Resolutions Calendars.

**HR 785** (By Leach), Congratulating Jon King on being named the 2021 Teacher of the Year at the Lowery Freshman Center in Allen ISD.

To Resolutions Calendars.

**HR 786** (By Price and Smithee), In memory of Dr. Dale Alvin Roller of Amarillo.

To Resolutions Calendars.

**HR 787** (By Goldman), Congratulating Judy Taylor on her selection as the 2020-2021 Teacher of the Year at Southwest High School in Fort Worth.

To Resolutions Calendars.

**HR 788** (By Goldman), Congratulating Ava Moreno on being named the 2020-2021 Teacher of the Year at Benbrook Elementary School in the Fort Worth Independent School District.

To Resolutions Calendars.

**HR 789** (By Goldman), In memory of Captain Randal Dwayne Robinson of the Fort Worth Fire Department.

To Resolutions Calendars.

**HR 790** (By Hunter), In memory of Vincent Joseph Weber of Port Lavaca.

To Resolutions Calendars.

**HR 791** (By Hunter), In memory of Mary Ellen Weber.

To Resolutions Calendars.

**HR 792** (By Ramos), Congratulating Jodie Nguyen on graduating as salutatorian of the Berkner High School STEM Academy Class of 2021.

To Resolutions Calendars.

**HR 793** (By Ramos), Congratulating Sydney Villaruel on graduating as valedictorian of the Berkner High School STEM Academy Class of 2021.

To Resolutions Calendars.

**HR 794** (By Sherman), In memory of the Reverend Dr. James Lyonel Davis Sr. of Dallas.

To Resolutions Calendars.

**HR 795** (By Sherman), Congratulating Jackie Edwards Jr. of Scouts BSA Troop No. 215 in Lockhart on achieving the rank of Eagle Scout.

To Resolutions Calendars.

**HR 796** (By Price and Kacal), Recognizing May 6, 2021, as National Day of Prayer in Texas.

To Resolutions Calendars.

**HR 797** (By Guillen), In memory of Angelina Reyes Ortega of El Paso.

To Resolutions Calendars.

**HR 798** (By Guillen), In memory of Willacy County Commissioner Oscar De Luna.

To Resolutions Calendars.

**HR 799** (By Price and Smithee), Commemorating the 50th anniversary of Meals on Wheels of Amarillo.

To Resolutions Calendars.

**HR 800** (By Leach), Congratulating Dr. Tom Johnson on his retirement.

To Resolutions Calendars.

**HR 801** (By Price), Congratulating the Bushland High School volleyball team on winning the 2020 UIL 3A state championship.

To Resolutions Calendars.

**HR 802** (By Ellzey), In memory of George Reid Simmons of Waxahachie.

To Resolutions Calendars.

**HR 803** (By Ellzey), In memory of retired U.S. Air Force Master Sergeant Herbert Lenvil Critser of Midlothian.

To Resolutions Calendars.

**HR 804** (By Ellzey), Congratulating the Waxahachie High School boys' basketball team on its success during the 2020-2021 season.

To Resolutions Calendars.

**HR 805** (By Ellzey), Congratulating the Waxahachie High School Cherokee Charmers precision dance and drill team.

To Resolutions Calendars.

**HR 806** (By Ellzey), Congratulating Lonnie Gaylor on being selected as one of the top 100 Texas high school basketball coaches of all time by the UIL.

To Resolutions Calendars.

**HR 807** (By Ellzey), Congratulating the Ennis High School football team on a successful 2020 season.

To Resolutions Calendars.

**HR 808** (By Ellzey), In memory of Patricia Ann King of Kemp.

To Resolutions Calendars.

**HR 809** (By Ellzey), In memory of Pedro Piñon of Waxahachie.

To Resolutions Calendars.

**HR 810** (By Ellzey), Congratulating Ellis County Constable Terry Nay on his retirement.

To Resolutions Calendars.

**HR 811** (By Ellzey), Honoring the Waxahachie Independent School District for its service to area youth.

To Resolutions Calendars.

**HR 812** (By Ellzey), Honoring the Midlothian Independent School District for its service to area youth.

To Resolutions Calendars.

**HR 813** (By Ellzey), Honoring Ennis ISD for its service to area youth.  
To Resolutions Calendars.

**HR 814** (By Ellzey), Honoring the Red Oak Independent School District for its service to area youth.  
To Resolutions Calendars.

**HR 815** (By Ellzey), Honoring Ferris ISD for its service to area youth.  
To Resolutions Calendars.

**HR 816** (By Ellzey), Honoring Maypearl ISD for its service to area youth.  
To Resolutions Calendars.

**HR 817** (By Ellzey), Honoring Italy ISD for its service to area youth.  
To Resolutions Calendars.

**HR 818** (By Ellzey), Honoring Milford ISD for its service to area youth.  
To Resolutions Calendars.

**HR 819** (By Herrero), Congratulating Evan Hsiang of W. B. Ray High School in Corpus Christi on becoming the top scorer in Texas and the nation in the 2021 United States Academic Decathlon.  
To Resolutions Calendars.

**HR 820** (By E. Morales), Congratulating the Pecos High School girls' powerlifting team on its performance at the 2021 THSWPA state meet.  
To Resolutions Calendars.

**HR 821** (By E. Morales), In memory of Caroline Virginia Ellwood Sullivan of San Antonio.  
To Resolutions Calendars.

**HR 822** (By Ashby), In memory of Patricia Evans Dickey.  
To Resolutions Calendars.

**HR 823** (By Huberty), Honoring Emma Brinsden for her service as a legislative intern in the office of State Representative Dan Huberty during the 87th Legislative Session.  
To Resolutions Calendars.

**HR 824** (By Huberty), Commending Elizabeth Mathews for her service as a legislative intern in the office of State Representative Dan Huberty during the 87th Legislative Session.  
To Resolutions Calendars.

**HR 825** (By Huberty), Commending Ben Baker-Katz for his service as a legislative intern in the office of State Representative Dan Huberty.  
To Resolutions Calendars.

**SB 22** to Business and Industry.

**SB 63** to Ways and Means.

**SB 68** to Homeland Security and Public Safety.

**SB 207** to Judiciary and Civil Jurisprudence.

- SB 281** to Criminal Jurisprudence.
- SB 334** to Ways and Means.
- SB 474** to Criminal Jurisprudence.
- SB 586** to Ways and Means.
- SB 655** to Licensing and Administrative Procedures.
- SB 692** to Judiciary and Civil Jurisprudence.
- SB 721** to Land and Resource Management.
- SB 723** to Land and Resource Management.
- SB 726** to Land and Resource Management.
- SB 763** to Transportation.
- SB 885** to Business and Industry.
- SB 906** to Corrections.
- SB 999** to Insurance.
- SB 1028** to Insurance.
- SB 1102** to Higher Education.
- SB 1230** to Higher Education.
- SB 1260** to Energy Resources.
- SB 1267** to Public Education.
- SB 1295** to Higher Education.
- SB 1334** to Transportation.
- SB 1474** to Transportation.
- SB 1490** to Higher Education.
- SB 1524** to Ways and Means.
- SB 1541** to State Affairs.
- SB 1550** to Transportation.
- SB 1585** to Culture, Recreation, and Tourism.
- SB 1668** to Energy Resources.
- SB 1677** to Higher Education.
- SB 1679** to Urban Affairs.
- SB 1697** to Public Education.
- SB 1764** to Ways and Means.
- SB 1783** to Business and Industry.
- SB 1809** to Insurance.
- SB 1818** to Environmental Regulation.



**SCR 7** to Culture, Recreation, and Tourism.

**SCR 10** to Resolutions Calendars.

**SCR 12** to State Affairs.

**SCR 13** to Resolutions Calendars.

**SCR 14** to Resolutions Calendars.

**SCR 15** to Resolutions Calendars.

**SCR 16** to Resolutions Calendars.

**SCR 19** to Resolutions Calendars.

**SCR 25** to Resolutions Calendars.

**SCR 26** to Culture, Recreation, and Tourism.

**SCR 35** to Resolutions Calendars.

**SCR 36** to Resolutions Calendars.

### **SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

#### **House List No. 11**

**HB 1195, HCR 77**

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### **APPENDIX**

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#### **STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

##### **April 23**

Business and Industry - **HB 157, HB 2810, HB 3367, HB 3620**

Corrections - **HB 385, HB 2352**

Homeland Security and Public Safety - **HB 830, HB 1442, HB 2967, HB 4110**

Human Services - **HB 542, HB 2822, HB 2867, HB 3287, HB 3691**

Insurance - **HB 769, HB 1460, HB 2761**

Juvenile Justice and Family Issues - **HB 3009, HB 3962, HB 4240**

Land and Resource Management - **HB 1155, HB 1200, HB 1475, HB 1910, HB 2606, HB 2835, HB 2836, HB 3140, HB 3436, HB 3438, HB 3893, HB 4005, HB 4029, HB 4540, HB 4587, HB 4588, HB 4601**

Natural Resources - **HB 2094, HB 2951, HB 4595**

Pensions, Investments, and Financial Services - **HB 2936**

Public Health - **HB 1280, HB 2337, HB 3218**

State Affairs - **SB 13, SB 538**

Transportation - **HB 269, HB 443, HB 506, HB 1285, HB 1863, HB 2453, HB 2496, HB 3018, HB 3113, HB 3153, HB 3301, HB 4080, HB 4532, HB 4607**

Urban Affairs - **HB 829, HB 1216**

Ways and Means - **HB 1577, HB 2695, SB 1438**

#### **ENGROSSED**

**April 23 - HB 2, HB 632, HB 765, HB 792, HB 912, HB 954, HB 964, HB 985, HB 1045, HB 1062, HB 1154, HB 1159, HB 1181, HB 1240, HB 1307, HB 1338, HB 1365, HB 1443, HB 1444, HB 1496, HB 1558, HB 1574, HB 1576, HB 1606, HB 1685, HB 1759, HB 1939, HB 1953, HB 2052, HB 2103, HB 2110, HB 2152, HB 2171, HB 2197, HB 2223, HB 2314, HB 2421, HB 2430, HB 2749, HB 2792, HB 2819, HB 2840, HB 2841, HB 3067, HB 3132, HB 3216, HB 3252, HB 3390, HB 3395, HB 3401, HB 3428, HB 3442, HB 3457, HB 3568, HB 3644, HB 3706, HB 3769, HB 3849, HB 3850, HB 4296**

#### **ENROLLED**

**April 23 - HB 1195, HCR 77**

#### **RECOMMENDATIONS FILED WITH THE SPEAKER**

**April 23 - HB 4607, HB 4610**