

Cyrier, Gates, Goldman, Holland, Krause, Lambert, Landgraf, Leman, Metcalf, Murr, Patterson, Shaheen, Slaton, Slawson, Toth, VanDeaver, Vasut, and Wilson recorded voting no.) (Swanson requested to be recorded voting no after the deadline established by Rule 5, Section 52, of the House Rules.)

**CSHB 4354** (by Coleman), A bill to be entitled An Act relating to the administration of medication to certain persons in the custody of a sheriff. (Anderson, K. Bell, Buckley, Burns, Cain, Clardy, Cyrier, Gates, Goldman, Harris, Holland, Hull, Krause, Lambert, Landgraf, Metcalf, Middleton, Murr, Patterson, Shaheen, Slaton, Slawson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

**CSHB 4356** (by Ashby), A bill to be entitled An Act relating to the qualifications of directors of certain municipal development districts. (Allison, K. Bell, Buckley, Cain, Cyrier, Gates, Hefner, Krause, Patterson, Sanford, Shaheen, Slaton, Swanson, Tinderholt, Toth, Vasut, and Wilson recorded voting no.)

**CSHB 4374** (by Cyrier), A bill to be entitled An Act relating to the use of executory contracts for the purchase of land to be used as a residence in certain counties. (C. Bell, Patterson, Schaefer, and Slaton recorded voting no.)

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

Representative Cyrier offered the following amendment to **CSHB 4374**:

Amend **CSHB 4374** (house committee printing) on page 1, line 17 by striking "measuring 20 acres or less".

Amendment No. 1 was adopted.

**HB 4450** (by Raymond and Guillen), A bill to be entitled An Act relating to training on emergency management for members of the emergency management council and state emergency response commission. (Anderson, Bonnen, Burns, Burrows, Cain, Clardy, Cyrier, Gates, Goldman, Hefner, Holland, Krause, Landgraf, Leach, Metcalf, Middleton, Murr, Oliverson, Sanford, Schaefer, Shaheen, Slaton, Slawson, Spiller, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)

**HB 4471** (by Goldman and Howard), A bill to be entitled An Act relating to examination fees for the review and approval of public securities and related proceedings and funding for victims assistance and sexual assault prevention services.

#### **HB 4471 - REMARKS**

REPRESENTATIVE GOLDMAN: This bill puts money into the Texas Crime Victims' Compensation Fund.

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

Representative Goldman offered the following amendment to **HB 4471**:

Amend **HB 4471** (house committee printing) as follows:

(1) On page 1, line 6, between "amended" and "to", insert "by amending Subsection (c) and adding Subsection (f)".

(2) Strike page 1, lines 8 through 15.

(3) On page 1, line 16, strike "and (e)".

(4) Strike page 1, line 23 through page 2, line 12 and substitute the following:

(f) The revenue attributable to fees collected under this section during a state fiscal biennium that is not otherwise appropriated in the General Appropriations Act for that state fiscal biennium may be appropriated to the attorney general only for the purpose of administering victim-related services and sexual assault programs.

(5) On page 2, line 14, strike "bond approval" and substitute "record of proceedings".

(6) On page 2, line 15, strike "bond approval" and substitute "record of proceedings".

(7) On page 2, line 16, strike "govnerend" and substitute "governed".

(8) On page 2, line 17, strike "bond" and substitute "record".

GOLDMAN: This removes Section (e). There was a typo, and it has nothing to do with this bill and statute.

Amendment No. 1 was adopted.

REPRESENTATIVE ISRAEL: I intend to speak for 10 minutes to take this bill back to Local and Consent. It's been a difficult session, so thank you for your attention. And I will speak on the bill. I suppose I'll start with I talked to some of the folks involved with this bill, and it's got some troubling language and some language changes that I feel comfortable that I'm doing the right thing today. **HB 4471**, I'll read the bill first—it's short—and then go into some of the background on it.

It states: "If the issuer is a non-profit corporation, the nonrefundable examination fee required by this section is equal to one-fourth of one percent of the principal amount of the public security to which the record of proceedings relates. The attorney general may adopt rules necessary to administer this section." The new text that's underlined states: "Fees collected by the attorney general under this section shall be deposited in the state treasury and expended as provided in the General Appropriations Act. Fees collected in excess of amounts provided in the General Appropriations Act may be appropriated back to the attorney general for the purpose of administering victim-related services and sexual assault programs." This is inserted into existing text. Section 2 is the subsequent text: "The changes in law made by this Act apply only to a bond approval submitted to the attorney general on or after the effective date of this Act. A bond approval submitted to the attorney general before the effective date of this Act is governed by the law in effect on the date the bond was submitted, and the former law is continued in effect for that purpose." This Act would take effect September 1, 2021.

The floor amendment was a technical cleanup amendment. It removed Section 1202.004(e) from the bill, a section which was inadvertently added during the drafting process, not underlined, missed at each step of the drafting and review process, and completely unrelated to the intent of this bill. We strike (e) and (f) in this section, a section which was inadvertently added during the drafting process—again, to repeat—missed at each step of the drafting and review process, and completely unrelated to the intent of this bill. We added (f)—

REPRESENTATIVE CAPRIGLIONE: I have some questions for you. I see that you're opposing this bill, and this is one of the things that came up during the COVID-19 pandemic. As you're aware, this particular crime fund is used to help victims of trafficking and sexual assault. And what happened during the pandemic is that, as you know, a lot of different businesses were closed, and some of those businesses were businesses that have fees or other items that go into this fund. And so during the interim what we saw is that this fund was running a deficit, effectively, in terms of its ability to provide help to women, primarily, who are victims of sexual assault. And so we needed to find a way to make sure to get those services and that support that were not going to these female victims. And so I guess I'm trying to understand why you're trying to not allow us to fund those much-needed, critical, and I would say, assumed, services.

ISRAEL: Well, thank you for the question. I think we do a lot of things in this building to make us feel good about what we're doing but don't always have—

CAPRIGLIONE: I'm sorry, this isn't a feel-good deal. This is help and support for women who have been sexually assaulted. This isn't a feel-good. This is money that goes to nonprofits. I'm just sitting here shocked, and I mean that. I mean, I get it, kind of, but on this bill, it is something that I had helped work on during the interim. And when you see that because of COVID-19 that we have these funds, a lot of funds, and most of them come from dedicated revenue sources, and because of the pandemic, this fund specifically was hurt more than others. So we did everything we could, and we wanted to continue to do everything we could, to help these victims.

ISRAEL: Well, I suppose I just see it differently, Representative. I hear what you're saying. There's so much that we could do that we want to do in these 140 days, and we've run out of time. And this is a situation in which the money is going—

CAPRIGLIONE: I'm sorry, what do you mean by we've run out of time? I think we only run out of time in about three minutes.

ISRAEL: The money is going to the General Appropriations Act and the fees collected in excess, I'll stress the word—may—be given to the Office of the Attorney General.

CAPRIGLIONE: They may be given. They may be given because, obviously, we want to make sure that that fund is fully funded. The purpose of this—

ISRAEL: Representative Capriglione, it is permissive and it's only if the money is available. So I think you're making this into a—

CAPRIGLIONE: This is the country's largest crime victim compensation program. The country's largest crime victim compensation program—we need to be able to fund this.

ISRAEL: It is funded.

CAPRIGLIONE: It can't be funded if there's—

ISRAEL: This is not defunding the crime victims' fund.

CAPRIGLIONE: It does not provide a stable source. Currently, COVID-19 caught us unaware on a lot of dedicated funds that we have, and I hope, obviously, like everyone else, COVID-19 or anything like that doesn't happen again. But we need to make sure there's a Plan B in something as important and critical as this. If you don't mind, there's some other questions.

ISRAEL: I was finishing my—

CAPRIGLIONE: I think some other folks have questions.

ISRAEL: My statement to you is that these are fees that are collected in excess that may be given to the Office of the Attorney General.

REPRESENTATIVE KRAUSE: I'll try to talk really fast because Representative Israel, I hope you will withdraw your contention of this bill in the next minute and 58 seconds. I have **HB 3185** that passed unanimously out of the Appropriations Committee. And what we're trying to do is make sure that some of the folks who are traumatized at the point of their attack or anything that has gone on, who don't feel like they can talk to law enforcement at that time, who can't give a statement, whether it's at the hospital or at the scene of the crime, we don't want them to be ineligible for the program. These are, as Representative Capriglione said, some women in some very tough circumstances and who find themselves in tough places. If you kill this bill, then we won't be able to give them the help that they need. In fact, I've been working with Representative Ann Johnson and I've worked with Representative Donna Howard on adding relocation services in there for some sexual assault survivors. And so if we don't have this bill, we can't increase the program to help out those women in that very, very incredibly important place. So I know there's not that much time left. I would implore you to withdraw and to stop talking so we can pass this bill to help out survivors of domestic abuse.

ISRAEL: I visited with Representative Howard about this bill in particular, and I feel comfortable in what I'm doing right now.

REPRESENTATIVE HOWARD: Representative Israel, you know that this is a fund that we really want to be supporting, right? Absolutely?

ISRAEL: Yes, so many of us have worked on it session after session.

HOWARD: Yes, and part of the challenge we were having with the actual funding of this particular method—Representative Goldman was going to be helping me change this, but it has not happened yet—is that the fees were not going to be coming out of financial institutions, as we had thought, but instead were coming out of homeless and hospitals and higher education. And we've

been hearing from the stakeholders now that they were not supportive of this once they found out where the money was coming from. Now clearly, he was going to help to change that, but that hadn't happened yet. So right now, as it stands, this is money coming out of—

**HB 4471** was contested and was withdrawn and, pursuant to Rule 6, Section 24, of the House Rules, was returned to the Committee on Local and Consent Calendars.

### REMARKS ORDERED PRINTED

Representative Middleton moved to print all remarks on **HB 4471**.

The motion prevailed.

**CSHB 4474** (by Parker, Anchia, Stephenson, Capriglione, Perez, et al.), A bill to be entitled An Act relating to the control of virtual currency and the rights of purchasers who obtain control of virtual currency for purposes of the Uniform Commercial Code. (Allison, K. Bell, Cain, Cyrier, Gates, Harless, Hefner, Hull, Krause, Patterson, Sanford, Slaton, Swanson, Tinderholt, Toth, Vasut, and Wilson recorded voting no.)

**CSHB 4485** (by Guillen), A bill to be entitled An Act relating to the release of a defendant arrested for a misdemeanor punishable by fine only. (Allison, K. Bell, Buckley, Cain, Cook, Craddick, Cyrier, Ellzey, Gates, Harless, Harris, Krause, Leman, Noble, Parker, Paul, Price, Sanford, Shaheen, Slaton, Slawson, E. Thompson, Tinderholt, Toth, Vasut, and Wilson recorded voting no.)

**HB 4563** (by Guillen), A bill to be entitled An Act relating to notice of the form to be used by a person to request a written statement stating whether there are any delinquent ad valorem taxes owed by the person to certain taxing units. (Patterson recorded voting no.)

### LEAVE OF ABSENCE GRANTED

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

Coleman on motion of Herrero.

### LOCAL, CONSENT, AND RESOLUTIONS CALENDAR (consideration continued)

**HB 4568** (by Holland), A bill to be entitled An Act relating to the Rockwall County Juvenile Board. (Buckley, Cain, Dean, Gates, Krause, Patterson, Toth, Vasut, and Wilson recorded voting no.)

**HB 4604** (by Dutton), A bill to be entitled An Act relating to the authority of the Barrett Management District to impose an assessment. (Allison, Ashby, C. Bell, K. Bell, Bonnen, Buckley, Burns, Burrows, Cain, Clardy, Cook, Cyrier, Darby, Ellzey, Gates, Geren, Goldman, Harless, Harris, Hefner, Holland, Krause, Lambert, Landgraf, Leach, Metcalf, Middleton, Murr, Noble, Oliverson, Patterson, Sanford, Schaefer, Shaheen, Shine, Slaton, Smithee, Stucky, Swanson, Tinderholt, Toth, VanDeaver, Vasut, and Wilson recorded voting no.)