

HOUSE JOURNAL

EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

PROCEEDINGS

EIGHTY-SECOND DAY — THURSDAY, MAY 28, 2009

The house met at 11 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1377).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Absent, Excused — Kuempel.

Absent — Crabb.

The invocation was offered by Reverend Jose Villalon, Jr., pastor, San Martin de Porres Catholic Church, Weslaco, as follows:

Before the existence of space, time, and life, Lord, your love existed and never had any barriers. Your love exploded in the midst of chaos and darkness and gave birth to our very existence. We were created out of pure love, not logic; pure innocence, not guilt. We were given a purpose to be and to become, not created by mistake or accident. We are your greatest achievement, next to all your angels and celestial beings. And for this, we thank you. And we thank you for this day. For each day that is given to us is a gift and an opportunity to continue to work and care for our families, our world, country, and especially this great state of ours.

Lord of all mystery and creation, I call upon your presence and ask you to send down the fire of truth, love, the spirit of knowledge and wisdom, and above all, the gift of humility to listen attentively to one another and to truly understand before judging one another.

We place at your feet all the issues and concerns that will be presented today. I pray that everyone here can experience your counsel and direction, that every decision that is made here is made for the good of the many and not the few. We thank you, Almighty One, for the blessings that have been given to this great country and state of ours, through the work of these people and for the blessings that are on their way today and tomorrow. Lord, make yourself known and felt in this place of power and authority for which you have granted. Let us never forget our alphas and omegas, our beginnings and ends, and who created us.

And, Lord, help us remember the reality that no walls, no laws, and no power will ever separate us from you or keep you away from our hearts and minds. For this, I humbly pray in your holy name. Amen.

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

CAPITOL PHYSICIAN

The speaker recognized Representative Hilderbran who presented Dr. H. David Pope of Kerrville as the "Doctor for the Day."

The house welcomed Dr. Pope and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

HR 2056 - PREVIOUSLY ADOPTED (by D. Miller)

The chair laid out the following previously adopted resolution:

HR 2056, Recognizing the Germania Farmer Verein of Anhalt.

HCR 260 - ADOPTED (by Lewis)

Representative Lewis moved to suspend all necessary rules to take up and consider at this time **HCR 260**.

The motion prevailed.

The following resolution was laid before the house:

HCR 260, In memory of Odessa City Council member Michael Sanchez.

HCR 260 was read and was unanimously adopted by a rising vote.

On motion of Representative Heflin, the names of all the members of the house were added to **HCR 260** as signers thereof.

HR 2441 - ADOPTED
(by Strama)

Representative Strama moved to suspend all necessary rules to take up and consider at this time **HR 2441**.

The motion prevailed.

The following resolution was laid before the house:

HR 2441, In memory of Anthony Wayne Sepeda of Pflugerville.

HR 2441 was unanimously adopted by a rising vote.

On motion of Representative McClendon, the names of all the members of the house were added to **HR 2441** as signers thereof.

HR 2805 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 2805**.

The motion prevailed.

The following resolution was laid before the house:

HR 2805, Honoring the 2009 class of the McClendon Legislative Service Scholars Program.

HR 2805 was adopted.

On motion of Representative Menendez, the names of all the members of the house were added to **HR 2805** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative McClendon who introduced the 2009 class of the McClendon Legislative Service Scholars Program.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

(Kolkhorst in the chair)

HR 2234 - PREVIOUSLY ADOPTED
(by Rios Ybarra)

The chair laid out the following previously adopted resolution:

HR 2234, Honoring Gloria Reyes Garcia of Raymondville for her myriad achievements.

(Speaker in the chair)

On motion of Representative Kolkhorst, the names of all the members of the house were added to **HR 2234** as signers thereof.

HR 2395 - ADOPTED
(by Gutierrez)

Representative Gutierrez moved to suspend all necessary rules to take up and consider at this time **HR 2395**.

The motion prevailed.

The following resolution was laid before the house:

HR 2395, Commending the Honorable Phil Hardberger on his service as mayor of San Antonio.

HR 2395 was adopted.

INTRODUCTION OF GUESTS

The speaker recognized Representative Gutierrez who introduced the Honorable Phil Hardberger and members of his family.

(Orr in the chair)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of illness in the family:

Alvarado on motion of Homer.

HR 2404 - ADOPTED
(by S. King)

Representative S. King moved to suspend all necessary rules to take up and consider at this time **HR 2404**.

The motion prevailed.

The following resolution was laid before the house:

HR 2404, Honoring the service of Dr. David A. Polnick, superintendent of the Abilene Independent School District.

HR 2404 was adopted.

HCR 254 - ADOPTED
(by Homer, Crownover, McReynolds, Darby, and Naishtat)

Representative Homer moved to suspend all necessary rules to take up and consider at this time **HCR 254**.

The motion prevailed.

The following resolution was laid before the house:

HCR 254, Honoring the 2009 and 2010 State Artist appointees.

HCR 254 was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Homer who introduced the 2009 and 2010 State Artist appointees.

HR 2775 - ADOPTED
(by Berman, Merritt, Cook, Hughes, and Hopson)

Representative Berman moved to suspend all necessary rules to take up and consider at this time **HR 2775**.

The motion prevailed.

The following resolution was laid before the house:

HR 2775, Honoring The University of Texas at Tyler softball team on its achievements during the 2009 season.

HR 2775 was adopted.

HR 2137 - PREVIOUSLY ADOPTED
(by Herrero)

The chair laid out the following previously adopted resolution:

HR 2137, Commemorating the 10th anniversary of Texas CHIP.

RESOLUTIONS ADOPTED

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 2555 - HR 2558** and **HR 2560 - HR 2573**.

The motion prevailed.

The following resolutions were laid before the house:

HR 2555 (by Farabee), Commending Laura Hendrickson for her dedicated service to the 81st Legislature.

HR 2556 (by Farabee), Commending Tom Whatley for his dedicated service to the 81st Legislature.

HR 2557 (by Farabee), Commending Ken Basart for his dedicated service to the 81st Legislature.

HR 2558 (by Farabee), Commending Rita Barr for her dedicated service to the 81st Legislature.

HR 2560 (by Farabee), Commending Julie Nieto for her dedicated service to the 81st Legislature.

HR 2561 (by Farabee), Commending Catherine Dilger for her dedicated service to the 81st Legislature.

HR 2562 (by Farabee), Commending Kellie Dworaczyk for her dedicated service to the 81st Legislature.

HR 2563 (by Farabee), Commending Tom Howe for his dedicated service to the 81st Legislature.

HR 2564 (by Farabee), Commending Andrei Lubomudrov for his dedicated service to the 81st Legislature.

HR 2565 (by Farabee), Commending Carisa Magee for her dedicated service to the 81st Legislature.

HR 2566 (by Farabee), Commending Blaire Parker for her dedicated service to the 81st Legislature.

HR 2567 (by Farabee), Commending Bettie Anne Buerk for her dedicated service to the 81st Legislature.

HR 2568 (by Farabee), Commending Jennifer Burnett for her dedicated service to the 81st Legislature.

HR 2569 (by Farabee), Commending Jonathan Lewallen for his dedicated service to the 81st Legislature.

HR 2570 (by Farabee), Commending Jimmie Luthuli for her dedicated service to the 81st Legislature.

HR 2571 (by Farabee), Commending Phil Parker for his dedicated service to the 81st Legislature.

HR 2572 (by Farabee), Commending Stephen Sibley for his dedicated service to the 81st Legislature.

HR 2573 (by Farabee), Commending Charles Wilson for his dedicated service to the 81st Legislature.

The resolutions were adopted.

On motion of Representative Darby, the names of all the members of the house were added to **HR 2555 - HR 2558** and **HR 2560 - HR 2573** as signers thereof.

HCR 118 - PREVIOUSLY ADOPTED
(by Rios Ybarra)

The chair laid out the following previously adopted resolution:

HCR 118, Honoring the legacy of Caesar Kleberg.

On motion of Representative Craddick, the names of all the members of the house were added to **HCR 118** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Rios Ybarra who introduced family members and friends of Caesar Kleberg.

(McClendon in the chair)

HR 1689 - ADOPTED
(by Kleinschmidt)

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 1689**.

The motion prevailed.

The following resolution was laid before the house:

HR 1689, Honoring Mary Jane Carter and the late Clifton C. Carter for their support of the Smithville Public Library.

HR 1689 was adopted.

HR 2346 - PREVIOUSLY ADOPTED
(by S. Turner, Dutton, and Edwards)

The chair laid out the following previously adopted resolution:

HR 2346, Congratulating Jewell L. McGowen of Houston on her 80th birthday.

HR 2526 - ADOPTED
(by Rios Ybarra)

Representative Legler moved to suspend all necessary rules to take up and consider at this time **HR 2526**.

The motion prevailed.

The following resolution was laid before the house:

HR 2526, Honoring the Coast Guard helicopter crew of CGNR 6512 for their heroic actions during Hurricane Ike in September 2008.

HR 2526 was adopted.

On motion of Representative Legler, the names of all the members of the house were added to **HR 2526** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representatives Legler and Rios Ybarra who introduced the Coast Guard helicopter crew of CGNR 6512.

INTRODUCTION OF GUEST

The chair recognized Representative Crownover who introduced Mayor Olive Stephens of Shady Shores.

HR 2720 - ADOPTED
(by Crownover)

Representative Crownover moved to suspend all necessary rules to take up and consider at this time **HR 2720**.

The motion prevailed.

The following resolution was laid before the house:

HR 2720, Commending Mayor Olive Stephens on her half century of service to Shady Shores.

HR 2720 was adopted.

On motion of Representative Taylor, the names of all the members of the house were added to **HR 2720** as signers thereof.

HR 2436 - ADOPTED
(by Darby)

Representative Darby moved to suspend all necessary rules to take up and consider at this time **HR 2436**.

The motion prevailed.

The following resolution was laid before the house:

HR 2436, In memory of Patsy L. Roach of San Angelo.

HR 2436 was unanimously adopted by a rising vote.

HR 2850 - ADOPTED
(by Merritt)

Representative Merritt moved to suspend all necessary rules to take up and consider at this time **HR 2850**.

The motion prevailed.

The following resolution was laid before the house:

HR 2850, Commemorating the grand opening of Classic-Tyler Mercedes Benz in Tyler on May 28, 2009.

HR 2850 was adopted.

CONGRATULATORY AND MEMORIAL CALENDAR

The following congratulatory resolutions were laid before the house:

HCR 250 (by Martinez Fischer), Recognizing the heroism of U.S. Marine Corporal Roy Cisneros of San Antonio.

HCR 259 (by J. Davis), Congratulating James Alford Davis of Menard on the occasion of his 80th birthday.

HR 784 (by Flynn), Welcoming students from the Canton Junior High School Gifted and Talented program to the State Capitol.

HR 1689 was withdrawn.

HR 2383 (by Frost), Honoring George Moore for his service to Texarkana ISD.

HR 2384 (by Gallego), Congratulating D. L. "Dally" Willis on the occasion of his retirement as a lobbyist for the Communications Workers of America and other labor groups.

HR 2387 (by Peña), Congratulating Tyler and Jillian Lampley of Austin on their third wedding anniversary.

HR 2388 (by Hilderbran), Congratulating Russell Lee Weihs on becoming an Eagle Scout.

HR 2390 (by McClendon), Congratulating Henrietta Eugene Roberts Stevenson on being recognized as a Diamond Member of Alpha Kappa Alpha Sorority.

HR 2391 (by McClendon), Honoring Greater Mount Olive Baptist Church of San Antonio on its 95th anniversary.

HR 2392 (by Miklos), Congratulating Carrie F. Gordon on her election as mayor of Balch Springs.

HR 2393 (by Miklos), Congratulating John Monaco on his reelection as mayor of Mesquite.

HR 2395 was previously adopted.

HR 2397 (by Rodriguez), Congratulating Shila Grace Gill of Austin on her second birthday.

HR 2399 (by D. Howard), Congratulating Dr. Newt Hasson of Austin on his induction into the Texas High School Football Hall of Fame.

HR 2400 (by Craddick), Honoring the Midland Fire Department for its 100 years of service to the community.

HR 2401 (by Eiland), Congratulating Allison McMullen of Galveston on being named an Unsung Hero by the Galveston County Daily News.

HR 2402 (by Eiland), Congratulating Bill Beveridge of Galveston on being named an Unsung Hero by the Galveston County Daily News.

HR 2404 was withdrawn.

HR 2406 (by McReynolds), Honoring the directors and staff of the Community Supervision and Corrections Department for their notable public service.

HR 2410 (by Bonnen), Commending U.S. Army Sergeant Mark Alan Vaughn of Clute for his courageous service in Iraq.

HR 2411 (by Bonnen), Congratulating David and Renee Winder of Midland, Michigan, on the birth of their daughter, Sophia Renee Winder.

HR 2413 (by Chavez), Commemorating the 60th anniversary of the opening of Thomas Jefferson High School in El Paso.

HR 2414 (by Chavez), Honoring the Eta Iota Zeta Chapter of Zeta Phi Beta Sorority, Inc., for its contributions to the El Paso community.

HR 2415 (by Chavez), Honoring the Stork's Nest program in El Paso.

HR 2417 (by Peña), Congratulating Gilberto Garza, Jr., on his retirement as superintendent of the Edinburg Consolidated Independent School District.

HR 2418 (by Sheffield), Congratulating Chad Bludau on his graduation from The University of Texas at Austin.

HR 2419 (by Kent, Driver, Vaught, and Miklos), Honoring John Willis for his service on the Garland City Council.

HR 2420 (by Anderson), Congratulating Carl and Louise Threadgill of Robinson on their 60th wedding anniversary.

HR 2421 (by Anderson), Congratulating George and Ruth Erickson of Waco on their 65th wedding anniversary.

HR 2422 (by Anderson), Congratulating Ollie and Leta Hartgroves of McGregor on their 50th wedding anniversary.

HR 2423 (by Anderson), Congratulating Donald and Carol Ann Tindell on their 50th wedding anniversary.

HR 2424 (by Anderson), Congratulating Brian and Mozelle Cunningham on their 70th wedding anniversary.

HR 2425 (by Anderson), Congratulating Norm and Tippy Gowens on their 50th wedding anniversary.

HR 2426 (by Anderson), Honoring Velton and Darlene Cunningham of Woodway on their 50th wedding anniversary.

HR 2427 (by Anderson), Congratulating Myra and William R. Casbeer of Waco on their 50th wedding anniversary.

HR 2428 (by Anderson), Congratulating Don and Linda Filgo of Woodway on their 50th wedding anniversary.

HR 2429 (by Anderson), Honoring Francis and Lorraine Trzcinski of Robinson on their 50th wedding anniversary.

HR 2431 (by Gallego), Recognizing Sandra K. Henry for her service as Edwards County district and county clerk.

HR 2433 (by Dutton), Commemorating EXPO 2009, hosted by the Houston Minority Supplier Development Council.

HR 2434 (by Kent, Driver, Vaught, and Miklos), Honoring Garland City Council member Laura Perkins Cox for her civic contributions.

HR 2437 (by Truitt), Honoring Summer Santa for its outstanding service to children in northeast Tarrant County.

HR 2438 (by Maldonado), Honoring John Jefferson Bradshaw, Collin Cruz Evans, and Christopher Russell Marshall of Austin for receiving the 2009 Gold Congressional Award.

HR 2442 (by Flynn), Congratulating Diana Wilt on her graduation from Grand Saline High School.

HR 2443 (by Anderson), Congratulating Bob and Beth Braden of China Spring on their 50th wedding anniversary.

HR 2444 (by Kent, Driver, Vaught, and Miklos), Commending Darren Lathen on his service as a member of the Garland City Council.

HR 2445 (by Anderson), Congratulating Jack and Rita Boozer of Woodway on their 45th wedding anniversary.

HR 2446 (by Anderson), Congratulating James and Elleen Frazier of Hewitt on their 50th wedding anniversary.

HR 2447 (by Anderson), Congratulating Harvey and Zelma Hunke of Robinson on their 65th wedding anniversary.

HR 2448 (by Anderson), Congratulating Clayton and Dorothy Thompson on their 60th wedding anniversary.

HR 2449 (by Anderson), Congratulating Joe and Mildred Stanislav of Waco on their 60th wedding anniversary.

HR 2450 (by Anderson), Congratulating Kenneth and Nelda Weldon of Waco on their 50th wedding anniversary.

HR 2451 (by Anderson), Congratulating Bennice and LaVerne Johnson of Woodway on their 50th wedding anniversary.

HR 2452 (by Marquez), Honoring Enriqueta G. Fierro of El Paso for her notable history of civic leadership and volunteerism.

HR 2453 (by Marquez), Congratulating Edgar and Ida Bulloch of El Paso on their 50th wedding anniversary.

HR 2454 (by Marquez), Congratulating Francisco and Velia Morga of El Paso on their 50th wedding anniversary.

HR 2455 (by Marquez), Honoring James J. Crouch of the Air Defense Artillery Center and School at Fort Bliss on his notable career.

HR 2456 (by Hodge), Congratulating Vicki Hallman on her retirement from the parole division of the Texas Department of Criminal Justice.

HR 2459 (by Gallego), Commending James E. Epperson, Jr., of Rocksprings on his three terms as an Edwards County commissioner.

HR 2460 (by Marquez), Congratulating Dr. Robert Santoscoy on receiving the Vision of Excellence Award from the El Paso Hispanic Chamber of Commerce.

HR 2461 (by Marquez), Congratulating the El Paso Hispanic Chamber of Commerce for being named the Region III Large Hispanic Chamber of the Year for 2008.

HR 2462 (by Maldonado), Commending Chris Gieringer for being named the 2009 Round Rock ISD Elementary Teacher of the Year.

HR 2464 (by Y. Davis), Congratulating Erasmo Seguin Community Learning Center in Dallas on its receipt of the HealthierUS School Challenge Gold Certificate Award.

HR 2465 (by Kent, Driver, Vaught, and Miklos), Honoring Barbara Chick for her service on the Garland City Council.

HR 2466 (by Kent, Driver, Vaught, and Miklos), Honoring Mayor Ronald E. Jones for his service to the Garland community.

HR 2467 (by Kent, Anchia, et al.), Commending Linda Koop for her service as a member of the Dallas City Council.

HR 2468 (by Kent, et al.), Honoring Jerry Allen for his service on the Dallas City Council.

HR 2469 (by Bonnen), Honoring U.S. Army Captain Robert Clayton Hinchman of Angleton for his service to his country.

HR 2471 (by Leibowitz), Commending Andrea Chavez for her work as an intern in the office of Representative David McQuade Leibowitz and congratulating her on her 20th birthday.

HR 2472 (by Craddick), Honoring the Railway Ranch of Midland, Crane, and Upton Counties on its receipt of a 2009 Lone Star Land Steward Award.

HR 2473 (by Craddick), Commemorating the First Annual Memorial "Running Against the Wind" 5K in Rankin.

HR 2474 (by Hopson), Congratulating Susan Weaver on her retirement as director of the Depot Museum in Henderson.

HR 2475 (by Rios Ybarra), Honoring Frank Torres, director of Willacy County Emergency Medical Services, for his public service.

HR 2476 (by Rios Ybarra), Commemorating the 100th anniversary of the founding of The New York Store in Hebbronville.

HR 2477 (by Craddick), Congratulating Beverly and Norvan Bourland on their 66th wedding anniversary.

HR 2479 (by Anchia and Alonzo), Congratulating Robert Rivera on his reelection to the Arlington City Council.

HR 2480 (by Gallego), Honoring Thomas F. "Tom" Roberts for his service as sheriff and tax assessor-collector of Jeff Davis County.

HR 2482 (by Hughes), Congratulating Ed and Grace Trieb on their 67th wedding anniversary.

HR 2483 (by Hughes), Congratulating Pascual and Maria Martinez on their 50th wedding anniversary.

HR 2484 (by Hughes), Congratulating James and Ruby Hollis of Mineola on their 50th wedding anniversary.

HR 2486 (by Kent), Commending Emily Blair Watler for her service as an intern in the office of State Representative Carol Kent.

HR 2488 (by Castro), Congratulating Build San Antonio Green on being named a 2009 Local Green Home Building Program of the Year by the National Association of Home Builders.

HR 2489 (by Castro), Honoring Colonel Lamar Beckworth of Austin on his appointment as interim director of the Texas Department of Public Safety.

HR 2490 (by Castro), Commending Anthony M. Brown of San Antonio for being named a scholar finalist in the 2008-2009 National Hispanic Recognition Program.

HR 2491 (by Castro), Commemorating the dedication of the Penascal Wind Power Project in Kenedy County.

HR 2492 (by Castro), Commending Salvadore M. Hernandez for his service as a member of the San Antonio Water System board of trustees.

HR 2493 (by Castro), Recognizing Maricela and Ricardo Rocha on the grand opening of Chela's Fiesta Bar and Restaurant in San Antonio.

HR 2494 (by Castro), Honoring Professor Diane Hays and architecture students from The University of Texas at San Antonio for their contributions to Raymond Russell County Park.

HR 2495 (by Castro), Honoring the Northside Independent School District students who were named scholar finalists in the National Hispanic Recognition Program for 2008-2009.

HR 2496 (by Castro), Commending Jon Gonzales for being named a scholar finalist in the 2008-2009 National Hispanic Recognition Program.

HR 2497 (by Castro), Honoring Home Comforts for its service to the mentally ill of Bexar County.

HR 2498 (by Craddick), Congratulating Emma Leigh Rodriguez, Jonathan Suiter, and Christine Folger on earning scholarships from Midland Teen Court.

HR 2499 (by Chavez), Congratulating Arturo S. Rodriguez, president of the United Farm Workers, on the occasion of his 60th birthday and commending him for his service with the UFW.

HR 2500 (by Chavez), Honoring Mirian D. Spencer of El Paso for her career in public service and her community involvement.

HR 2501 (by Chavez), Honoring David Murguia of El Paso for his outstanding academic achievements.

HR 2502 (by Chavez), Honoring LULAC Project Amistad in El Paso for its efforts to improve the lives of the elderly and adults with disabilities.

The resolutions were adopted.

HR 2384 - NAMES ADDED

On motion of Representative Martinez, the names of all the members of the house were added to **HR 2384** as signers thereof.

The following memorial resolutions were laid before the house:

SCR 78 (Sheffield - House Sponsor), In memory of James Michael Grant of Gatesville.

HCR 251 (by W. Smith), In memory of Lisa Hood Urban of Baytown.

HCR 253 (by McCall), In memory of former first lady, Lady Bird Johnson.

HCR 257 (by Sheffield), In memory of James Michael Grant of Gatesville.

HCR 260 was previously adopted.

HCR 261 (by Homer), In memory of Marguerite Stone Butler of Paris, Texas.

HCR 262 (by Homer), In memory of Martha Sue Brunson of Paris, Texas.

HR 905 (by McClendon), In memory of longtime pastor and civil rights leader, the Reverend Claude William Black, Jr., of San Antonio.

HR 2394 (by Gallego), In memory of Barbara Gulick Rathke of Del Rio.

HR 2398 (by Rodriguez, D. Howard, Naishtat, Bolton, and Dukes), In memory of the Honorable Scott Alan Ozmun of Austin, judge of the 353rd District Court.

HR 2405 (by Bolton), In memory of Randall "Poodie" Locke of Briarcliff.

HR 2412 (by Walle), In memory of Arlene Nichols of Houston.

HR 2430 (by Bonnen), In memory of Frances Chalmers of Angleton.

HR 2432 (by Gallego), In memory of George Frazier Riggs of Pecos County.

HR 2435 (by Crabb), Paying tribute to the life of Deputy U.S. Marshal George Wise.

HR 2436 was previously adopted.

HR 2441 was previously adopted.

HR 2458 (by Gallego), Honoring the life of Louy Elworth Younts, Jr., of Del Rio.

HR 2470 (by Bonnen), In memory of Barbara Gene Ross of Angleton.

HR 2478 (by Anchia and Parker), In memory of Alisandra Vei Galvan of Argyle.

HR 2481 (by Hughes), In memory of Hayes H. Bolitho of Holly Lake Ranch.

HR 2485 (by Hughes), In memory of Mary Catherine McGuyer Porter of Grand Saline.

The resolutions were unanimously adopted by a rising vote.

HR 905 - NAMES ADDED

On motion of Representative Moody, the names of all the members of the house were added to **HR 905** as signers thereof.

(Speaker in the chair)

HR 1401 - PREVIOUSLY ADOPTED (by S. Turner and Dutton)

The chair laid out the following previously adopted resolution:

HR 1401, Congratulating the Knights of Peter Claver, Inc., on its centennial, commemorating the organization's 94th Annual Convention, and recognizing August 3, 2009, as the Knights of Peter Claver Day.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Judiciary and Civil Jurisprudence, upon lunch recess today, Desk 46, for a formal meeting, to consider pending business.

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. 44 and Senate List No. 39).

RECESS

At 1:24 p.m., the speaker announced that the house would stand recessed until 3:30 p.m. today.

AFTERNOON SESSION

The house met at 3:30 p.m. and was called to order by the speaker.

(Crabb now present)

NAMES ADDED

On motion of Representative Gallego, the names of all the members of the house were added to **HR 353, HR 491, HR 492 - HR 494, HR 593 - HR 601, HR 713, HR 714, HR 719, HR 720, HR 764, HR 782, HR 802, HR 962, HR 1134 - HR 1137, HR 1196, HR 1308, HR 1309, HR 1579, HR 1774, HR 2007, HR 2038, HR 2262, HR 2382, HR 2384, HR 2394, HR 2431, HR 2432, HR 2458, HR 2459, HR 2480, HR 2666, HR 2707 - HR 2709, HR 2790 - HR 2792, and HR 2798** as signers thereof.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

SB 2423 - ADOPTION OF CONFERENCE COMMITTEE REPORT

Representative Gonzalez Toureilles submitted the conference committee report on **SB 2423**.

Representative Gonzalez Toureilles moved to adopt the conference committee report on **SB 2423**.

The motion to adopt the conference committee report on **SB 2423** prevailed by (Record 1378): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Farabee; Farias; Farrar; Fletcher; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg;

Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent, Excused — Alvarado; Kuempel.

Absent — England; Flores; Hodge; King, S.; Oliveira.

SB 1152 - ADOPTION OF CONFERENCE COMMITTEE REPORT

Representative Anchia submitted the conference committee report on **SB 1152**.

Representative Anchia moved to adopt the conference committee report on **SB 1152**.

The motion to adopt the conference committee report on **SB 1152** prevailed by (Record 1379): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycoc; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Kuempel.

Absent — Rios Ybarra; Thibaut.

SB 727 - ADOPTION OF CONFERENCE COMMITTEE REPORT

Representative Vaught submitted the conference committee report on **SB 727**.

Representative Vaught moved to adopt the conference committee report on **SB 727**.

The motion to adopt the conference committee report on **SB 727** prevailed by (Record 1380): 138 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Truitt; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Dukes; Flores; Mallory Caraway; McClendon; Turner, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Kuempel.

Absent — Anderson; Rios Ybarra; Thibaut; Thompson.

STATEMENT OF VOTE

When Record No. 1380 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

HB 2196 - ADOPTION OF CONFERENCE COMMITTEE REPORT

Representative Truitt submitted the following conference committee report on **HB 2196**:

Austin, Texas, May 26, 2009

The Honorable David Dewhurst
President of the Senate

The Honorable Joe Straus
Speaker of the House of Representatives

Sirs: We, your conference committee, appointed to adjust the differences between the senate and the house of representatives on **HB 2196** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Deuell	Truitt
Lucio	Darby
Nichols	Herrero
Seliger	Isett
Zaffirini	Rose
On the part of the senate	On the part of the house

HB 2196, A bill to be entitled An Act relating to the establishment of a workgroup to study and make recommendations on the integration of health and behavioral health services.

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

SECTION 1. (a) The executive commissioner of the Health and Human Services Commission shall establish a workgroup to recommend best practices in policy, training, and service delivery to promote the integration of health and behavioral health services in this state.

(b) The executive commissioner of the Health and Human Services Commission shall appoint members to serve on the workgroup. The workgroup must include:

- (1) at least one representative of the Department of State Health Services;
- (2) at least one representative of the Department of Aging and Disability Services;
- (3) at least one representative of the Department of Family and Protective Services;
- (4) at least one representative of the Health and Human Services Commission;
- (5) a representative of the Texas Department of Insurance;
- (6) a representative of a state organization that represents community mental health and mental retardation centers;
- (7) a representative of a state organization that represents federally qualified health centers;
- (8) a representative of a state organization that represents substance abuse providers;
- (9) at least one representative of state associations that represent medical and behavioral health professionals;
- (10) at least one representative of a statewide organization that promotes mental health and prevention of mental disorders and advocates and educates to improve the care and treatment of persons with mental illness;
- (11) at least one consumer member of an organization that represents consumers of mental health services;
- (12) at least one representative of an organization that represents family members of consumers of mental health services;

(13) a representative of a mental health philanthropy that is an administrative unit of a public institution of higher education in this state and that agrees to provide administrative support to the workgroup; and

(14) additional members who are recognized experts in integrated health care in the state, who have direct experience with the provision of integrated health care, or who represent the interests of consumers, communities, family members, advocates, business leaders, medical and behavioral health providers, and insurers.

(c) The workgroup shall study and make recommendations on the integration of health and behavioral health services in this state. The workgroup may request any information it needs from state agencies, and the state agencies shall comply with the request.

(d) The executive commissioner of the Health and Human Services Commission shall:

(1) not later than October 1, 2009, establish the workgroup as required under Subsection (a) of this section; and

(2) not later than August 1, 2010, file with the appropriate committees of the senate and the house of representatives a report that describes the best practices for health and behavioral health integration, barriers to implementing the best practices in this state, and policy considerations for improving integrated service delivery to the citizens of this state.

(e) This section expires and the workgroup created under this section is abolished on August 31, 2010.

SECTION 2. Subtitle E, Title 2, Health and Safety Code, is amended by adding Chapter 115 to read as follows:

CHAPTER 115. TASK FORCE FOR CHILDREN WITH SPECIAL NEEDS

Sec. 115.001. DEFINITIONS. In this chapter:

(1) "Children with special needs" means children younger than 22 years of age diagnosed with a chronic illness, intellectual or other developmental disability, or serious mental illness.

(2) "Commission" means the Health and Human Services Commission.

(3) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(4) "Task force" means the Interagency Task Force for Children with Special Needs established under this chapter.

Sec. 115.002. TASK FORCE FOR CHILDREN WITH SPECIAL NEEDS. The governor, or the governor's designee, shall oversee the task force created and administered by the commission to improve the coordination, quality, and efficiency of services for children with special needs.

Sec. 115.003. DUTIES. The task force shall:

(1) not later than September 1, 2010, coordinate with federal agencies to compile a list of opportunities to increase flexible funding for services for children with special needs, including alternative funding sources and service delivery options;

(2) conduct a review of state agency policies and procedures related to service delivery for children with special needs;

(3) perform a needs assessment, including public hearings to identify service delivery gaps, system entry points, and service obstacles; and

(4) develop a five-year plan to improve the coordination, quality, and efficiency of services for children with special needs under Section 115.004.

Sec. 115.004. TASK FORCE PLAN. (a) In developing the five-year plan under this chapter, the task force shall:

(1) identify the party responsible for each action set forth in the plan and set deadlines for implementation of each recommendation;

(2) create benchmarks to measure progress toward goals and objectives;

(3) consult with the Legislative Budget Board to coordinate relevant cost studies and account for long-term savings of short-term child investments;

(4) consult with personnel from other states to identify best practices;

(5) consult with the state demographer and relevant federal agencies to account for future demographic trends;

(6) consult with pediatric specialists and other health care providers to determine best medical practices;

(7) coordinate with mental health and developmental disability advocates; and

(8) develop a timeline for plan implementation.

(b) The plan created under this chapter must provide recommendations to:

(1) maximize the use of federal funds available to this state for the purposes described by Section 115.002;

(2) reduce the number of families who experience crisis due to insufficient and ineffective interventions or services or lack of coordination and planning of interventions or services;

(3) improve families' ability to navigate the system through improved coordination between service providers and increased outreach;

(4) remove barriers to local coordination of services and supports;

(5) evaluate the feasibility of creating an interagency legally authorized representative program to provide support services for children with special needs;

(6) improve early detection and intervention services;

(7) increase the number of community-based options for children with special needs;

(8) improve accountability for each agency represented on the task force and other service providers;

(9) reduce existing fragmentation of service delivery to reflect best practices and eliminate ineffective interventions;

(10) reduce service gaps and overlap;

(11) improve data management;

(12) prevent unnecessary parental relinquishment of custody;

(13) create a core set of quality measures to determine quality of care and improvements to quality of life; and

(14) improve availability of high-quality community-based acute and long-term care services and supports.

Sec. 115.005. MEMORANDUM OF UNDERSTANDING. The governor's office and each agency represented on the task force shall enter into a memorandum of understanding to implement the task force's duties under this chapter.

Sec. 115.006. REPORT. (a) The task force shall submit a biennial report on the progress of each agency represented on the task force in accomplishing the goals described by Section 115.002 to the governor, lieutenant governor, and speaker of the house of representatives.

(b) The report must include:

(1) stakeholder input, including testimony from parents in each health and human services district;

(2) progress toward meeting each goal outlined in the plan under Section 115.004;

(3) current barriers that prevent accomplishing each goal listed in Subdivision (2);

(4) additional resource needs;

(5) current resources that could be redirected for more efficient and effective use;

(6) amendments to the plan under this chapter;

(7) recommendations and proposed legislation to help fulfill the goals of this chapter; and

(8) feasibility statements on related recommendations.

(c) The task force shall publish the report on the commission's website.

Sec. 115.007. COMPOSITION. (a) The task force consists of:

(1) the commissioner, the executive director or director, or a deputy or assistant commissioner of:

(A) the commission, designated by the executive commissioner;

(B) the Department of Aging and Disability Services, designated by the commissioner of that agency;

(C) the Department of Assistive and Rehabilitative Services, designated by the commissioner of that agency;

(D) the division of early childhood intervention services, designated by the commissioner of the Department of Assistive and Rehabilitative Services;

(E) the Department of Family and Protective Services, designated by the commissioner of that agency;

(F) the Department of State Health Services, designated by the commissioner of that agency;

(G) the Texas Education Agency, designated by the commissioner of that agency;

(H) the Texas Youth Commission, designated by the executive commissioner of that agency;

(I) the Texas Juvenile Probation Commission, designated by the executive director of that agency; and

(J) the Texas Correctional Office on Offenders with Medical or Mental Impairments, designated by the director of that office; and

(2) eight nonvoting members who are:

(A) a representative of a local mental health authority or a local mental retardation authority, appointed by the governor;

(B) two members of the house of representatives, appointed by the speaker of the house of representatives;

(C) two senators, appointed by the lieutenant governor; and

(D) three parents or consumer advocates, one each appointed by the commission, the Texas Education Agency, and the Texas Youth Commission.

(b) The members of the task force appointed under Subsection (a)(2)(D) may serve a five-year term or may elect to serve for a shorter period.

Sec. 115.008. MEETINGS. (a) The task force shall meet at least once each quarter.

(b) The task force shall provide an opportunity for statewide public participation in at least two meetings in each calendar year.

(c) All meetings of the task force shall be conducted in accordance with Chapter 551, Government Code.

Sec. 115.009. INTERAGENCY COORDINATOR; STAFF. (a) The governor shall appoint an interagency coordinator from the commission as the presiding officer of the task force.

(b) The interagency coordinator shall hire a full-time director and administrative assistant to support the duties and functions of the task force.

Sec. 115.010. TASK FORCE DIRECTOR. The task force director hired by the interagency coordinator under Section 115.009 shall:

(1) prepare on behalf of the task force the plan and reports required under this chapter;

(2) work with each task force representative to schedule meetings and deadlines relevant to the representative's agency; and

(3) work with the interagency coordinator to assign subcommittee leadership positions under Section 115.011.

Sec. 115.011. SUBCOMMITTEES. (a) The interagency coordinator, assisted by the task force director, shall establish subcommittees to address:

(1) early childhood detection and intervention;

(2) education;

(3) health care;

(4) transitioning youth;

(5) crisis prevention and intervention;

(6) juvenile justice;

(7) long-term, community-based services and supports; and

(8) mental health.

(b) Each subcommittee shall include at least one task force member to serve as chair. Consistent with the purpose of each subcommittee, members shall consult with relevant subject matter experts, relevant advocacy organizations, staff from related agencies, and parents or consumers who have used related services.

(c) Each subcommittee shall report the subcommittee's findings and related recommendations at a task force meeting at least once each year. On a biennial basis, the subcommittee shall provide a written report with findings and recommendations not less than two months before the scheduled release of the task force report under this chapter.

Sec. 115.012. SUNSET PROVISION. The Interagency Task Force for Children With Special Needs is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the task force is abolished and this chapter expires September 1, 2015.

SECTION 3. (a) As soon as practicable after the effective date of this Act:

(1) the governor shall appoint the interagency coordinator of the Interagency Task Force for Children with Special Needs as required by Section 115.009, Health and Safety Code, as added by this Act; and

(2) the lieutenant governor, speaker of the house of representatives, and executive commissioner, commissioner, executive director, or director of each entity listed under Section 115.007, Health and Safety Code, as added by this Act, shall appoint the members of the Interagency Task Force for Children with Special Needs established by Chapter 115, Health and Safety Code, as added by this Act.

(b) The Interagency Task Force for Children with Special Needs shall hold an organizational meeting not later than September 30, 2009.

(c) The interagency coordinator shall appoint the subcommittees created under Section 115.011, Health and Safety Code, as added by this Act, not later than December 1, 2009.

(d) The plan required under Chapter 115, Health and Safety Code, as added by this Act, must be submitted to the 82nd Legislature not later than September 1, 2011.

SECTION 4. This Act takes effect September 1, 2009.

Representative Truitt moved to adopt the conference committee report on **HB 2196**.

The motion to adopt the conference committee report on **HB 2196** prevailed by (Record 1381): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycok; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddock; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.;

Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Kuempel.

Absent — Edwards.

**SB 686 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Orr, the house granted the request of the senate for the appointment of a Conference Committee on **SB 686**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 686**: Orr, chair; Taylor, Pierson, Parker, and C. Turner.

**SB 1182 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Ortiz, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1182**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1182**: Ortiz, chair; Anchia, Eiland, C. Howard, and Creighton.

**HB 2925 - HOUSE DISCHARGES CONFEREES
HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative Herrero called up with senate amendments for consideration at this time,

HB 2925, A bill to be entitled An Act relating to protections provided by the Department of Agriculture for certain consumers; providing penalties.

Representative Herrero moved to discharge the conferees and concur in the senate amendments to **HB 2925**.

The motion to discharge the conferees and concur in the senate amendments to **HB 2925** prevailed by (Record 1382): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hardcastle;

Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Kuempel.

Absent — Davis, J.; Hancock; King, T.; Rios Ybarra; Thibaut.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **HB 2925** by inserting the following new SECTION ____ and renumbering subsequent sections accordingly:

SECTION _____. Appropriations Limited to Revenue Collections. It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by this act, at a minimum, cover the cost of the programs authorized by this Act.

HB 1711 - HOUSE DISCHARGES CONFEREES HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative S. Turner called up with senate amendments for consideration at this time,

HB 1711, A bill to be entitled An Act relating to requiring the Texas Department of Criminal Justice to establish a comprehensive reentry and reintegration plan for offenders released or discharged from a correctional facility.

Representative S. Turner moved to discharge the conferees and concur in the senate amendments to **HB 1711**.

The motion to discharge the conferees and concur in the senate amendments to **HB 1711** prevailed by (Record 1383): 134 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hardcastle; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; Kleinschmidt; Kolkhorst;

Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Woolley; Zerwas.

Nays — Anderson; Aycocock; Christian; Corte; Harless; Hilderbran; Phillips; Sheffield; Weber.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Kuempel.

Absent — Edwards; England; Hancock; King, T.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 1383. I intended to vote no.

Craddick

I was shown voting yes on Record No. 1383. I intended to vote no.

Flynn

I was shown voting yes on Record No. 1383. I intended to vote no.

Laubenberg

I was shown voting yes on Record No. 1383. I intended to vote no.

Parker

I was shown voting yes on Record No. 1383. I intended to vote no.

Paxton

Senate Amendment No. 1 (Senate Committee Amendment No. 1)

Amend **HB 1711** as follows:

On page 4 line 16 after the word "department", insert "shall coordinate the work of the task force with the Office of Court Administration, and"

On page 4 line 18 after the word "force" insert ":", and strike the following language on lines 18-19, "~~in the office of the governor.~~"

On page 2 line 20, strike "~~each offender~~" and insert "offenders" and on page 2 line 24, strike "~~each offender~~" and insert "offenders";

Senate Amendment No. 2 (Senate Floor Amendment No. 1)

Amend **HB 1711** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill appropriately:

SECTION _____. This Act does not make an appropriation. This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 81st Legislature.

MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 3 and 4).

**HB 1888 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative J. Davis called up with senate amendments for consideration at this time,

HB 1888, A bill to be entitled An Act relating to standards required for certain rankings of physicians by health benefit plans.

Representative J. Davis moved to concur in the senate amendments to **HB 1888**.

The motion to concur in the senate amendments to **HB 1888** prevailed by (Record 1384): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Kuempel.

Absent — Thibaut.

Senate Committee Substitute

CSHB 1888, A bill to be entitled An Act relating to standards required for certain rankings of physicians by health benefit plans.

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

SECTION 1. Subtitle F, Title 8, Insurance Code, is amended by adding Chapter 1460 to read as follows:

CHAPTER 1460. STANDARDS REQUIRED REGARDING CERTAIN
PHYSICIAN RANKINGS BY HEALTH BENEFIT PLANS

Sec. 1460.001. DEFINITIONS. In this chapter:

(1) "Health benefit plan issuer" means an entity authorized under this code or another insurance law of this state that provides health insurance or health benefits in this state, including:

(A) an insurance company;

(B) a group hospital service corporation operating under Chapter 842;

(C) a health maintenance organization operating under Chapter 843; and

(D) a stipulated premium company operating under Chapter 884.

(2) "Physician" means an individual licensed to practice medicine in this state or another state of the United States.

Sec. 1460.002. EXEMPTION. This chapter does not apply to:

(1) a Medicaid managed care program operated under Chapter 533, Government Code;

(2) a Medicaid program operated under Chapter 32, Human Resources Code;

(3) the child health plan program under Chapter 62, Health and Safety Code, or the health benefits plan for children under Chapter 63, Health and Safety Code; or

(4) a Medicare supplement benefit plan, as defined by Chapter 1652.

Sec. 1460.003. PHYSICIAN RANKING REQUIREMENTS. (a) A health benefit plan issuer, including a subsidiary or affiliate, may not rank physicians, classify physicians into tiers based on performance, or publish physician-specific information that includes rankings, tiers, ratings, or other comparisons of a physician's performance against standards, measures, or other physicians, unless:

(1) the standards used by the health benefit plan issuer conform to nationally recognized standards and guidelines as required by rules adopted under Section 1460.005;

(2) the standards and measurements to be used by the health benefit plan issuer are disclosed to each affected physician before any evaluation period used by the health benefit plan issuer; and

(3) each affected physician is afforded, before any publication or other public dissemination, an opportunity to dispute the ranking or classification through a process that, at a minimum, includes due process protections that conform to the following protections:

(A) the health benefit plan issuer provides at least 45 days written notice to the physician of the proposed rating, ranking, tiering, or comparison, including the methodologies, data, and all other information utilized by the health benefit plan issuer in its rating, tiering, ranking or comparison decision;

(B) in addition to any written fair reconsideration process, the health benefit plan issuer, upon a request for review that is made within 30 days of receiving the notice under paragraph (A), provides a fair reconsideration proceeding, at the physician's option,;

(i) by teleconference, at an agreed upon time; or
(ii) in-person, at an agreed upon time or between the hours of
8:00 a.m. and 5:00 p.m. Monday through Friday;

(C) the physician has the right to provide information at a
requested fair reconsideration proceeding for determination by a decision-maker,
have a representative participate in the fair reconsideration proceeding, and
submit a written statement at the conclusion of the fair reconsideration
proceeding; and

(D) the health benefit plan issuer provides a written communication
of the outcome of a fair reconsideration proceeding prior to any publication or
dissemination of the rating, ranking, tiering, or comparison. The written
communication must include the specific reasons for the final decision.

(b) This section does not apply to the publication of a list of network
physicians and providers if ratings or comparisons are not made and the list is not
a product of nor reflects the tiering or classification of physicians or providers.

Sec. 1460.004. DUTIES OF PHYSICIANS. A physician may not require or
request that a patient of the physician enter into an agreement under which the
patient agrees not to:

- (1) rank or otherwise evaluate the physician;
- (2) participate in surveys regarding the physician; or
- (3) in any way comment on the patient's opinion of the physician.

Sec. 1460.005. RULES; STANDARDS. (a) The commissioner shall adopt
rules in the manner prescribed by Subchapter A, Chapter 36, as necessary to
implement this chapter.

(b) The commissioner shall adopt rules as necessary to ensure that a health
benefit plan issuer that uses a physician ranking system complies with the
standards and guidelines described by Subsection (c).

(c) In adopting rules under this section, the commissioner shall consider the
standards, guidelines and measures prescribed by nationally recognized
organizations that establish or promote guidelines and performance measures
emphasizing quality of health care, including the National Quality Forum and the
AQA Alliance. If neither the National Quality Forum nor the AQA Alliance has
established standards or guidelines regarding an issue, the commissioner shall
consider the standards, guidelines, and measures prescribed by the National
Committee on Quality Assurance and other similar national organizations. If the
National Quality Forum, nor the AQA Alliance nor other national organizations
have established standards or guidelines regarding an issue, the commissioner
shall consider standards, guidelines and measures based on other bona-fide
nationally recognized guidelines, expert-based physician consensus quality
standards, or leading objective clinical evidence and scholarship.

Sec. 1460.006. DUTIES OF HEALTH BENEFIT PLAN ISSUER. A health
benefit plan issuer shall ensure that:

- (1) physicians currently in clinical practice are actively involved in the
development of the standards used under this chapter; and
- (2) the measures and methodology used in the comparison programs
described by Section 1460.003 are transparent and valid.

Sec. 1460.007. SANCTIONS; DISCIPLINARY ACTIONS. (a) A health benefit plan issuer that violates this chapter or a rule adopted under this chapter is subject to sanctions and disciplinary actions under Chapters 82 and 84.

(b) A violation of this chapter by a physician constitutes grounds for disciplinary action by the Texas Medical Board, including imposition of an administrative penalty.

SECTION 2. (a) A health benefit plan issuer shall comply with Chapter 1460, Insurance Code, as added by this Act, not later than December 31, 2009.

(b) A health benefit plan issuer is not subject to sanctions or disciplinary actions under Section 1460.007, Insurance Code, as added by this Act, before January 1, 2010.

(c) A physician is not subject to sanctions or disciplinary actions under Section 1460.007, Insurance Code, as added by this Act, before January 1, 2010.

SECTION 3. This Act takes effect September 1, 2009.

Senate Amendment No. 1 (Senate Floor Amendment No. 1)

Amend **CSHB 1888** as follows:

On page 2, delete lines 35-37 and replace with the following:

"Sec. 1460.005. RULES; STANDARDS. (a) The commissioner shall adopt rules as necessary to implement this chapter."

SB 1001 - REQUEST OF SENATE GRANTED CONFERENCE COMMITTEE APPOINTED

On motion of Representative Pickett, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1001**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1001**: Isett, chair; Martinez Fischer, Smithee, Thompson, and Hancock.

SB 1237 - ADOPTION OF CONFERENCE COMMITTEE REPORT

Representative Heflin submitted the conference committee report on **SB 1237**.

Representative Heflin moved to adopt the conference committee report on **SB 1237**.

The motion to adopt the conference committee report on **SB 1237** prevailed by (Record 1385): 130 Yeas, 13 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Dunnam; Eiland; Eissler; Elkins; England; Farabee; Farias; Fletcher; Flynn; Frost; Gallego; Gattis; Geren; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado;

Marquez; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Vaught; Veasey; Villarreal; Walle; Weber; Woolley; Zerwas.

Nays — Castro; Dukes; Dutton; Edwards; Farrar; Flores; Giddings; Hodge; Mallory Caraway; McClendon; Olivo; Turner, S.; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alvarado; Kuempel.

Absent — Burnam; Driver; Kent; King, S.

STATEMENTS OF VOTE

When Record No. 1385 was taken, I was in the house but away from my desk. I would have voted yes.

Kent

I was shown voting yes on Record No. 1385. I intended to vote no.

Leibowitz

HB 2531 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

Representative Chavez called up with senate amendments for consideration at this time,

HB 2531, A bill to be entitled An Act relating to a reporting requirement regarding the Texas emerging technology fund.

Representative Chavez moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 2531**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 2531**: Chavez, chair; Herrero, Y. Davis, Harless, and Pitts.

(Morrison in the chair)

HCR 268 - ADOPTED (by Pitts)

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HCR 268**.

The motion prevailed.

The following resolution was laid before the house:

HCR 268, Directing the Texas Facilities Commission to name a permanent facility at The University of Texas of the Permian Basin in honor of Buddy and Shirley West.

HCR 268 was read and was adopted by (Record 1386): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison(C); Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Absent, Excused — Alvarado; Kuempel.

Absent — Farabee; Smith, W.

STATEMENTS OF VOTE

When Record No. 1386 was taken, I was in the house but away from my desk. I would have voted yes.

Farabee

When Record No. 1386 was taken, I was in the house but away from my desk. I would have voted yes.

W. Smith

SB 488 - REQUEST OF SENATE GRANTED CONFERENCE COMMITTEE APPOINTED

On motion of Representative Harper-Brown, the house granted the request of the senate for the appointment of a Conference Committee on **SB 488**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 488**: Harper-Brown, chair; Laubenberg, Paxton, Cohen, and Chisum.

ADJOURNMENT

At 6:52 p.m., the chair announced that the house would stand adjourned until 10 a.m. tomorrow.

ADDENDUM

SIGNED BY THE SPEAKER

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

House List No. 44

HB 101, HB 108, HB 389, HB 453, HB 527, HB 533, HB 583, HB 586, HB 598, HB 978, HB 1055, HB 1326, HB 1596, HB 1597, HB 1598, HB 1599, HB 1601, HB 1664, HB 2128, HB 2142, HB 2181, HB 2208, HB 2547, HB 2585, HB 2664, HB 2690, HB 2692, HB 2728, HB 2748, HB 2799, HB 2804, HB 2806, HB 2813, HB 2814, HB 2820, HB 2906, HB 2994, HB 3005, HB 3385, HB 3611, HB 3625, HB 3922, HB 4007, HB 4064, HB 4068, HB 4103, HB 4464, HB 4465, HB 4492, HB 4493, HB 4519, HB 4560, HB 4594, HB 4607, HB 4611, HB 4700, HB 4723, HB 4737, HB 4741, HB 4748, HB 4750, HB 4752, HB 4754, HB 4771, HB 4772, HB 4777, HB 4803, HB 4811, HB 4815, HCR 5, HCR 16, HCR 53, HCR 71, HCR 79, HCR 81, HCR 119, HCR 120, HCR 182

Senate List No. 39

SB 80, SB 202, SB 305, SB 334, SB 348, SB 375, SB 376, SB 410, SB 417, SB 455, SB 490, SB 524, SB 530, SB 584, SB 585, SB 588, SB 596, SB 637, SB 638, SB 662, SB 693, SB 707, SB 748, SB 749, SB 755, SB 794, SB 808, SB 812, SB 880, SB 994, SB 1016, SB 1039, SB 1337, SB 1483, SB 1979, SB 2410, SB 2460, SB 2463, SB 2464, SB 2466, SB 2479, SB 2480, SB 2483, SB 2486, SB 2496, SB 2504, SB 2506, SB 2507, SB 2509, SB 2514, SB 2515, SB 2520, SB 2521, SB 2529, SB 2531, SB 2536, SCR 65

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 28, 2009 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 55 Branch SPONSOR: Carona
Relating to an offense of using a wireless communication device while operating a motor vehicle.
(Amended)

HB 148 Smith, Todd SPONSOR: Wentworth
Relating to the prosecution of the offense of barratry and solicitation of professional employment.
(Amended)

HB 269 Lucio III SPONSOR: Van de Putte
Relating to course credit for certain students at a public institution of higher education.
(Committee Substitute/Amended)

HB 319 Raymond SPONSOR: Carona
Relating to an exemption from jury service for certain persons with legal custody of a child.

HB 358 Flynn SPONSOR: Gallegos
Relating to the seizure of the circuit board of a gambling device or equipment, altered gambling equipment, or gambling paraphernalia.
(Committee Substitute)

HB 394 Rose SPONSOR: Van de Putte
Relating to use of the money from the Texas Enterprise Fund to benefit small businesses.
(Committee Substitute/Amended)

HB 464 Paxton SPONSOR: Nelson
Relating to the preparation by the Legislative Budget Board of a dynamic fiscal impact statement for certain bills and joint resolutions affecting taxes and fees.
(Amended)

HB 518 Kolkhorst SPONSOR: Van de Putte
Relating to programs to provide student loan repayment assistance for certain correctional officers and for certain speech-language pathologists and audiologists.
(Amended)

HB 556 Kuempel SPONSOR: Harris
Relating to payment of attorney's fees in certain actions to recover possession of real property.
(Committee Substitute)

HB 677 Hartnett SPONSOR: Wentworth
Relating to violations of laws administered and enforced by the Texas Ethics Commission and to sworn complaints alleging such violations.

(Committee Substitute)

HB 694 Kuempel SPONSOR: Hegar
Relating to Gonzales Healthcare Systems.

HB 719 Flynn SPONSOR: Duncan
Relating to polling places for certain elections.
(Committee Substitute)

HB 853 Laubenberg SPONSOR: Uresti
Relating to inclusion of pets and other companion animals in protective orders;
providing a penalty.
(Amended)

HB 1013 Corte SPONSOR: Wentworth
Relating to the authority of certain counties to regulate the installation and use of
lighting in certain areas.
(Committee Substitute)

HB 1038 Paxton SPONSOR: Patrick, Dan
Relating to the determination of the market value of a residence homestead for
purposes of ad valorem taxation.

HB 1187 Kolkhorst SPONSOR: Hegar
Relating to the membership of the board of managers for certain emergency
communication districts.

HB 1218 Howard, Donna SPONSOR: Watson
Relating to a pilot project to exchange secure electronic health information
between the Health and Human Services Commission and local or regional health
information exchanges.
(Amended)

HB 1309 Otto SPONSOR: Williams
Relating to the date by which the comptroller must certify the apportioned
amount of the market value of railroad rolling stock to a county
assessor-collector.

HB 1357 Isett SPONSOR: Deuell
Relating to the regulation of freestanding emergency medical care facilities;
providing an administrative penalty; creating an offense.
(Committee Substitute/Amended)

HB 1517 Eissler SPONSOR: Nichols
Relating to the powers and duties of the Montgomery County Hospital District.

HB 1822 Solomons SPONSOR: Fraser
Relating to the use of certain terms by certificated telecommunications utilities,
retail electric providers, and electric utilities in retail bills.
(Committee Substitute/Amended)

HB 1937 Villarreal SPONSOR: Seliger
Relating to the voluntary assessment of property owners by a municipality to
finance certain energy conservation improvements.

HB 1946 Bonnen SPONSOR: Huffman

Relating to the creation of the Brazoria County Municipal Utility District No. 64; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

HB 2153 Edwards SPONSOR: Shapiro
Relating to certain registration requirements imposed on sex offenders.
(Committee Substitute/Amended)

HB 2154 Edwards SPONSOR: Hinojosa
Relating to the physician education loan repayment program.
(Committee Substitute)

HB 2240 Lewis SPONSOR: Nelson
Relating to creating the offense of continuous violence against the family.
(Amended)

HB 2347 Thibaut SPONSOR: Whitmire
Relating to tuition and laboratory fee exemptions at public institutions of higher education for certain peace officers enrolled in criminal justice or law enforcement management-related course work.
(Committee Substitute/Amended)

HB 2368 Hartnett SPONSOR: Watson
Relating to trusts.

HB 2555 Hilderbran SPONSOR: Ogden
Relating to the length of time certain property acquired by a charitable organization to provide low-income housing may be exempted from ad valorem taxation.
(Amended)

HB 2559 Truitt SPONSOR: Duncan
Relating to the powers and duties of and benefits available under the Employees Retirement System of Texas.
(Committee Substitute/Amended)

HB 2582 Gonzalez Toureilles SPONSOR: Hegar
Relating to the production and taxation of renewable diesel fuel.
(Amended)

HB 2656 Miller, Doug SPONSOR: Duncan
Relating to the composition of the board of trustees of the Teacher Retirement System of Texas.
(Committee Substitute)

HB 2668 Ritter SPONSOR: Williams
Relating to the creation of the Smith Road Water Control and Improvement District No. 1 of Jefferson County; providing authority to impose a tax and issue bonds; granting levee and flood hazard mitigation powers; granting the power of eminent domain.
(Committee Substitute)

HB 2752 Eiland SPONSOR: Averitt
Relating to independent audits of insurer financial statements and insurer internal controls.

(Committee Substitute/Amended)

HB 2808 Thompson SPONSOR: West
Relating to the power of a licensing authority to revoke, suspend, or deny a license on the basis of certain criminal proceedings.
(Amended)

HB 2917 McReynolds SPONSOR: Shapiro
Relating to authorizing the Department of State Health Services to obtain criminal history record information for certain applicants for employment.
(Amended)

HB 2919 King, Susan SPONSOR: Fraser
Relating to the regulation of land use to ensure compatible development with military facilities in certain counties.
(Amended)

HB 2961 Coleman SPONSOR: Ellis
Relating to authorizing an increase in the student union fee at the University of Houston.

HB 3065 Bohac SPONSOR: Ellis
Relating to municipal registration of vacant buildings in certain counties; providing a penalty.
(Committee Substitute)

HB 3089 Veasey SPONSOR: Davis, Wendy
Relating to the disposition of vehicles by a local government participating in a program designed to encourage the use of low-emission vehicles.

HB 3095 Harless SPONSOR: Watson
Relating to the use of a parking space or area designated specifically for persons with disabilities.
(Committee Substitute)

HB 3202 Bonnen SPONSOR: Jackson, Mike
Relating to authorizing the transfer of certain real property held by the Texas Department of Criminal Justice.
(Committee Substitute)

HB 3220 Hancock SPONSOR: Patrick, Dan
Relating to the applicability of certain laws to open-enrollment charter schools.
(Amended)

HB 3228 Madden SPONSOR: Whitmire
Relating to the offense of prohibited substances and items in correctional facilities.
(Committee Substitute)

HB 3389 Harper-Brown SPONSOR: Deuell
Relating to the continuation and functions of the Texas Commission on Law Enforcement Officer Standards and Education.
(Committee Substitute/Amended)

HB 3417 Oliveira SPONSOR: Lucio
Relating to the jurisdiction of criminal law hearing officers in Cameron County.

- HB 3438** Hodge SPONSOR: West
Relating to authorizing the Texas Board of Criminal Justice to convey certain real property to the City of Dallas in exchange for comparable property.
- HB 3445** Anchia SPONSOR: Deuell
Relating to requirements governing registration and authorized activities of certain lobbyists.
(Committee Substitute)
- HB 3485** Coleman SPONSOR: West
Relating to the administration of certain county services and duties, including the administration of county assistance districts.
(Committee Substitute/Amended)
- HB 3646** Hochberg SPONSOR: Shapiro
Relating to public school finance.
(Committee Substitute/Amended)
- HB 4300** Herrero SPONSOR: Williams
Relating to safety rules for certain pipeline facilities and public awareness.
(Committee Substitute)
- HB 4424** Hernandez SPONSOR: Gallegos
Relating to operations fees and child support service fees assessed by domestic relations offices.
(Committee Substitute/Amended)
- HB 4728** King, Phil SPONSOR: Estes
Relating to the Parker County Utility District No. 1.
(Amended)
- HB 4742** Naishtat SPONSOR: Watson
Relating to the preservation of a record in a proceeding in a municipal court of record in Austin.
- HB 4775** Bonnen SPONSOR: Huffman
Relating to the creation of the Alden Lake Management District; providing authority to impose an assessment, impose a tax, and issue bonds.
- HB 4785** Weber SPONSOR: Jackson, Mike
Relating to the powers and financing of the Brazoria County Groundwater Conservation District.
- HB 4795** Allen SPONSOR: Ellis
Relating to territory included in, and the validation of acts of, the Harris County Improvement District No. 10 and the Harris County Improvement District No. 10B; changing the name of the Harris County Improvement District No. 10B.
- HB 4800** Gattis SPONSOR: Ogden
Relating to the creation of the San Gabriel Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.
- HB 4818** Harper-Brown SPONSOR: West
Relating to the Dallas County Utility and Reclamation District.
- HJR 14** Corte SPONSOR: Duncan

Proposing a constitutional amendment to prohibit the taking of property for transfer to a private entity for certain purposes.

(Committee Substitute/Amended)

HJR 36

Otto

SPONSOR: Williams

Proposing a constitutional amendment authorizing the legislature to provide for the ad valorem taxation of a residence homestead solely on the basis of the property's value as a residence homestead; authorizing the legislature to authorize a single board of equalization for two or more adjoining appraisal entities that elect to provide for consolidated equalizations; and authorizing the legislature to provide for the administration and enforcement of uniform standards and procedures for appraisal of property for ad valorem tax purposes.

(Committee Substitute)

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, May 28, 2009 - 3

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 103

Brown, Fred

SPONSOR: Patrick, Dan

Relating to the operation of certain health benefit plans through student health centers of certain institutions of higher education.

(Committee Substitute/Amended)

HB 171

Olivo

SPONSOR: Gallegos

Relating to consideration of mitigating factors in determining appropriate disciplinary action to be taken against a public school student.

(Amended)

HB 281

Anchia

SPONSOR: West

Relating to grants for school-based health centers and reports submitted by those centers.

(Committee Substitute)

HB 432

Lucio III

SPONSOR: Estes

Relating to the acquisition by state agencies of low-emissions vehicles and vehicles using alternative fuels.

(Committee Substitute/Amended)

HB 469 King, Phil SPONSOR: Seliger
Relating to the establishment of incentives by this state for the implementation of certain projects to capture and sequester in geological formations carbon dioxide that would otherwise be emitted into the atmosphere.

(Committee Substitute/Amended)

HB 498 McClendon SPONSOR: Ellis
Relating to the creation of a commission to investigate and prevent wrongful convictions.

(Committee Substitute/Amended)

HB 746 Brown, Fred SPONSOR: Patrick, Dan
Relating to expanding the availability of classrooms and other facilities for use by public colleges and universities.

(Amended)

HB 770 Howard, Donna SPONSOR: Jackson, Mike
Relating to the ad valorem taxation of a residence homestead that is rendered uninhabitable or unusable by a casualty or by wind or water damage.

(Committee Substitute/Amended)

HB 857 Laubenberg SPONSOR: Estes
Relating to the penalty for certain outdoor burning violations.

(Amended)

HB 871 Farrar SPONSOR: Gallegos
Relating to the method of mailing notice a municipal management district may use to notify a property owner about a scheduled hearing.

HB 1243 Gallego SPONSOR: Fraser
Relating to net metering for retail electric service customers and compensation for excess electricity generated by a retail electric customer's on-site generator.

(Committee Substitute/Amended)

HB 1275 Kolkhorst SPONSOR: Hegar
Relating to the authority to impose a county hotel occupancy tax.

HB 1310 Solomons SPONSOR: Nelson
Relating to the use of a tanning facility device by a minor.

HB 1320 Christian SPONSOR: Ellis
Relating to creating an offense for engaging in certain conduct relating to cockfighting and to the criminal and civil consequences of committing that offense.

(Committee Substitute/Amended)

HB 1322 Hochberg SPONSOR: Watson
Relating to the establishment of an online resource for teachers of students with special health needs.

(Amended)

HB 1343 Menendez SPONSOR: Van de Putte
Relating to blind and disabled pedestrians and failure of the operator of a motor vehicle to yield the right-of-way.

(Amended)

HB 1799 Bohac SPONSOR: Eltife
Relating to information that must be included on certain electric bills.

HB 1819 Bohac SPONSOR: Ellis
Relating to minimum habitability standards for multi-family rental buildings in certain municipalities; providing a penalty.
(Committee Substitute/Amended)

HB 1935 Villarreal SPONSOR: Duncan
Relating to the establishment of the Jobs and Education for Texans (JET) Grant Program to support adult and postsecondary education and workforce development.
(Committee Substitute/Amended)

HB 2012 Vaught SPONSOR: Carona
Relating to the criminal consequences of operating without a valid driver's license a motor vehicle for which financial responsibility is not established.
(Amended)

HB 2086 Moody SPONSOR: Whitmire
Relating to the prosecution and punishment of the offense of engaging in organized criminal activity.
(Committee Substitute/Amended)

HB 2127 Giddings SPONSOR: West
Relating to regulations regarding the sale of plastic bulk merchandise containers; providing a criminal penalty.
(Committee Substitute)

HB 2256 Hancock SPONSOR: Duncan
Relating to mediation of out-of-network health benefit claim disputes concerning enrollees, facility-based physicians, and certain health benefit plans; imposing an administrative penalty.
(Committee Substitute/Amended)

HB 2291 Gattis SPONSOR: Ogden
Relating to the procedure to be used by a taxing unit in adopting an ad valorem tax rate.

HB 2307 Davis, Yvonne SPONSOR: Deuell
Relating to coverage under a meet and confer agreement for certain municipal firefighters and police officers.

HB 2462 Keffer SPONSOR: Deuell
Relating to the authority of a county to clarify the existence of a public interest in certain roads.
(Committee Substitute)

HB 2504 Kolkhorst SPONSOR: Shapiro
Relating to requiring a public institution of higher education to make available to the public on the institution's Internet website certain undergraduate course information.
(Amended)

- HB 2524** Anchia SPONSOR: Carona
Relating to the accuracy, security, and reliability of certain electronic voting systems.
- HB 2525** Smith, Todd SPONSOR: Wentworth
Relating to political expenditures made by a corporation or labor organization to finance the establishment and administration of a political committee.
(Committee Substitute)
- HB 2553** Hilderbran SPONSOR: Davis, Wendy
Relating to the registration and operation of certain motor vehicles.
(Committee Substitute/Amended)
- HB 2703** Olivo SPONSOR: Gallegos
Relating to classification of a prekindergarten or kindergarten student who is retained at the request of the student's parent.
- HB 2708** Gonzalez Toureilles SPONSOR: Zaffirini
Relating to the powers of the Karnes County Hospital District.
- HB 2833** Marquez SPONSOR: Shapleigh
Relating to certain building code standards applicable to the unincorporated areas of certain counties; providing a penalty.
(Committee Substitute/Amended)
- HB 3009** Coleman SPONSOR: Ellis
Relating to the authority of municipal management districts to consolidate.
(Amended)
- HB 3144** Gonzalez Toureilles SPONSOR: Seliger
Relating to an exemption from the sales and use tax for property used in agricultural operations and for aircraft used in connection with agriculture.
(Committee Substitute/Amended)
- HB 3309** Gattis SPONSOR: Ogden
Relating to consolidation of certain proceedings on an application for a certificate of convenience and necessity.
(Committee Substitute/Amended)
- HB 3335** Callegari SPONSOR: Averitt
Relating to the creation and powers of certain groundwater and surface water districts.
(Committee Substitute/Amended)
- HB 3454** Otto SPONSOR: Williams
Relating to the determination of the value of property for ad valorem tax purposes, including appeals of appraisal review board orders determining protests of property value determinations, and the use of certain values by school districts in adopting tax rates.
(Committee Substitute/Amended)
- HB 3479** Gallego SPONSOR: Uresti
Relating to filing of instruments conveying real property in certain counties.
(Amended)
- HB 3480** Truitt SPONSOR: Van de Putte

Relating to certain investment products made available to certain public school employees and the companies authorized to provide those products; providing civil penalties.

(Amended)

HB 3526

Callegari

SPONSOR: Averitt

Relating to the powers and duties of the Texas Water Development Board and related entities, including the funding of projects by the board and the composition, duties, recommendations, and expenses of entities created to study and provide advice regarding environmental flows.

(Committee Substitute/Amended)

HB 3547

Elkins

SPONSOR: Jackson, Mike

Relating to an order for the closure of unregistered dry cleaning facilities and dry cleaning drop stations by the Texas Commission on Environmental Quality.

HB 3628

Jones

SPONSOR: Duncan

Relating to the date by which the executive director of the Texas Department of Licensing and Regulation must require compliance with certain elevator safety standards.

(Committee Substitute/Amended)

HB 3669

Hopson

SPONSOR: Ogden

Relating to the authority of certain counties to impose a hotel occupancy tax.

(Amended)

HB 3676

Heflin

SPONSOR: Seliger

Relating to the Texas Economic Development Act.

(Amended)

HB 3689

McClendon

SPONSOR: Hinojosa

Relating to the functions and continuation of the Texas Youth Commission and the Texas Juvenile Probation Commission and to the functions of the Office of Independent Ombudsman for the Texas Youth Commission.

(Committee Substitute/Amended)

HB 3827

Hancock

SPONSOR: Deuell

Relating to the delivery of regulated substances into underground storage tanks; providing a penalty.

(Amended)

HB 3861

Hopson

SPONSOR: Nichols

Relating to the financing by the Texas Water Development Board of the proposed Lake Columbia reservoir project.

HB 3876

Phillips

SPONSOR: Harris

Relating to certain enforcement actions alleging the failure to pay child support.

(Amended)

HB 3907

Madden

SPONSOR: Whitmire

Relating to the court-ordered administration of psychoactive medication to certain criminal defendants and to the release of those defendants from certain facilities.

(Amended)

HB 4031

McCall

SPONSOR: Seliger

Relating to the agricultural biomass and landfill diversion incentive program.
(Amended)

HB 4189 Rose SPONSOR: Watson
Relating to the conduct of compliance programs by institutions of higher education.
(Amended)

HB 4275 Menendez SPONSOR: West
Relating to the application process and scoring for the low income housing tax credit program.
(Amended)

HB 4433 Rodriguez SPONSOR: Seliger
Relating to an exemption from oil and gas severance taxes for oil and gas produced in association with the production of geothermal energy.
(Committee Substitute)

HB 4704 Guillen SPONSOR: Zaffirini
Relating to the Starr County Hospital District.

HB 4829 Fletcher SPONSOR: Patrick, Dan
Relating to the creation of district courts, impose an assessment, impose a tax, and issue bonds.

HB 4833 Hunter SPONSOR: Wentworth
Relating to the creation of district courts and statutory county courts and to the composition of juvenile boards in certain counties.
(Committee Substitute/Amended)

HCR 22 Burnam SPONSOR: Carona
Granting the Chishty family permission to sue the State of Texas, the Department of Aging and Disability Services, and the Denton State School.

HCR 243 McReynolds SPONSOR: Williams
Honoring the memory of Stephanye Irene Sampley of Atascocita.

HJR 85 Harless SPONSOR: Patrick, Dan
Proposing a constitutional amendment to allow the legislature to provide for members of a governing board of an emergency services district to serve terms not to exceed four years.

HJR 102 Raymond SPONSOR: Hinojosa
Proposing a constitutional amendment to protect the right of the public to access and use public beaches.

HJR 132 Corte SPONSOR: Wentworth
Proposing a constitutional amendment relating to the financing, including through tax increment financing, of the acquisition by municipalities and counties of buffer areas or open spaces adjacent to a military installation for certain purposes.

SCR 77 Nelson
Approving the system-wide settlement agreement with the United States Department of Justice resolving certain investigations of state mental retardation facilities.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 28, 2009 - 4

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 10 Solomons SPONSOR: Averitt
Relating to the regulation of residential mortgage loan originators; providing a penalty.
(Committee Substitute)

HB 58 Branch SPONSOR: Averitt
Relating to the eligibility of private or independent institutions of higher education to participate in the advanced research program administered by the Texas Higher Education Coordinating Board.

HB 93 Hodge SPONSOR: Hinojosa
Relating to the reinstatement of good conduct time suspended during a term of imprisonment.
(Committee Substitute)

HB 192 Alonzo SPONSOR: Van de Putte
Relating to the absence of a student from school for activities in connection with obtaining United States citizenship.
(Committee Substitute/Amended)

HB 200 Heflin SPONSOR: Seliger
Relating to continuing education requirements for public school principals.

HB 339 Phillips SPONSOR: Carona
Relating to driver education and driver's licensing requirements for minors.
(Committee Substitute/Amended)

HB 451 Allen SPONSOR: Lucio
Relating to health benefit plan coverage for autism spectrum disorder.
(Amended)

HB 459 Leibowitz SPONSOR: Zaffirini
Relating to county abatement and regulation of nuisances.
(Committee Substitute/Amended)

- HB 537** Berman SPONSOR: Eltife
Relating to the transportation of children in motor vehicles; creating an offense.
(Amended)
- HB 635** Guillen SPONSOR: Zaffirini
Relating to the authority of the Texas Education Agency to seek, accept, determine eligibility for, and distribute grants available for the benefit of public education.
(Amended)
- HB 666** Gutierrez SPONSOR: Uresti
Relating to certain costs used to fund drug court programs.
(Committee Substitute/Amended)
- HB 715** King, Phil SPONSOR: Estes
Relating to motor vehicle inspection stations that perform emissions inspections using only the onboard diagnostic system of inspected vehicles.
(Committee Substitute/Amended)
- HB 756** Martinez Fischer SPONSOR: Ellis
Relating to the making or acceptance of political contributions in certain office buildings owned by or leased to the state.
(Committee Substitute)
- HB 773** Oliveira SPONSOR: Harris
Relating to extending the expiration date of the Property Redevelopment and Tax Abatement Act.
- HB 963** Guillen SPONSOR: Whitmire
Relating to a criminal history evaluation letter determining occupational license eligibility.
(Committee Substitute/Amended)
- HB 1030** Callegari SPONSOR: Ellis
Relating to the scheduling of hearings before appraisal review boards on property tax protests.
(Committee Substitute/Amended)
- HB 1041** Parker SPONSOR: West
Relating to school district policies addressing sexual abuse of children.
(Committee Substitute/Amended)
- HB 1174** Hartnett SPONSOR: Watson
Relating to payment by a municipality or river authority for certain damages caused by the municipality's or river authority's operation of a sanitary sewer system.
(Committee Substitute/Amended)
- HB 1285** Eiland SPONSOR: Huffman
Relating to persons authorized to administer an oath in this state.
(Amended)
- HB 1325** Rios Ybarra SPONSOR: Lucio
Relating to the degrees awarded by the Texas State Technical College System.
- HB 1423** Guillen SPONSOR: Shapiro

Relating to granting charters to public junior colleges for open-enrollment charter schools.

HB 1506 Herrero SPONSOR: Hinojosa
Relating to the imposition of conditions on certain defendants charged with an offense involving family violence.
(Committee Substitute/Amended)

HB 1665 King, Phil SPONSOR: Harris
Relating to the penalty imposed on defaulting jurors.

HB 1720 Bohac SPONSOR: Deuell
Relating to the use of public funds by a political subdivision for communications that contain false information relating to a ballot measure; providing a criminal penalty.
(Committee Substitute/Amended)

HB 1770 Miklos SPONSOR: Wentworth
Relating to the Tax Increment Financing Act.
(Committee Substitute/Amended)

HB 1801 Bohac SPONSOR: Shapiro
Relating to exemptions from the sales tax for a limited period for certain backpacks and school supplies specified by the Streamlined Sales and Use Tax Agreement.
(Amended)

HB 1924 Heflin SPONSOR: Seliger
Relating to the performance of pharmacy services in certain rural areas.
(Committee Substitute/Amended)

HB 1945 Herrero SPONSOR: Hinojosa
Relating to the date of the general election for certain political subdivisions.

HB 2000 McCall SPONSOR: Van de Putte
Relating to health benefit plan coverage for certain amino acid-based elemental formulas.
(Amended)

HB 2013 Keffer SPONSOR: Hegar
Relating to tuition and laboratory fee exemptions at public institutions of higher education for certain volunteer firefighters enrolled in fire science courses.
(Amended)

HB 2093 Driver SPONSOR: Hegar
Relating to the certification of a county jailer as a special officer for offenders with mental impairments.
(Committee Substitute/Amended)

HB 2163 Turner, Sylvester SPONSOR: Uresti
Relating to a study regarding the provision of certain medications through the Medicaid vendor drug program to children younger than 16 years of age.
(Amended)

HB 2348 Dutton SPONSOR: Whitmire

Relating to a contract between a water district and a municipality for the provision of fire-fighting services in certain counties.

HB 2488 Hochberg SPONSOR: Ogden
Relating to open-source textbooks for public schools.
(Committee Substitute/Amended)

HB 2521 Pickett SPONSOR: West
Relating to a preference in state purchasing for certain media-related services offered by businesses based in Texas.
(Committee Substitute/Amended)

HB 2556 Solomons SPONSOR: Carona
Relating to the rights and duties of the parties to a motor vehicle retail installment contract or a conditional delivery agreement involving the sale or conditional delivery of a motor vehicle; providing an administrative penalty.

HB 2654 Oliveira SPONSOR: Averitt
Relating to imposition of the motor vehicle sales tax on motor vehicles transferred as the result of a gift.

HB 2685 Callegari SPONSOR: Nichols
Relating to the landowner's bill of rights.

HB 2805 Maldonado SPONSOR: Ogden
Relating to the administration, powers, duties, operation, and financing of the East Williamson County Multi-Institution Teaching Center.

HB 2859 Miller, Doug SPONSOR: Wentworth
Relating to notice requirements for a county selling surplus or salvage property.
(Amended)

HB 2914 McReynolds SPONSOR: Nichols
Relating to the establishment of a fuel mitigation pilot grant program for fire departments.
(Amended)

HB 3076 Deshotel SPONSOR: West
Relating to a parenting and paternity awareness program used in the health curriculum for public schools.
(Amended)

HB 3082 Thibaut SPONSOR: Patrick, Dan
Relating to the obstruction of streets by certain municipalities.
(Committee Substitute)

HB 3094 Harless SPONSOR: Patrick, Dan
Relating to the regulation of massage parlors by counties; providing penalties.
(Committee Substitute)

HB 3186 McCall SPONSOR: Duncan
Relating to the collection and use of biometric identifiers.
(Amended)

HB 3287 McReynolds SPONSOR: Ogden
Relating to the amendment of restrictions affecting real property in certain subdivisions.

(Amended)

HB 3353 Naishtat SPONSOR: Shapleigh
Relating to an environmental service fee at public institutions of higher education.

HB 3461 Orr SPONSOR: Watson
Relating to the powers and duties of the School Land Board and the commissioner of the General Land Office.

(Amended)

HB 3552 Bonnen SPONSOR: Gallegos
Relating to the evaluation of certain regional planning commissions.

(Amended)

HB 3612 Otto SPONSOR: Williams
Relating to the creation of a pilot program that allows taxpayer appeals from certain appraisal review board determinations in certain counties to be heard by the State Office of Administrative Hearings.

(Committee Substitute/Amended)

HB 3621 Solomons SPONSOR: Carona
Relating to certain charges included in a motor vehicle installment agreement.

(Committee Substitute/Amended)

HB 3653 Marquez SPONSOR: Davis, Wendy
Relating to the use of restraints to control the movement of pregnant women and female children confined in certain correctional facilities in this state.

(Amended)

HB 3654 Marquez SPONSOR: Davis, Wendy
Relating to certain duties of and reports submitted to the Commission on Jail Standards regarding county jail inmates who are pregnant.

HB 3737 Anchia SPONSOR: Davis, Wendy
Relating to criminal history checks for employees of, and applicants for employment at, special care facilities.

(Amended)

HB 3854 Eiland SPONSOR: Jackson, Mike
Relating to the powers of certain development corporations related to Hurricane Ike disaster relief and to the validation of certain governmental acts or proceedings of counties affected by Hurricane Ike.

HB 3864 Smithee SPONSOR: Seliger
Relating to the acceptance of certain donated building projects by the Parks and Wildlife Department.

(Amended)

HB 3872 Gattis SPONSOR: Estes
Relating to the qualifications to be a veterans county service officer.

(Amended)

HB 3896 Oliveira SPONSOR: Seliger

Relating to the authority of the governing body of a municipality or the commissioners court of a county to enter into an ad valorem tax abatement agreement.

(Committee Substitute)

HB 4067

Gonzales

SPONSOR: Lucio

Relating to the creation of the Bureau for Economic Development of the Border Region.

(Amended)

HB 4338

Smithee

SPONSOR: Fraser

Relating to title insurance agents and title insurance companies.

(Committee Substitute/Amended)

HB 4412

Taylor

SPONSOR: Patrick, Dan

Relating to the arbitration deposit required for an appeal through binding arbitration of appraisal review board orders involving multiple tracts of land.

HB 4445

Alvarado

SPONSOR: Gallegos

Relating to the licensing and appointment of certain court interpreters.

(Amended)

HB 4730

Craddick

SPONSOR: Seliger

Relating to the Martin County Hospital District.

(Amended)

HB 4745

Heflin

SPONSOR: Duncan

Relating to the Lockney General Hospital District.

HJR 7

Flores

SPONSOR: Hinojosa

Proposing a constitutional amendment to require partnering with the United States Department of Veterans Affairs and other federal agencies to establish a veterans hospital in the Rio Grande Valley region of the state.

(Amended)

HJR 127

King, Phil

SPONSOR: Carona

Proposing a constitutional amendment to allow an officer or enlisted member of the Texas State Guard or other state militia or military force to hold other civil offices.

(Amended)

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, May 28, 2009 - 5

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 431 Lucio III SPONSOR: Hinojosa
Relating to design, construction, and renovation standards for state buildings and facilities.

(Committee Substitute/Amended)

HB 461 Eissler SPONSOR: Huffman
Relating to the regulation of dyslexia practitioners and therapists; providing penalties.

(Committee Substitute)

HB 829 Hochberg SPONSOR: Shapiro
Relating to appeals to the commissioner of education.

HB 1151 Thompson SPONSOR: West
Relating to temporary orders and orders for modification in suits affecting the parent-child relationship.

(Amended)

HB 1290 Oliveira SPONSOR: Lucio
Relating to health benefit plan coverage for certain tests for the early detection of cardiovascular disease.

(Amended)

HB 1462 Pickett SPONSOR: Uresti
Relating to leave for certain state employees who volunteer or participate in training for Court Appointed Special Advocates.

(Committee Substitute)

HB 1614 Brown, Betty SPONSOR: Patrick, Dan
Relating to the punishment for the offense of criminal mischief.

HB 1831 Corte SPONSOR: Carona
Relating to disaster preparedness and emergency management and to certain vehicles used in emergencies; providing a penalty.

(Committee Substitute/Amended)

HB 1914 McReynolds SPONSOR: Nichols
Relating to abolishing the Private Sector Prison Industries Oversight Authority and to the certification and operation of private sector prison industries programs.

(Amended)

HB 1959 Isett SPONSOR: Hegar
Relating to the governmental entities subject to the sunset review process.

(Committee Substitute/Amended)

HB 2003 McCall SPONSOR: Watson
Relating to the creation of the offense of online harassment.

(Amended)

HB 2113 Walle SPONSOR: Gallegos

Relating to the holidays for members of fire and police departments in certain municipalities.

(Committee Substitute/Amended)

HB 2161 Turner, Sylvester SPONSOR: Whitmire
Relating to the issuance of a personal identification certificate to present or former inmates of the Texas Department of Criminal Justice.

(Amended)

HB 2169 Chavez SPONSOR: Hinojosa
Relating to the establishment of additional job incentive programs by the Texas Workforce Commission using the skills development fund.

(Amended)

HB 2344 Giddings SPONSOR: West
Relating to the urban land bank demonstration program in certain municipalities.

(Committee Substitute)

HB 2570 Hancock SPONSOR: Jackson, Mike
Relating to the regulation of stipulated premium insurance companies.

(Committee Substitute)

HB 2941 Paxton SPONSOR: Williams
Relating to the disclosure of certain ad valorem tax appraisal information and other confidential information.

(Amended)

HB 2954 Coleman SPONSOR: Ellis
Relating to authorizing an increase in the student center fee at Texas Southern University.

(Amended)

HB 3201 King, Phil SPONSOR: Wentworth
Relating to the designation of certain fire marshals and related officers, inspectors, and investigators and certain railroad peace officers as peace officers.

(Amended)

HB 3226 Madden SPONSOR: Seliger
Relating to the payment of temporary housing costs for certain individuals who are released or are eligible for release on parole or to mandatory supervision.

HB 3330 Aycok SPONSOR: Estes
Relating to a disease surveillance program for elk; providing a penalty.

HB 3452 Gattis SPONSOR: Ogden
Relating to the establishment of the Texas Armed Services Scholarship.

(Committee Substitute/Amended)

HB 3481 Veasey SPONSOR: Harris
Relating to the right to an expunction of records and files relating to a person's arrest.

(Committee Substitute/Amended)

HB 3632 Geren SPONSOR: Averitt
Relating to the authority of the state to acquire, sell, or exchange certain land.

(Committee Substitute/Amended)

HB 4009 Weber SPONSOR: Van de Putte
Relating to the establishment of a victim assistance program to provide services to domestic victims of trafficking.
(Amended)

HB 4294 Branch SPONSOR: Shapiro
Relating to textbooks, electronic textbooks, instructional material, and technological equipment in public schools.
(Committee Substitute/Amended)

HB 4501 Coleman SPONSOR: Ellis
Relating to an intercollegiate athletics fee at Texas Southern University.

HB 4529 Chavez SPONSOR: Shapleigh
Relating to court reporter service fees in certain counties.

HCR 161 Burnam SPONSOR: Davis, Wendy
Granting John Cook permission to sue the Benbrook Water Authority.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

SENT TO THE GOVERNOR

May 27 - **HB 621, HB 675, HB 783, HB 1113, HB 1257, HB 1362, HB 1365, HB 1452, HB 1761, HB 1919, HB 2187, HB 2447, HB 2467, HB 2572, HB 3097, HB 3129, HB 3358, HB 3391, HB 3961, HB 4114, HB 4127, HB 4328, HB 4779**

SIGNED BY THE GOVERNOR

May 27 - **HB 375, HB 472, HB 567, HB 590, HB 772, HB 867, HB 1240, HB 1300, HB 1411, HB 1492, HB 1493, HB 1505, HB 1574, HB 1580, HB 1672, HB 1736, HB 1758, HB 1804, HB 1830, HB 1908, HB 1998, HB 2027, HB 2062, HB 2249, HB 2386, HB 2509, HB 2512, HB 3031, HB 3032, HB 3061, HB 3062, HB 3413, HB 3519, HB 4006, HB 4314, HB 4476**

