

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-EIGHTH DAY — THURSDAY, APRIL 25, 2013

The house met at 12:14 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 302).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Anderson; Branch; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

LEAVES OF ABSENCE GRANTED

On motion of Representative S. Thompson and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

RULES SUSPENDED

Representative S. Thompson moved to suspend all necessary rules to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed.

MOTION FOR ONE RECORD VOTE

On motion of Representative S. Thompson and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following bill number).

(Record 303): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Anderson; Branch; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent — Krause; Sanford.

STATEMENT OF VOTE

When Record No. 303 was taken, I was in the house but away from my desk. I would have voted yes on the local, consent, and resolutions calendar, but would have recorded voting no on the following bills: **HB 334, SB 228, HB 722, SB 244, HB 2394, HB 2460, HB 3434, and HB 3676.**

Krause

SB 293**HB 62**

HB 139 (122 - 14 - 2) (Frullo, Goldman, Hilderbran, Kleinschmidt, Kuempel, Lavender, Perry, Phillips, Price, Schaefer, Simpson, Springer, Taylor, and Workman - no)

HB 333

HB 334 (133 - 3 - 2) (Burkett, Schaefer, and Stickland - no)

HB 429 (131 - 5 - 2) (Flynn, Huberty, Laubenberg, E. S. Turner, and Zedler - no)

HB 480 (129 - 7 - 2) (Hilderbran, Kuempel, Lavender, Phillips, Price, Springer, and Workman - no)

SB 228 (134 - 2 - 2) (Schaefer and Stickland - no)

SB 230 (133 - 3 - 2) (Perry, Schaefer, and Simpson - no)

HB 722 (130 - 6 - 2) (Flynn, Huberty, Laubenberg, Stickland, E. S. Turner, and Zedler - no)

HB 747 (129 - 7 - 2) (Frullo, Goldman, Hilderbran, Kleinschmidt, Kuempel, Price, and Workman - no)

HB 762 (134 - 2 - 2) (Perry and Schaefer - no)

HB 797**HB 798**

HB 857 (135 - 1 - 2) (Phillips - no)

HB 964

HB 1023 (133 - 3 - 2) (Flynn, Huberty, and Schaefer - no)

HB 1135 (125 - 11 - 2) (Flynn, Frullo, Hilderbran, Huberty, Kuempel, Laubenberg, Price, Schaefer, E. S. Turner, Workman, and Zedler - no)

HB 1188 (134 - 2 - 2) (Flynn and Huberty - no)

HB 1191**HB 1193****SB 387****HB 1204****HB 1206****HB 1247****HB 1385****HB 1395****HB 1405****HB 1435**

HB 1487

SB 447

HB 1545

HB 1553

HB 1580 (129 - 7 - 2) (Frullo, Hilderbran, Kuempel, Price, Schaefer, Simpson, and Workman - no)

SB 223

SB 244 (132 - 4 - 2) (Perry, Schaefer, Simpson, and Stickland - no)

HB 1605 (133 - 3 - 2) (Phillips, Simpson, and Zedler - no)

HB 1607

SB 192

HB 1624 (135 - 1 - 2) (Simpson - no)

HB 1690 (134 - 2 - 2) (Schaefer and Simpson - no)

HB 1728 (134 - 2 - 2) (Simpson and Taylor - no)

HB 1753

HB 1767

HB 1768

HB 1777 (127 - 9 - 2) (Flynn, Frullo, Hilderbran, Huberty, Kuempel, Perry, Price, Schaefer, and Zedler - no)

HB 1807

HB 1920

HB 1952 (126 - 10 - 2) (Frullo, Hilderbran, Kuempel, Perry, Phillips, Price, Schaefer, Simpson, Taylor, and Workman - no)

HB 1953 (134 - 2 - 2) (Kleinschmidt and Perry - no)

HB 1970

HB 2105 (134 - 2 - 2) (Flynn and Huberty - no)

HB 2213 (135 - 1 - 2) (Simpson - no)

SB 974

HB 2263

HB 2300 (134 - 2 - 2) (Goldman and Schaefer - no)

HB 2394 (134 - 2 - 2) (Simpson and Stickland - no)

HB 2459 (132 - 4 - 2) (Goldman, Kleinschmidt, Schaefer, and Simpson - no)

HB 2460 (135 - 1 - 2) (Stickland - no)

HB 2475 (135 - 1 - 2) (Simpson - no)

HB 2536

SB 1102 (134 - 2 - 2) (Schaefer and Simpson - no)

HB 2627

SB 1101 (134 - 2 - 2) (Schaefer and Simpson - no)

HB 2649

HB 2673

HB 2725

SB 1267

HB 2760

SB 174

HB 2984 (135 - 1 - 2) (Simpson - no)

HB 3031 (135 - 1 - 2) (Simpson - no)

SB 1165

HB 3172 (135 - 1 - 2) (Lavender - no)

HB 3253

HB 3314

HB 3332

HB 3337 (131 - 5 - 2) (Flynn, Huberty, Laubenberg, E. S. Turner, and Zedler - no)

HB 3378

HB 3434 (127 - 9 - 2) (Flynn, Huberty, Laubenberg, Phillips, Schaefer, Simpson, Stickland, E. S. Turner, and Zedler - no)

SB 846

HB 3559

HB 3561

HB 3676 (133 - 3 - 2) (Schaefer, Simpson, and Stickland - no)

HB 3889

HB 3900

HB 2892

HB 1330

HB 1530 (134 - 2 - 2) (Schaefer and Taylor - no)

HB 1534

The following resolutions which were laid out on the previous legislative day on the local, consent, and resolutions calendar were adopted by the above referenced vote (Record 303): 136 Yeas, 0 Nays, 2 Present, not voting (members registering votes and the results of the vote are shown following bill number).

HCR 40

HCR 41

HCR 54

HCR 57

HCR 71

HCR 87

HCR 84

(Speaker in the chair)

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 698 ON THIRD READING
(Eiland - House Sponsor)**

SB 698, A bill to be entitled An Act relating to the refund of unearned premium for a personal automobile or residential property insurance policy.

SB 698 was passed by (Record 304): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent — González, M.; Sheffield, J.

STATEMENT OF VOTE

When Record No. 304 was taken, I was in the house but away from my desk. I would have voted yes.

M. González

SB 840 ON THIRD READING (Eiland - House Sponsor)

SB 840, A bill to be entitled An Act relating to certain promotional practices not considered to be prohibited discrimination, rebates, or inducements in insurance.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Otto on motion of Orr.

SB 840 - (consideration continued)

SB 840 was passed by (Record 305): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smthoe; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Canales; Muñoz; Rodriguez, J.

STATEMENT OF VOTE

When Record No. 305 was taken, my vote failed to register. I would have voted yes.

Canales

**SB 1110 ON THIRD READING
(Pickett - House Sponsor)**

SB 1110, A bill to be entitled An Act relating to the purposes and designation of a transportation reinvestment zone.

SB 1110 was passed by (Record 306): 110 Yeas, 27 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burnam; Callegari; Canales; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hunter; Isaac; Johnson; Keffer; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Perez; Phillips; Pickett; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Walle; Workman; Wu; Zerwas.

Nays — Bonnen, D.; Button; Capriglione; Fallon; Hughes; King, K.; Klick; Larson; Laubenberg; Lavender; Leach; Paddie; Parker; Patrick; Perry; Price; Sanford; Schaefer; Simpson; Smithee; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Krause.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 306. I intended to vote no.

Bohac

I was shown voting yes on Record No. 306. I intended to vote no.

Carter

I was shown voting yes on Record No. 306. I intended to vote no.

Creighton

I was shown voting yes on Record No. 306. I intended to vote no.

Goldman

I was shown voting yes on Record No. 306. I intended to vote no.

Hilderbran

I was shown voting yes on Record No. 306. I intended to vote no.

Kolkhorst

When Record No. 306 was taken, I was temporarily out of the house chamber. I would have voted no.

Krause

I was shown voting no on Record No. 306. I intended to vote yes.

Larson

I was shown voting yes on Record No. 306. I intended to vote no.

Simmons

LEAVE OF ABSENCE GRANTED

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

Coleman on motion of Walle.

SB 500 ON THIRD READING

(J. Sheffield - House Sponsor)

SB 500, A bill to be entitled An Act relating to the Texas State Board of Pharmacy.

SB 500 was passed by (Record 307): 135 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer;

Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Zedler; Zerwas.

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

Absent, Excused — Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Wu.

**MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 1675 ON THIRD READING
(by D. Bonnen)**

HB 1675, A bill to be entitled An Act relating to governmental entities subject to the sunset review process.

HB 1675 was passed by (Record 308): 130 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Carter; Clardy; Collier; Cook; Cortez; Craddick; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Capriglione; Dale; Fallon; Laubenberg; Stickland; Turner, E.S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Creighton.

STATEMENT OF VOTE

I was shown voting yes on Record No. 308. I intended to vote no.

Krause

**HB 3361 ON THIRD READING
(by Dutton)**

HB 3361, A bill to be entitled An Act relating to the continuation and functions of the Texas Department of Housing and Community Affairs; authorizing and otherwise affecting the application of certain fees.

AMENDMENT NO. 1 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE S. TURNER: If a legislator or if a state senator says I do not want this development in my district for various reasons, the effect of that letter will be—right now, I think it's a deduction of 12 points—will the deduction still take place, a deduction of 12 points from that application?

REPRESENTATIVE ANCHIA: Negative points, correct. And I believe it's 12, but the amendment both contemplates negative and positive points. So if there's a letter of opposition, two things happen—there are negative points under this amendment, and then the second thing is that the applicant cannot go to the city and seek a resolution as a replacement for rehabilitating those negative points. They are barred from doing that.

S. TURNER: So whatever the deduction that will take place under the current system, it is the effect of the amendment to carry forth that same deduction under this bill?

ANCHIA: That's right.

REMARKS ORDERED PRINTED

Representative S. Turner moved to print remarks between Representative Anchia and Representative S. Turner.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

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

Alonzo on motion of Y. Davis.

HB 3361 - (consideration continued)**Amendment No. 1**

Representative Anchia offered the following amendment to **HB 3361**:

Amend **HB 3361** (second reading engrossment) as follows:

(1) Strike SECTION 1.08 in ARTICLE 1 of the bill and renumber subsequent SECTIONS of the ARTICLE accordingly.

(2) Strike SECTION 2.01 in ARTICLE 2 of the bill and substitute the following:

SECTION 2.01. Section 2306.6710, Government Code, is amended by amending Subsections (b) and (f) and adding Subsection (g) to read as follows:

(b) If an application satisfies the threshold criteria, the department shall score and rank the application using a point system that:

(1) prioritizes in descending order criteria regarding:

(A) financial feasibility of the development based on the supporting financial data required in the application that will include a project underwriting pro forma from the permanent or construction lender;

(B) quantifiable community support ~~[participation]~~ with respect to the development, evaluated on the basis of:

(i) a written statement from the state representative or the state senator who represents the district containing the proposed development site; or

(ii) only if neither a state representative nor a state senator provides a written statement expressing either support or opposition under Subparagraph (i) before the date specified by the department under Subsection (g)(1), a resolution concerning the development that is voted on and adopted by:

(a) the governing body of the municipality in which any part of ~~[written statements from any neighborhood organizations on record with the state or county in which the development is to be located and whose boundaries contain]~~ the proposed development site is to be located;

(b) the commissioners court of the county in which the proposed development site is to be located, if any part of the proposed site is to be located in an area of a county that is not part of a municipality; or

(c) the governing bodies of the municipality and county in which the proposed development site is to be located, if any part of the proposed site is to be located in the extraterritorial jurisdiction of a municipality;

(C) the income levels of tenants of the development;

(D) the size and quality of the units;

(E) the commitment of development funding by local political subdivisions;

(F) ~~[the level of community support for the application, evaluated on the basis of written statements from the state representative or the state senator that represents the district containing the proposed development site;~~

~~[(G)]~~ the rent levels of the units;

(G) ~~[(H)]~~ the cost of the development by square foot;

(H) ~~[(I)]~~ the services to be provided to tenants of the development;

~~[and]~~

(I) ~~[(J)]~~ whether, at the time the complete application is submitted or at any time within the two-year period preceding the date of submission, the proposed development site is located in an area declared to be a disaster under Section 418.014; and

(J) quantifiable community participation with respect to the development, evaluated on the basis of written statements from any neighborhood organizations on record with the state or county in which the development is to be located and whose boundaries contain the proposed development site;

(2) uses criteria imposing penalties on applicants or affiliates who have requested extensions of department deadlines relating to developments supported by housing tax credit allocations made in the application round preceding the current round or a developer or principal of the applicant that has been removed by the lender, equity provider, or limited partners for its failure to perform its obligations under the loan documents or limited partnership agreement; and

(3) encourages applicants to provide free notary public service to the residents of the developments for which the allocation of housing tax credits is requested.

(f) In evaluating the level of community support for an application under Subsection (b)(1)(B)(i) [(b)(1)(F)], the department shall award:

- (1) positive points for positive written statements received;
- (2) negative points for negative written statements received; and
- (3) zero points for neutral statements received.

(g) The department by rule shall specify the dates by which:

(1) a state representative or state senator must provide a written statement for consideration under Subsection (b)(1)(B)(i); and

(2) the governing body of a municipality or the commissioners court of a county must adopt a resolution for consideration under Subsection (b)(1)(B)(ii).

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

SECTION 2.____. Section 2306.67021, Government Code, is amended to read as follows:

Sec. 2306.67021. APPLICABILITY OF SUBCHAPTER. Except as provided by Sections [Section] 2306.6703 and 2306.67071, this subchapter does not apply to the allocation of housing tax credits to developments financed through the private activity bond program.

SECTION 2.____. Subchapter DD, Chapter 2306, Government Code, is amended by adding Section 2306.67071 to read as follows:

Sec. 2306.67071. ADDITIONAL APPLICATION REQUIREMENT: NOTICE, HEARING, AND RESOLUTION BY CERTAIN GOVERNING BODIES. (a) Not later than the 60th day before submitting to the department an application for housing tax credits, an applicant must provide notice of the intent to file the application to:

(1) the municipality in which any part of the proposed development is to be located;

(2) the county in which the proposed development is to be located if any part of the development is to be located in an area of a county that is not part of a municipality; and

(3) the municipality and county in which the proposed development is to be located if any part of the development is to be located in the extraterritorial jurisdiction of a municipality.

(b) Not later than the 30th day after receiving notice under Subsection (a), a county or municipality, as applicable, shall provide for public comment on the application at a hearing held in compliance with Chapter 551.

(c) In addition to the application information otherwise required under this subchapter, an application for housing tax credits must be accompanied by a certified copy of a resolution from each applicable governing body described by Subsection (a). The resolution must certify that:

(1) notice has been provided to each governing body as required by Subsection (a);

(2) each governing body has had sufficient opportunity to obtain a response from the applicant regarding any questions or concerns about the proposed development;

(3) each governing body has held a hearing under Subsection (b); and

(4) after due consideration of the information provided by the applicant and public comment, the governing body does not object to the filing of the proposed application.

(d) A preapplication submitted under Section 2306.6704 is not considered an application for purposes of this section.

(4) In SECTION 5.01 of the bill, strike the list of repealed provisions and substitute the following:

(1) Section 2306.255(h); and

(2) Section 2306.560(d).

Amendment No. 1 was adopted.

HB 3361, as amended, was passed by (Record 309): 106 Yeas, 28 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Callegari; Canales; Clardy; Collier; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Farney; Fletcher; Frank; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Keffer; King, K.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Laubenberg; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Patrick; Perez; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, R.; Smith; Smithee; Strama; Thompson, S.; Toth; Turner, C.; Turner, S.; Villarreal; Walle; Wu; Zerwas.

Nays — Button; Capriglione; Carter; Cook; Davis, S.; Fallon; Flynn; Frullo; Johnson; King, S.; Klick; Krause; Lavender; Paddie; Parker; Perry; Phillips; Schaefer; Simmons; Simpson; Stephenson; Stickland; Taylor; Thompson, E.; Turner, E.S.; White; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Sheffield, J.; Springer.

STATEMENT OF VOTE

I was shown voting yes on Record No. 309. I intended to vote present, not voting.

Menéndez

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 1503 ON THIRD READING (by Kuempel)

HB 1503, A bill to be entitled An Act relating to the appointment of building contractors to certain trade advisory boards of the Texas Department of Licensing and Regulation.

HB 1503 was passed by (Record 310): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Sheffield, J.

HB 2252 ON THIRD READING**(by Ashby)**

HB 2252, A bill to be entitled An Act relating to eligibility of charitable organizations to participate in a state employee charitable campaign.

HB 2252 was passed by (Record 311): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Rane; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Fletcher.

HB 950 ON THIRD READING**(by S. Thompson, Collier, S. Davis, Alvarado, Isaac, et al.)**

HB 950, A bill to be entitled An Act relating to unlawful employment practices regarding discrimination in payment of compensation.

HB 950 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE C. TURNER: I've got this good one-pager that was put out by the Texas Civil Justice League, and it makes several points in support of the bill, and I just want to verify that what they're saying here is in your bill and accurate. They say that the bill codifies an existing remedy and doesn't change or expand underlying federal or Texas substantive law, is that correct?

REPRESENTATIVE S. THOMPSON: It's correct.

C. TURNER: Okay, and the bill promotes cost-effective and timely resolution of claims by eliminating ambiguities in the application of current law and clarifying the statute of limitations for this type of claim?

S. THOMPSON: It does.

C. TURNER: Okay, and the bill protects the due process rights of employers and employees by clarifying current law and allowing a full and fair hearing in either state or federal court to both parties to a dispute?

S. THOMPSON: That's correct.

C. TURNER: Okay, and finally, it promotes the efficiency of the judicial system and makes the best possible use of existing judicial resources by discouraging forum shopping between different state courts and between state and federal courts?

S. THOMPSON: That's correct.

REMARKS ORDERED PRINTED

Representative S. Thompson moved to print remarks between Representative C. Turner and Representative S. Thompson.

The motion prevailed.

HB 950 was passed by (Record 312): 79 Yeas, 50 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Bohac; Bonnen, D.; Burnam; Callegari; Canales; Collier; Cook; Cortez; Crownover; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Farney; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Hunter; Isaac; Johnson; King, K.; King, T.; Kuempel; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Paddie; Patrick; Perez; Pickett; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Walle; Workman; Wu; Zerwas.

Nays — Aycock; Bell; Bonnen, G.; Button; Capriglione; Carter; Craddick; Davis, J.; Fallon; Fletcher; Flynn; Frank; Frullo; Goldman; Hilderbran; Hughes; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Laubenberg; Lavender; Leach; Lewis; Miller, R.; Morrison; Murphy; Orr; Parker; Perry; Phillips; Price; Sanford; Schaefer; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Ashby; Burkett; Clardy; Creighton; Dale; Keffer; Raney.

STATEMENT OF VOTE

When Record No. 312 was taken, my vote failed to register. I would have voted yes.

Raney

HB 1090 ON THIRD READING (by Martinez, Lucio, and Canales)

HB 1090, A bill to be entitled An Act relating to the creation of Texas Task Force 1 Type 3 Rio Grande Valley.

HB 1090 was passed by (Record 313): 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Leach; Toth.

HB 1917 ON THIRD READING (by E. Rodriguez and Geren)

HB 1917, A bill to be entitled An Act relating to alcoholic beverage advertising on the outside of certain vehicles.

HB 1917 was passed by (Record 314): 128 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.;

Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, S.; Toth; Turner, C.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Capriglione; Laubenberg; Lavender; Simmons; Thompson, E.; Turner, E.S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Gonzalez, N.; Gooden.

STATEMENT OF VOTE

I was shown voting yes on Record No. 314. I intended to vote no.

Phillips

HB 2911 ON THIRD READING (by Kuempel)

HB 2911, A bill to be entitled An Act relating to the regulation of real estate inspectors; changing fees.

HB 2911 was passed by (Record 315): 112 Yeas, 19 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Farney; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Oliveira; Orr; Paddie; Patrick; Perez; Perry; Pickett; Price; Raney; Ratliff; Raymond; Reynolds;

Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Walle; Workman; Wu; Zerwas.

Nays — Bohac; Button; Callegari; Dale; Fletcher; Flynn; Gooden; Klick; Krause; Parker; Phillips; Sanford; Schaefer; Stickland; Taylor; Toth; Turner, E.S.; White; Zedler.

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

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Bell; Fallon; Morrison; Nevárez.

STATEMENTS OF VOTE

When Record No. 315 was taken, I was in the house but away from my desk. I would have voted yes.

Bell

I was shown voting yes on Record No. 315. I intended to vote no.

G. Bonnen

I was shown voting yes on Record No. 315. I intended to vote no.

Crownover

I was shown voting yes on Record No. 315. I intended to vote no.

Gonzales

I was shown voting no on Record No. 315. I intended to vote yes.

Gooden

I was shown voting yes on Record No. 315. I intended to vote no.

Harless

I was shown voting yes on Record No. 315. I intended to vote no.

Isaac

When Record No. 315 was taken, I was in the house but away from my desk. I would have voted yes.

Nevárez

I was shown voting yes on Record No. 315. I intended to vote no.

Simmons

I was shown voting present, not voting on Record No. 315. I intended to vote yes.

E. Thompson

HB 2103 ON THIRD READING
(by Villarreal and Branch)

HB 2103, A bill to be entitled An Act relating to education research centers and the sharing of educational data between state agencies; redesignating certain fees as charges.

HB 2103 was passed by (Record 316): 130 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Capriglione; Farney; Nevárez; Sheffield, R.; Thompson, E.

STATEMENTS OF VOTE

When Record No. 316 was taken, I was in the house but away from my desk. I would have voted yes.

Nevárez

When Record No. 316 was taken, my vote failed to register. I would have voted yes.

E. Thompson

HB 3407 ON THIRD READING
(by Riddle, Harless, Rose, S. Thompson, et al.)

HB 3407, A bill to be entitled An Act relating to the assessment of juveniles who are victims of sex trafficking.

HB 3407 was passed by (Record 317): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Toth.

HB 870 ON THIRD READING

(by Bell, White, Allen, Dukes, S. Turner, et al.)

HB 870, A bill to be entitled An Act relating to Prairie View A&M University's eligibility to participate in the research development fund.

HB 870 was passed by (Record 318): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.;

Rodriguez, J.; Rose; Sanford; Schaefer; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Sheets.

HB 2684 ON THIRD READING
(by Button, Otto, Bohac, Strama, Ashby, et al.)

HB 2684, A bill to be entitled An Act relating to an exemption from the franchise tax for certain political subdivision corporations.

HB 2684 was passed by (Record 319): 136 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

HB 2623 ON THIRD READING
(by Oliveira, Lucio, and Anderson)

HB 2623, A bill to be entitled An Act relating to the authority of certain counties and the General Land Office to temporarily close a beach or beach access point.

HB 2623 was passed by (Record 320): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Guerra.

HB 1554 ON THIRD READING **(by J. Rodriguez)**

HB 1554, A bill to be entitled An Act relating to the authority of a municipality to file a lien for the costs of abatement of a floodplain ordinance violation; providing a civil penalty.

HB 1554 was passed by (Record 321): 124 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cortez; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Johnson; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Paddie; Parker; Patrick; Perez; Perry; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle;

Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Bell; Creighton; Flynn; Orr; Schaefer; Sheffield, R.; Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Huberty; Kacal; King, P.; Pitts; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Cook; Menéndez; Miles; Phillips; Turner, E.S.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 321. I intended to vote no.

Aycock

I was shown voting yes on Record No. 321. I intended to vote no.

Hilderbran

POSTPONED BUSINESS

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

CSHB 519 ON SECOND READING **(by Zerwas, Ratliff, and Taylor)**

CSHB 519, A bill to be entitled An Act relating to voluntary donations to the Glenda Dawson Donate Life-Texas Registry.

CSHB 519 was read second time on April 17, postponed until April 22, and was again postponed until 9 a.m. today.

Representative Zerwas moved to postpone consideration of **CSHB 519** until 8 a.m. Monday, April 29.

The motion prevailed.

SB 672 ON SECOND READING **(Guillen - House Sponsor)**

SB 672, A bill to be entitled An Act relating to the regulation of industrialized housing.

SB 672 was considered in lieu of **CSHB 578**.

SB 672 was read second time and was passed to third reading.

CSHB 578 - LAID ON THE TABLE SUBJECT TO CALL

Representative Guillen moved to lay **CSHB 578** on the table subject to call.

The motion prevailed.

CSHB 611 ON SECOND READING
(by Guillen)

CSHB 611, A bill to be entitled An Act relating to the regulation of subdivisions in counties, including certain border and economically distressed counties.

CSHB 611 was read second time on April 23 and was postponed until 10 a.m. today.

(Otto now present)

Amendment No. 1

Representative Canales offered the following amendment to **CSHB 611**:

Amend **CSHB 611** (house committee printing) as follows:

(1) Strike SECTIONS 4, 6, and 11 of the bill and renumber subsequent SECTIONS of the bill accordingly.

(2) On page 5, line 2, strike "90" and substitute "30".

(3) On page 5, line 3, strike "90th" and substitute "30th".

(4) On page 6, line 25, strike "90" and substitute "30".

(5) On page 6, line 26, strike "90th" and substitute "30th".

(6) On page 9, line 16, strike "90" and substitute "30".

(7) On page 9, line 17, strike "90th" and substitute "30th".

(8) On page 10, line 6, strike "232.033,".

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

SECTION _____. Section 232.031, Local Government Code, is amended by adding Subsection (e) to read as follows:

(e) The prohibition under Subsections (a) and (d) does not prohibit advertising the sale of land for which a subdivision plat has not been approved.

SECTION _____. Section 5.064, Property Code, is amended to read as follows:

Sec. 5.064. SELLER'S REMEDIES ON DEFAULT. A seller may enforce the remedy of rescission or of forfeiture and acceleration against a purchaser in default under an executory contract for conveyance of real property only if:

(1) the seller notifies the purchaser of:

(A) the seller's intent to enforce a remedy under this section; and

(B) the purchaser's right to cure the default within the 30-day period described by Section 5.065;

(2) the purchaser fails to cure the default within the 30-day period described by Section 5.065; ~~and~~

(3) Section 5.066 does not apply; and

(4) the contract has not been recorded.

SECTION _____. Section 5.066(a), Property Code, is amended to read as follows:

(a) If a purchaser defaults after the purchaser has paid 40 percent or more of the amount due or the equivalent of 48 monthly payments under the executory contract or, regardless of the amount the purchaser has paid, the executory

contract has been recorded, the seller is granted the power to sell, through a trustee designated by the seller, the purchaser's interest in the property as provided by this section. The seller may not enforce the remedy of rescission or of forfeiture and acceleration after the contract has been recorded.

SECTION _____. Section 5.076, Property Code, is amended by adding Subsection (e) to read as follows:

(e) A seller who violates this section is liable to the purchaser in the same manner and for the same amount as a seller who violates Section 5.079 is liable to a purchaser, except the damages may not exceed the greater of the value of the property or the amount paid under the contract. An action to recover damages under this section may be brought as an action for declaratory judgment under Chapter 37, Civil Practice and Remedies Code. This subsection does not limit or affect any other rights or remedies a purchaser has under other law.

SECTION _____. Subchapter D, Chapter 5, Property Code, is amended by adding Section 5.0765 to read as follows:

Sec. 5.0765. ENCUMBERED TITLE TRANSFERRED ON RECORDING. Notwithstanding any other law, on recording, an executory contract conveys legal title to the purchaser, subject to a lien retained by the seller for the amount of the unpaid contract price less any lawful deductions. Extrinsic evidence may be used to supply the legal description of the property if that information is not apparent from the contract.

SECTION _____. Section 5.081, Property Code, is amended by amending Subsection (a) and adding Subsection (h) to read as follows:

(a) A purchaser, at any time and without paying penalties or charges of any kind, is entitled to convert the purchaser's interest in property under an executory contract into recorded, legal title in accordance with this section, regardless of whether the seller has recorded the executory contract.

(h) This section may not be construed to limit the purchaser's equitable interest in the property established by other law, if any, or any other rights of the purchaser under this subchapter.

SECTION _____. Section 5.066(g), Property Code, is repealed.

SECTION _____. The changes made by this Act to Subchapter D, Chapter 5, Property Code, apply to an executory contract entered into on or after the effective date of this Act. An executory contract entered into before the effective date of this Act is governed by the law in effect on the date the contract was entered into, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted.

CSHB 611 - POINT OF ORDER

Representative M. González raised a point of order against further consideration of **CSHB 611** under Rule 4, Section 20(b) of the House Rules on the grounds that the sworn statement of witnesses is incomplete.

The speaker overruled the point of order and submitted the following statement:

Representative M. González raised a point of order against further consideration of **CSHB 611** under Rule 4, Section 20(b) of the House Rules. Representative González explains that two witnesses testified in Spanish against the bill with the use of an interpreter. She further observes that the interpreter who translated the conversation between these witnesses and the committee members completed a witness form stating that the interpreter was testifying "on" the bill and that the interpreter was representing herself. Representative González urges that the interpreter should instead have listed herself as testifying against the bill and as representing the two witnesses for whom she was translating. Alternately, she suggests that the interpreter should not have completed a witness form. The point of order is respectfully overruled.

In this case, the interpreter was recognized to address the committee as a translator for the witnesses and the members of the committee without expressing an independent position on the bill. The chair concludes that the purpose of Rule 4, Section 20, which is to gather contact information and to administer an oath to the person wishing to be recognized to address the committee regarding a particular matter, has been complied with. See Rule 4, Section 20(a) and Rule 4, Section 20(d) of the House Rules. Over the past several sessions, the house has relied on interpreters to communicate with witnesses who speak foreign languages and who are hearing or visually impaired, and this may be a topic that invites further development of the rules.

(Huberty now present)

CSHB 611 - POINT OF ORDER

Representative M. González raised a point of order against further consideration of **CSHB 611** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Guillen moved to postpone consideration of **CSHB 611** until 1:30 p.m. today.

The motion prevailed.

MAJOR STATE CALENDAR HOUSE BILLS SECOND READING

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

CSSB 200 ON SECOND READING (Anchia - House Sponsor)

CSSB 200, A bill to be entitled An Act relating to the continuation and functions of the State Pension Review Board.

CSSB 200 was considered in lieu of **HB 2198**.

Amendment No. 1

Representative Callegari offered the following amendment to **CSSB 200**:

Amend **CSSB 200** by adding the following appropriately numbered SECTIONS to the bill and renumbering other SECTIONS of the bill accordingly:

SECTION _____. Section 28(h), Texas Local Fire Fighters Retirement Act (Article 6243e, Vernon's Civil Statutes), is amended to read as follows:

(h) A retirement system established under this Act is exempt from Subchapter C, Chapter 802, Government Code, except Sections 802.202, 802.205, and 802.207.

SECTION _____. (a) Contingent on the failure of **HB 3148, SB 220**, or similar legislation by the 83rd Legislature, Regular Session, 2013, providing for the abolition of the office of the fire fighters' pension commissioner and the transfer and disposition of its functions relating to the Texas Emergency Services Retirement System and the Texas local firefighters retirement systems, to become law:

(1) the State Pension Review Board shall provide any necessary assistance, including educational training, technical assistance, and other information to retirement systems organized under the Texas Local Fire Fighters' Retirement Act; and

(2) a person aggrieved by a decision of a board of trustees of a retirement system organized under the Texas Local Fire Fighters' Retirement Act relating to eligibility for or the amount of benefits payable by a retirement system may appeal the decision to the State Office of Administrative Hearings in the manner described by Subsection (b) of this section.

(b) An appeal under Subsection (a)(2) of this section is begun by delivering a notice of appeal to the State Pension Review Board in the manner established under Subsection (c) of this section. As soon as practicable after receiving a notice of appeal, the State Pension Review Board shall refer the matter to the State Office of Administrative Hearings by submitting notice of the appeal to that office.

(c) As soon as practicable after the effective date of this Act, and contingent on the failure of the measures described by Subsection (a) of this section to become law, the State Pension Review Board shall adopt rules to establish the manner in which an aggrieved person may provide notice of appeal under Subsection (b) of this section.

Amendment No. 2

Representative Anchia offered the following amendment to Amendment No. 1:

Amend Floor Amendment No. 1 by Callegari amending **CSSB 200** as follows:

- (1) On page 1, lines 10-11, strike "**HB 3148, SB 220**, or similar".
- (2) On page 1, line 16, strike "systems, to become law:" and substitute "systems to become law,".
- (3) On page 1, line 17, strike "(1)".
- (4) On page 1, line 20, strike the semicolon and substitute a period.
- (5) On page 1, strike lines 21-29.
- (6) On page 2, strike lines 1-11 and substitute the following:

SECTION _____. (a) Sections 22 and 22A, Texas Local Fire Fighters Retirement Act (Article 6243e, Vernon's Texas Civil Statutes), are amended to read as follows:

Sec. 22. APPEALS FROM LOCAL BOARD DECISIONS. (a) A person aggrieved by a decision of a board of trustees relating to eligibility for or amount of benefits payable by a retirement system may appeal the decision to the State Office of Administrative Hearings [~~fire fighters' pension commissioner~~].

(b) An appeal under this section is begun by delivering a notice of appeal with the chairman, secretary, or secretary-treasurer of the board of trustees that made the decision. The notice must be delivered not later than the 20th day after the date of the decision and contain a brief description of the reasons or grounds for appeal. The aggrieved person must file a copy of the notice with the State Pension Review Board [~~fire fighters' pension commissioner~~].

(b-1) As soon as practicable after receiving a notice of appeal under Subsection (b) of this section the State Pension Review Board shall refer the matter to the State Office of Administrative Hearings by submitting notice of the appeal to that office.

(c) An appeal under this section [~~to the fire fighters' pension commissioner~~] is held in Austin and is a contested case under Chapter 2001, Government Code, [~~the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes)~~] conducted as a de novo hearing by the State Office of Administrative Hearings.

Sec. 22A. ATTORNEY. A board of trustees may employ an attorney to represent the board in one or all legal matters, including a hearing on appeal to the State Office of Administrative Hearings [~~fire fighters' pension commissioner~~]. At the request of a board of trustees, the city attorney of the municipality of which the board is a part shall, without additional compensation, represent the board in one or all legal matters.

(b) Subsection (a) of this section takes effect only on the failure of legislation by the 83rd Legislature, Regular Session, 2013, providing for the abolition of the office of the fire fighters' pension commissioner and the transfer and disposition of its functions relating to the Texas Emergency Services Retirement System and the Texas local firefighters retirement systems to become law.

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

CSSB 200, as amended, was passed to third reading.

HB 2198 - LAID ON THE TABLE SUBJECT TO CALL

Representative Anchia moved to lay **HB 2198** on the table subject to call.

The motion prevailed.

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

SB 332 ON SECOND READING
(Márquez - House Sponsor)

SB 332, A bill to be entitled An Act relating to commissioners court oversight of certain emergency services districts.

SB 332 was considered in lieu of **HB 685**.

SB 332 was passed to third reading.

HB 685 - LAID ON THE TABLE SUBJECT TO CALL

Representative Márquez moved to lay **HB 685** on the table subject to call.

The motion prevailed.

SB 457 ON SECOND READING
(Márquez - House Sponsor)

SB 457, A bill to be entitled An Act relating to the confidentiality of certain autopsy records.

SB 457 was considered in lieu of **HB 688**.

SB 457 was passed to third reading.

HB 688 - LAID ON THE TABLE SUBJECT TO CALL

Representative Márquez moved to lay **HB 688** on the table subject to call.

The motion prevailed.

HB 1494 ON SECOND READING
(by T. King)

HB 1494, A bill to be entitled An Act relating to certain regulatory programs administered by the Department of Agriculture; providing penalties; imposing fees.

HB 1494 was passed to engrossment. (Phillips, Schaefer, Simmons, E. S. Turner recorded voting no.)

CSHB 2302 ON SECOND READING
(by Hunter and S. Thompson)

CSHB 2302, A bill to be entitled An Act relating to the electronic filing system established by the Texas Supreme Court, to the statewide electronic filing system fund, and to certain court fees and court costs; imposing and authorizing certain fees.

Amendment No. 1

Representative S. Turner offered the following amendment to **CSHB 2302**:

Amend **CSHB 2302** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 21, Government Code, is amended by adding Section 21.011 to read as follows:

Sec. 21.011. ELECTRONIC OR DIGITAL SIGNATURE. A judge or justice presiding over a court in this state may sign an electronic or digital court document, including an order, judgment, ruling, notice, commission, or precept, electronically, digitally, or through another secure method. The document signed in that manner is the official document issued by the court.

Amendment No. 1 was adopted.

CSHB 2302, as amended, was passed to engrossment.

HB 317 ON SECOND READING
(by Otto, Cook, et al.)

HB 317, A bill to be entitled An Act relating to the classification of certain entities as primarily engaged in retail trade for purposes of the franchise tax.

HB 317 was passed to engrossment.

HB 2392 ON SECOND READING
(by Menéndez, Moody, et al.)

HB 2392, A bill to be entitled An Act relating to the mental health program for veterans.

HB 2392 was passed to engrossment. (Schaefer recorded voting no.)

CSHB 459 ON SECOND READING
(by Guillen)

CSHB 459, A bill to be entitled An Act relating to the regulation of navigators for health benefit exchanges.

Representative Guillen moved to postpone consideration of **CSHB 459** until 10 a.m. Wednesday, May 1.

The motion prevailed.

HB 1294 ON SECOND READING
(by Price)

HB 1294, A bill to be entitled An Act relating to the dismissal of a charge for the offense of failing to secure a child in a child passenger safety seat system.

Amendment No. 1

Representative Smithee offered the following amendment to **HB 1294**:

Amend **HB 1294** (house committee printing) as follows:

(1) On page 1, strike lines 13-20 and substitute the following:
evidence satisfactory to the court that:

(1) at the time of the offense:

(A) the defendant was not arrested or issued a citation for violation of any other offense;

(B) the defendant did not possess a child passenger safety seat system in the vehicle; and

(C) the vehicle the defendant was operating was not involved in an accident; and

(2) subsequent to the time of the offense, the defendant obtained ~~[the defendant possesses]~~ an appropriate child passenger safety seat system for

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

SECTION _____. Section 545.412(b), Transportation Code, is amended to read as follows:

(b) An offense under this section is a misdemeanor punishable by a fine of not more than ~~[\$25 for the first offense and not more than] \$250 [for a second or subsequent offense].~~

Amendment No. 1 was adopted.

HB 1294, as amended, was passed to engrossment.

HB 1739 ON SECOND READING
(by Naishtat)

HB 1739, A bill to be entitled An Act relating to the administration of psychoactive medications to persons receiving services in certain facilities.

HB 1739 was passed to engrossment.

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. 3).

HB 2137 ON SECOND READING
(by Fletcher)

HB 2137, A bill to be entitled An Act relating to eligibility of certain persons for enrollment in school district summer school courses.

HB 2137 was passed to engrossment.

CSHB 696 ON SECOND READING
(by Kleinschmidt)

CSHB 696, A bill to be entitled An Act relating to the duties of and the application of the professional prosecutors law to the county attorney in Gonzales County and to the duties of the district attorney for the 25th Judicial District.

CSHB 696 was passed to engrossment.

HB 773 ON SECOND READING
(by Farney, Branch, S. Thompson, Smithee, et al.)

HB 773, A bill to be entitled An Act relating to a requirement that students at an open-enrollment charter school recite the pledges of allegiance to the United States flag and the state flag.

Amendment No. 1

Representative Simpson offered the following amendment to **HB 773**:

Amend **HB 773** (house committee report) as follows:

(1) On page 1, lines 9-10, strike "shall require" and substitute "may encourage ~~[shall require]~~".

(2) On page 1, line 11 after "recite" insert "freely without coercion" before the ":"

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 1:45 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 1:45 p.m. today, 3W.15, for a formal meeting, to set a calendar.

HOUSE AT EASE

At 1:41 p.m., the speaker announced that the house would stand at ease.

The speaker called the house to order at 1:48 p.m.

HB 773 - (consideration continued)

Representative Farney moved to table Amendment No. 1.

The motion to table prevailed by (Record 322): 123 Yeas, 8 Nays, 3 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Huberty; Hughes; Hunter; Isaac; Keffer; King, K.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — González, M.; Gonzalez, N.; Howard; Johnson; Márquez; Naishtat; Simpson; Stickland.

Present, not voting — Mr. Speaker(C); Canales; Sheffield, J.

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Villalba; Vo.

Absent — King, S.; Martinez; Moody; Nevárez; Thompson, S.

STATEMENTS OF VOTE

When Record No. 322 was taken, I was temporarily out of the house chamber. I would have voted yes.

S. King

When Record No. 322 was taken, I was temporarily out of the house chamber. I would have voted yes.

Moody

When Record No. 322 was taken, I was in the house but away from my desk. I would have voted yes.

Nevárez

HB 773 was passed to engrossment. (Simpson recorded voting no.)

CSHB 2571 ON SECOND READING
(by Keffer)

CSHB 2571, A bill to be entitled An Act relating to the inspection of certain information regarding the production, transportation, sale, and marketing of oil and gas from state land; imposing an administrative penalty.

CSHB 2571 was passed to engrossment.

CSHB 1973 ON SECOND READING
(by Lucio, Larson, and Isaac)

CSHB 1973, A bill to be entitled An Act relating to the provision of water by a public utility or water supply or sewer service corporation for use in fire suppression.

CSHB 1973 was passed to engrossment. (Schaefer recorded voting no.)

CSHB 431 ON SECOND READING
(by Riddle, Harless, Parker, D. Bonnen, et al.)

CSHB 431, A bill to be entitled An Act relating to the eligibility of certain inmates convicted of injury to a child for release to mandatory supervision and to reconsideration of parole eligibility for those inmates.

Amendment No. 1

Representative Riddle offered the following amendment to **CSHB 431**:

Amend **CSHB 431** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the remaining SECTIONS of the bill accordingly:

SECTION _____. This Act may be cited as Emma's Law.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Riddle offered the following amendment to **CSHB 431**:

Amend **CSHB 431** (house committee printing) by striking SECTION 5 of the bill (page 3, line 23) and substituting the following:

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Amendment No. 2 was adopted.

CSHB 431, as amended, was passed to engrossment.

CSHB 148 ON SECOND READING

(by Burkett, et al.)

CSHB 148, A bill to be entitled An Act relating to aid provided to certain voters; providing criminal penalties.

(Ritter in the chair)

CSHB 148 - POINT OF ORDER

Representative Walle raised a point of order against further consideration of **CSHB 148** under Rule 4, Section 18 and Rule 4, Section 20 of the House Rules on the grounds that the committee minutes are incomplete and the sworn statement of witnesses is incomplete.

The chair overruled the point of order and submitted the following statement:

Representative Walle raised a point of order against further consideration of **CSHB 148** under Rule 4, Section 18 and Rule 4, Section 20 of the House Rules. Specifically, he asserts that the witness list is impermissibly inconsistent with the witness affirmation report because the witness list shows that a particular witness was testifying "on" **CSHB 148** but the affirmation report shows that witness as not intending to testify. The point of order is overruled.

Representative Walle is correct that the witness list shows the witness as "on" the bill and that the affirmation report shows that the witness responded to the intent to testify field by marking "no." However, these two responses are not inconsistent. In the box on the affirmation form indicating the witness's position on the bill, the witness marked "on," which is consistent with the witness list reflecting that the witness testified "on" the bill. As for the witness marking "no" as his intent to testify, the chair notes that although the witness did end up testifying on the bill, this is not inconsistent with his intention, at the time he filled out the witness form, to not testify. The witness's intent not to testify does not have to be updated if, contrary to the intent stated on the form, he ultimately testifies. See 78 H.J. Reg. 2645 (2003), (noting that the purpose of the witness affirmation form is to swear the witnesses and provide information that would permit contacting the witness). In this case, the affirmation report showed that the witness was recognized by the chairman to have testified "on" the bill. This similar information is reflected on the witness list.

Amendment No. 1

Representatives Wu and S. Turner offered the following amendment to **CSHB 148**:

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

(1) On page 2, lines 13 and 14, between "and" and "that assistance", insert "the person was not provided compensation for that act or".

(2) On page 4, lines 13 and 14, between "and" and "that assistance", insert "the person was not provided compensation for that act or".

Representative Burkett moved to table Amendment No. 1.

The motion to table prevailed by (Record 323): 82 Yeas, 50 Nays, 2 Present, not voting.

Yeas — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; Keffer; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Price; Raney; Ratliff; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Burnam; Canales; Collier; Cortez; Davis, Y.; Dukes; Eiland; Farias; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Simpson; Strama; Turner, C.; Turner, S.; Villarreal; Walle; Wu.

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

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Villalba; Vo.

Absent — Deshotel; Farney; Fletcher; Riddle; Thompson, S.

STATEMENTS OF VOTE

When Record No. 323 was taken, my vote failed to register. I would have voted yes.

Farney

When Record No. 323 was taken, my vote failed to register. I would have voted yes.

Riddle

Amendment No. 2

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

Amend **CSHB 148** as follows:

(1) On page 2, lines 13-15, strike "and that assistance was provided in the course of the person's normal duties as caretaker of the voter".

(2) On page 4, lines 13-15, strike "and that assistance was provided in the course of the person's normal duties as caretaker of the voter".

LEAVES OF ABSENCE GRANTED

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

Smithee on motion of Geren.

The following member was granted leave of absence for the remainder of today to attend a meeting of the Conference Committee on **SB 1**:

Otto on motion of Gonzales.

CSHB 148 - (consideration continued)**REMARKS ORDERED PRINTED**

Representative Martinez Fischer moved to print all remarks on **CSHB 148** on second and third reading.

The motion prevailed. [Please refer to the supplement to today's journal for the text of the debate on **CSHB 148**.]

Representative Burkett moved to table Amendment No. 2.

The motion to table prevailed by (Record 324): 83 Yeas, 50 Nays, 2 Present, not voting.

Yeas — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; Keffer; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Price; Raney; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Burnam; Canales; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Eiland; Farias; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Simpson; Strama; Turner, C.; Turner, S.; Walle; Wu.

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

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Smithee; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Thompson, S.; Villarreal.

Amendment No. 3

Representative C. Turner offered the following amendment to **CSHB 148**:

Amend **CSHB 148** as follows:

(1) On page 1, line 6, between "(b-1)" and "and (f)", insert ", (c-1),".

(2) On page 1, between lines 19 and 20, insert the following:

(c-1) A person commits an offense if the person intimidates a voter by trying to influence the voter to vote, not vote, or vote in a certain manner.

Representative Burkett moved to table Amendment No. 3.

The motion to table prevailed by (Record 325): 81 Yeas, 48 Nays, 2 Present, not voting.

Yeas — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; Keffer; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Price; Raney; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stickland; Thompson, E.; Toth; Turner, E.S.; Workman; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Burnam; Canales; Collier; Cortez; Davis, Y.; Deshotel; Eiland; Farias; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Sheffield, J.; Strama; Taylor; Turner, C.; Turner, S.; Walle; White; Wu.

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

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Smithee; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Dukes; Moody; Rose; Stephenson; Thompson, S.; Villarreal.

STATEMENT OF VOTE

When Record No. 325 was taken, I was in the house but away from my desk. I would have voted no.

Moody

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. 4 and 5).

CSHB 148 - (consideration continued)

Amendment No. 4

Representative Martinez Fischer offered the following amendment to **CSHB 148**:

Amend **CSHB 148** as follows:

(1) On page 1, line 12, between "voted by" and "a member", insert the following:

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(2) On page 1, line 13, between "a member" and the period, insert the following:

; or

(2) a voter eligible for early voting by mail because of age or disability

Representative Burkett moved to table Amendment No. 4.

The motion to table prevailed by (Record 326): 81 Yeas, 50 Nays, 2 Present, not voting.

Yeas — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Frullo; Geren; Goldman; Gonzales; Gooden; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; Keffer; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Price; Raney; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Burnam; Canales; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Eiland; Farias; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Herrero; Howard; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Simpson; Strama; Thompson, S.; Turner, C.; Turner, S.; Walle; Wu.

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

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Smithee; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Frank; Harless; Hernandez Luna; Villarreal.

STATEMENTS OF VOTE

When Record No. 326 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

When Record No. 326 was taken, I was in the house but away from my desk. I would have voted no.

Hernandez Luna

Amendment No. 5

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

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

(1) On page 2, lines 10 and 11, strike "affirmative defense to prosecution for an offense under" and substitute "exception to the application of".

(2) On page 4, lines 10 and 11, strike "affirmative defense to prosecution for an offense under" and substitute "exception to the application of".

Representative Burkett moved to table Amendment No. 5.

The motion to table prevailed by (Record 327): 83 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; Keffer; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Price; Raney; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Burnam; Canales; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Eiland; Farias; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Simpson; Strama; Thompson, S.; Turner, C.; Turner, S.; Walle; Wu.

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

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Smithee; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Villarreal.

Amendment No. 6

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

Amend **CSHB 148** (house committee report), on page 1, line 12, between "a" and "member", by inserting the following:

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(1) person with an income below 100 percent of the federal poverty level; or

(2)

Amendment No. 6 was withdrawn.

Amendment No. 7

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

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

(1) On page 2, lines 13 and 14, between "and" and "that assistance", insert "the person was not provided compensation for that act and that act was not done with the intent to effect the outcome of the election or as an instance of electioneering or".

(2) On page 4, lines 13 and 14, between "and" and "that assistance", insert "the person was not provided compensation for that act and that act was not done with the intent to effect the outcome of the election or as an instance of electioneering or".

Representative Burkett moved to table Amendment No. 7.

The motion to table prevailed by (Record 328): 83 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Ashby; Aycocock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; Keffer; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Price; Raney; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Burnam; Canales; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Eiland; Farias; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon;

Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Simpson; Strama; Thompson, S.; Turner, C.; Turner, S.; Walle; Wu.

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

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Smithee; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Villarreal.

Amendment No. 8

Representative J. Rodriguez offered the following amendment to **CSHB 148**:

Amend **CSHB 148** (house committee printing) by striking page 5, line 20, and substituting the following:

SECTION 7. (a) Subject to Subsection (b) of this section, this Act takes effect September 1, 2013.

(b) The changes in law made by this Act take effect only if:

(1) the United States District Court for the District of Columbia issues a declaratory judgment under 42 U.S.C. Section 1973c that this Act does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color or in contravention of the guarantees set forth in 42 U.S.C. Section 1973b(f)(2); or

(2) the secretary of state submits this Act to the United States Attorney General under 42 U.S.C. Section 1973c and the attorney general does not interpose an objection within the time provided by that section.

(Keffer in the chair)

Representative Burkett moved to table Amendment No. 8.

The motion to table prevailed by (Record 329): 83 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Price; Raney; Ratliff; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Burnam; Canales; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Eiland; Farias; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King,

T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Strama; Thompson, S.; Turner, C.; Turner, S.; Walle; Workman; Wu.

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

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Smithee; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Villarreal.

Amendment No. 9

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

Amend **CSHB 148** (house committee printing) on page 1, line 10, by striking "10" and substituting "30".

Representative Burkett moved to table Amendment No. 9.

The motion to table prevailed by (Record 330): 84 Yeas, 49 Nays, 3 Present, not voting.

Yeas — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Price; Raney; Ratliff; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Burnam; Canales; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Eiland; Farias; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Simpson; Strama; Thompson, S.; Turner, C.; Turner, S.; Walle; Wu.

Present, not voting — Mr. Speaker; Keffer(C); Sheffield, J.

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Smithee; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Villarreal.

CSHB 148 was passed to engrossment by (Record 331): 86 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; Johnson; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Menéndez; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler; Zerwas.

Nays — Allen; Alvarado; Burnam; Canales; Collier; Cortez; Davis, Y.; Dukes; Farias; Giddings; González, M.; Gonzalez, N.; Guerra; Gutierrez; Hernandez Luna; Howard; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Simpson; Strama; Thompson, S.; Turner, C.; Turner, S.; Walle; Wu.

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

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Smithee; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Anchia; Davis, J.; Davis, S.; Deshotel; Eiland; Herrero; Sanford; Villarreal.

STATEMENTS OF VOTE

When Record No. 331 was taken, I was in the house but away from my desk. I would have voted yes.

J. Davis

When Record No. 331 was taken, my vote failed to register. I would have voted no.

Herrero

When Record No. 331 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

CSHB 1549 ON SECOND READING (by Laubenberg)

CSHB 1549, A bill to be entitled An Act relating to the regulation of speech-language pathology and audiology and the fitting and dispensing of hearing instruments.

Representative Laubenberg moved to postpone consideration of **CSHB 1549** until 9 a.m. Monday, April 29.

The motion prevailed.

SB 336 ON SECOND READING
(Moody - House Sponsor)

SB 336, A bill to be entitled An Act relating to the qualifications for appointment as a medical examiner.

SB 336 was considered in lieu of **HB 1192**.

SB 336 was passed to third reading.

HB 1192 - LAID ON THE TABLE SUBJECT TO CALL

Representative Moody moved to lay **HB 1192** on the table subject to call.

The motion prevailed.

POSTPONED BUSINESS

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

CSHB 611 ON SECOND READING
(by Guillen)

CSHB 611, A bill to be entitled An Act relating to the regulation of subdivisions in counties, including certain border and economically distressed counties.

CSHB 611 was read second time on April 23, was postponed until 10 a.m. today, amendments were offered and disposed of, and **CSHB 611** was again postponed until this time.

CSHB 611 - POINT OF ORDER

Representative M. González raised a point of order against further consideration of **CSHB 611** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The chair overruled the point of order and submitted the following statement:

Representative M. González raised a point of order against further consideration of **CSHB 611** under Rule 4, Section 32(c) of the House Rules, asserting that the bill analysis is misleading. The chair has reviewed the bill analysis and the bill and finds that the bill analysis complies with the cited rule and is not misleading in the context of the bill. The point of order is respectfully overruled.

FIVE-DAY POSTING RULE SUSPENDED

Representative Hilderbran moved to suspend the five-day posting rule to allow the Committee on Ways and Means to consider **HB 2370**, **HB 2385**, **HB 2488**, **HB 2497**, **HJR 115**, and the previously posted agenda at 2 p.m. or upon final adjournment Monday, April 29 in E2.014.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Ways and Means, 2 p.m. or upon final adjournment Monday, April 29, E2.014, for a public hearing, to consider **HB 2370**, **HB 2385**, **HB 2488**, **HB 2497**, **HJR 115**, and the previously posted agenda.

CSHB 611 - (consideration continued)

Amendment No. 2

Representative M. González offered the following amendment to **CSHB 611**:

Amend **CSHB 611** (house committee printing) as follows:

(1) Strike page 1, lines 19-23 and substitute:

(a) A subdivider of land must have a plat of the subdivision prepared if:

(1) the subdivision is located in a county with a population of more than 800,000;

(2) at least one of the lots of the subdivision is five acres or less; or

(3) at least one of the lots of a subdivision is more than five acres but not more than 10 acres and a plat is required by the commissioners court.

(2) On page 2, line 8, strike "and (a-4)" and substitute "(a-4), and (a-5)".

(3) On page 3, lines 4-5, strike "a person who is a seller or subdivider" and substitute "land located in a county with a population of less than 800,000 and to a person who is a seller or subdivider of that land".

(4) On page 4, between lines 14 and 15 insert:

(a-5) A seller or subdivider may not enter into an earnest money contract for the sale of land located in a county with a population of more than 800,000 for which a subdivision plat has not been approved by the commissioners court in accordance with Section 232.024.

(5) On page 5, between lines 17 and 18, insert:

(e) This section does not apply to an action related to the subdivision of land in a county with a population of more than 800,000.

(6) On page 10, between lines 2 and 3, insert:

(e) This section does not apply to an action related to the subdivision of land in a county that borders the United Mexican States and that has a population of more than 800,000.

Representative Guillen moved to table Amendment No. 2.

The motion to table was lost by (Record 332): 41 Yeas, 75 Nays, 8 Present, not voting.

Yeas — Ashby; Button; Callegari; Clardy; Craddick; Davis, J.; Elkins; Farney; Flynn; Frank; Frullo; Geren; Guillen; Hilderbran; Isaac; King, K.; King, S.; King, T.; Larson; Lavender; Lewis; Lozano; Miller, R.; Oliveira; Paddie; Parker; Patrick; Price; Raney; Ratliff; Raymond; Riddle; Sanford; Smith; Springer; Stickland; Thompson, E.; Thompson, S.; Toth; Zedler; Zerwas.

Nays — Allen; Anchia; Bell; Bohac; Bonnen, G.; Burkett; Burnam; Canales; Capriglione; Carter; Collier; Cook; Cortez; Creighton; Dale; Davis, S.; Davis, Y.; Eiland; Fallon; Farias; Fletcher; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Johnson; Kleinschmidt; Klick; Krause; Kuempel; Laubenberg; Leach; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; Menéndez; Miller, D.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Orr; Perez; Perry; Pickett; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Simmons; Simpson; Stephenson; Strama; Taylor; Turner, C.; Turner, E.S.; Villarreal; Walle; White; Wu.

Present, not voting — Mr. Speaker; Bonnen, D.; Crownover; Darby; Harless; Keffer(C); Ritter; Workman.

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Smithee; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Alvarado; Aycock; Deshotel; Dukes; Giddings; Hughes; Kolkhorst; McClendon; Miles; Morrison; Phillips; Sheffield, R.; Turner, S.

STATEMENT OF VOTE

I was shown voting yes on Record No. 332. I intended to vote present, not voting.

Patrick

Amendment No. 2 was adopted.

CSHB 611, as amended, failed to pass to engrossment by (Record 333): 50 Yeas, 71 Nays, 6 Present, not voting.

Yeas — Alvarado; Ashby; Burkett; Button; Callegari; Canales; Clardy; Cook; Craddick; Dale; Davis, J.; Davis, Y.; Elkins; Farney; Frank; Frullo; Geren; Gonzales; Guerra; Guillen; Huberty; Hunter; Johnson; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Longoria; Lozano; McClendon; Miller, D.; Morrison; Muñoz; Nevárez; Oliveira; Paddie; Patrick; Price; Raney; Raymond; Reynolds; Springer; Thompson, S.; White; Workman; Zerwas.

Nays — Allen; Anchia; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burnam; Capriglione; Carter; Collier; Cortez; Creighton; Darby; Davis, S.; Fallon; Farias; Fletcher; Flynn; Giddings; Goldman; González, M.; Gooden; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Krause; Laubenberg; Lavender; Leach; Lewis; Martinez; Martinez Fischer; Miles; Miller, R.; Moody; Murphy; Naishtat; Orr; Parker;

Perez; Perry; Pickett; Ratliff; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Simmons; Simpson; Smith; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Walle; Wu.

Present, not voting — Mr. Speaker; Crownover; Dukes; Gonzalez, N.; Keffer(C); Márquez.

Absent, Excused — Alonzo; Anderson; Branch; Coleman; Dutton; Farrar; Kacal; King, P.; Pitts; Smithee; Villalba; Vo.

Absent, Excused, Committee Meeting — Otto.

Absent — Deshotel; Eiland; Isaac; Lucio; Menéndez; Phillips; Sanford; Sheffield, R.; Villarreal; Zedler.

STATEMENT OF VOTE

I was shown voting yes on Record No. 333. I intended to vote no.

S. King

HB 1600 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

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

HB 1600, A bill to be entitled An Act relating to the continuation and functions of the Public Utility Commission of Texas, to the transfer of certain functions from the Texas Commission on Environmental Quality to the Public Utility Commission of Texas, and to the functions of the Office of Public Utility Counsel; authorizing a fee.

Representative Cook 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 1600**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 1600**: Cook, chair; Ritter, Harless, Menéndez, and Price.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Human Services, upon final adjournment today, Desk 12, for a formal meeting, to consider pending business.

Elections, upon final adjournment today, Desk 86, for a formal meeting, to consider pending business.

Transportation, upon final adjournment today, Desk 26, for a formal meeting, to consider **SB 1730** and pending business.

Business and Industry, upon final adjournment today, Desk 71, for a formal meeting, to consider pending business.

Public Education, upon final adjournment today, 3W.9, for a formal meeting, to consider pending business.

Ways and Means, upon final adjournment today, 3W.15, for a formal meeting, to consider **HB 214**, **HJR 21**, and pending business.

FIVE-DAY POSTING RULE SUSPENDED

Representative Morrison moved to suspend the five-day posting rule to allow the Committee on Elections to consider **HB 2233** at 10 a.m. Monday, April 29 in E2.028.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Elections, 10 a.m. Monday, April 29, E2.028, for a public hearing, to consider **HB 2233** and the previously posted agenda.

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. 6).

PROVIDING FOR ADJOURNMENT

At 5:10 p.m., Representative Morrison moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

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

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

(Dale in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 5:17 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HB 3930 (By S. Davis), Relating to the creation of Saint George Place Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

To Special Purpose Districts.

HR 1616 (By Muñoz), Congratulating Ninfa Trevino Pena of Mission on her 100th birthday.

To Rules and Resolutions.

HR 1618 (By Naishtat), Honoring the Miakan/Garza Band of the Coahuiltecan Indians of Texas for its cultural and educational contributions.

To Rules and Resolutions.

HR 1619 (By Springer), In memory of Giles W. Dalby of Post.

To Rules and Resolutions.

HR 1620 (By Springer), Congratulating James Cantwell on his retirement as city manager of Bowie.

To Rules and Resolutions.

HR 1621 (By Coleman), Commending Mamie Charity Club of Houston for its contributions and congratulating the club's 2013 scholarship brunch honorees.

To Rules and Resolutions.

HR 1622 (By Flynn), Commemorating the 165th anniversary of Four Mile Lutheran Church in Van Zandt County.

To Rules and Resolutions.

HR 1623 (By D. Bonnen), Congratulating the Brazoswood High School Symphonic Band on its selection as the Texas Music Educators Association Class 5A Honor Band for 2013.

To Rules and Resolutions.

HR 1624 (By Kolkhorst), Recognizing the Brenham Nursing and Rehabilitation Center.

To Rules and Resolutions.

HR 1626 (By Pitts), Recognizing Lew N. Little, Jr., of Austin on his 57th birthday.

To Rules and Resolutions.

HR 1627 (By Simpson), Congratulating Herb and Catherine Legate on their 50th wedding anniversary.

To Rules and Resolutions.

HR 1629 (By Farney), Congratulating Bessie Jackson on her receipt of the Outstanding Citizen Award from the Marble Falls/Lake LBJ Chamber of Commerce.

To Rules and Resolutions.

HR 1630 (By Farney), Honoring the Sun City Hunting and Fishing Club for its support of community organizations.

To Rules and Resolutions.

HR 1632 (By Gonzales), Honoring the College Republicans at Texas on the 63rd anniversary of its founding.

To Rules and Resolutions.

HR 1633 (By Fallon), Commending participants of the 2013 Waterway Cleanup Day in Pilot Point.

To Rules and Resolutions.

HR 1634 (By Martinez Fischer), Commemorating the 2013 Battle of Medina BBQ Cook-Off Event.

To Rules and Resolutions.

HR 1635 (By Hunter), In memory of Robert W. Woolsey of Corpus Christi.

To Rules and Resolutions.

HR 1636 (By Fletcher), In memory of Deputy Sheriff John David Norsworthy, Jr., of the Fort Bend County Sheriff's Office.

To Rules and Resolutions.

HR 1637 (By Fletcher), In memory of Sergeant Jimmie DeVeril Norman of the Bellaire Police Department.

To Rules and Resolutions.

HR 1638 (By Fletcher), In memory of Deputy Sheriff Joshua Shane Mitchell of the Reagan County Sheriff's Office.

To Rules and Resolutions.

HR 1639 (By Fletcher), In memory of Deputy Sheriff Sherri Katherine Jones of the Bowie County Sheriff's Office.

To Rules and Resolutions.

HR 1640 (By Fletcher), In memory of Special Agent Jaime Jorge Zapata of the United States Immigration and Customs Enforcement.

To Rules and Resolutions.

HR 1641 (By Fletcher), In memory of Officer Kevin Scott Will of the Houston Police Department.

To Rules and Resolutions.

HR 1642 (By Fletcher), In memory of Deputy Sheriff Charles Allen VanMeter of the Brazoria County Sheriff's Office.

To Rules and Resolutions.

HR 1643 (By Fletcher), In memory of Deputy Sheriff Michael Ray Smith of the Upton County Sheriff's Department.

To Rules and Resolutions.

HR 1644 (By Fletcher), In memory of Officer Angel David Garcia of the El Paso Police Department.

To Rules and Resolutions.

HR 1645 (By Fletcher), In memory of Agent James R. Dominguez of the United States Border Patrol.

To Rules and Resolutions.

HR 1646 (By Fletcher), In memory of Deputy Sheriff Robert Leo Britton, Jr., of the Smith County Sheriff's Office.

To Rules and Resolutions.

HR 1647 (By Fletcher), In memory of Corporal Kevin L. Aigner of the Travis County Constable's Office, Precinct 2.

To Rules and Resolutions.

HR 1648 (By Fletcher), In memory of Trooper Javier Arana, Jr., of the Texas Department of Public Safety.

To Rules and Resolutions.

HR 1649 (By Fletcher), In memory of Constable Brian David Bachmann of the Brazos County Constable's Office, Precinct 1.

To Rules and Resolutions.

HR 1650 (By Fletcher), In memory of Officer Stephanie Ann Brown of the San Antonio Police Department.

To Rules and Resolutions.

HR 1651 (By Fletcher), In memory of Agent Leopoldo Cavazos, Jr., of the United States Border Patrol.

To Rules and Resolutions.

HR 1652 (By Fletcher), In memory of Senior Officer Jaime DeLuna-Padron of the Austin Police Department.

To Rules and Resolutions.

HR 1653 (By Fletcher), In memory of Sergeant Mark Luis Scianna of the Bexar County Constable's Office, Precinct 3.

To Rules and Resolutions.

HR 1654 (By Fletcher), In memory of Deputy Sheriff Clifton L. Taylor of the Johnson County Sheriff's Office.

To Rules and Resolutions.

HR 1655 (By Fletcher), In memory of Sergeant Kenneth Gary Vann of the Bexar County Sheriff's Office.

To Rules and Resolutions.

HR 1656 (By Fletcher), In memory of Officer Joshua Stanley Williams of the Waxahachie Police Department.

To Rules and Resolutions.

HR 1657 (By Fletcher), In memory of Officer Bryan M. Hebert of the Beaumont Police Department.

To Rules and Resolutions.

HR 1658 (By Fletcher), In memory of Officer Kevin Paul Marceau of the Dallas Police Department.

To Rules and Resolutions.

HR 1659 (By Fletcher), In memory of Officer Jonathan Keith Molina of the El Paso Police Department.

To Rules and Resolutions.

HR 1660 (By Fletcher), In memory of Officer Edrees Mukhtar of the San Antonio Police Department.

To Rules and Resolutions.

HR 1661 (By Price), In memory of former prime minister Baroness Margaret Thatcher.

To Rules and Resolutions.

HR 1662 (By Flynn), Congratulating Roy and Wanda Hobbs of Greenville on their 50th wedding anniversary.

To Rules and Resolutions.

HR 1663 (By Alonzo), Commending Carmen Ayala, Kim Morris, Tarsha Hardy, Mary Warren, Carol Jablonski, Cindy James, and Janice Schwarz for their participation in Blue Ribbon Lobby Day 2013.

To Rules and Resolutions.

HR 1664 (By Alonzo), Commending Rosalie Weisfeld for her participation in Blue Ribbon Lobby Day.

To Rules and Resolutions.

HR 1665 (By C. Turner), Congratulating the honorees of the Grand Prairie Citizen Police Academy Alumni Association's 2013 Police Awards Banquet.

To Rules and Resolutions.

HR 1666 (By J. Sheffield), Commending Christopher Orr for his service as a legislative intern.

To Rules and Resolutions.

HR 1667 (By J. Sheffield), Honoring Fernando Mancilla of San Antonio for his service as a legislative intern in the office of State Representative J. D. Sheffield.

To Rules and Resolutions.

HR 1668 (By Farrar), In memory of Dr. Maconda Brown O'Connor of Houston.

To Rules and Resolutions.

HR 1669 (By Pickett), Honoring U.S. Army Major General Dana J. H. Pittard for his service to Fort Bliss and to the greater El Paso community.

To Rules and Resolutions.

HR 1670 (By Rose), In memory of Lela Mae Hill Wicks of Dallas.

To Rules and Resolutions.

HR 1671 (By J. Sheffield), Commemorating the 2013 Memorial Day service hosted by American Legion Cunningham Post 222 in Hamilton.

To Rules and Resolutions.

HR 1672 (By Márquez), Honoring the Loretto Academy in El Paso on its 90th anniversary.

To Rules and Resolutions.

HR 1673 (By Márquez), In memory of Trooper Javier Arana, Jr., of the Texas Department of Public Safety.

To Rules and Resolutions.

HR 1674 (By Márquez), In memory of Officer Angel David Garcia of the El Paso Police Department.

To Rules and Resolutions.

HR 1675 (By Márquez), Congratulating primetime anchor Estela Casas on her 20th anniversary with KVIA-TV in El Paso.

To Rules and Resolutions.

HR 1676 (By Márquez), In memory of Georgianna Davanelos of El Paso.

To Rules and Resolutions.

MESSAGES FROM THE SENATE

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

Message No. 3

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, April 25, 2013 - 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:

HCR 90 Morrison SPONSOR: Nelson
Designating March 2013 as Women's History Month.

HCR 108 Darby SPONSOR: Seliger
Congratulating Kevin and Linda Hirt of St. Lawrence on their 25th wedding anniversary.

SB 592 Ellis
Relating to the representation of indigent defendants in criminal cases.

SB 878 Patrick
Relating to the disposition of proceeds and property from criminal asset forfeiture.

SB 1046 Rodríguez
Relating to the authority of certain municipalities and counties to regulate subdivisions in the exterritorial jurisdiction of a municipality by agreement.

SB 1609 Schwertner
Relating to the training of employees of certain covered entities.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, April 25, 2013 - 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:

SB 835 Lucio
Relating to the application of the limit on appraised value of a residence homestead for ad valorem tax purposes to an improvement that is a replacement structure for a structure that was rendered uninhabitable or unusable by a casualty or by wind or water damage.

SB 853 Taylor
Relating to notice of a premium increase for certain health insurance policies.

SB 929 Paxton
Relating to equal opportunity for access by home-schooled students to University Interscholastic League-sponsored activities; authorizing a fee.

SB 1189 Huffman
Relating to the disposition of certain firearms seized by a law enforcement agency.

SB 1368 Davis
Relating to contracts by certain state governmental entities that involve the exchange or creation of public information.

SB 1432 Hinojosa
Relating to the punishment for violating certain rules or permit terms under a permit to trap, transport, and transplant certain animals.

SB 1508 Hegar
Relating to the rendition of certain property for ad valorem tax purposes.

SB 1585 Rodríguez
Relating to the authority of certain counties to impose a county hotel occupancy tax.

SB 1589 Zaffirini

Relating to assistance and education regarding personal finance for certain children in foster care.

SB 1598 Zaffirini

Relating to the authority of the chief appraiser of an appraisal district or a representative of the chief appraiser to photograph the premises of a business, trade, or profession for ad valorem tax appraisal purposes.

SB 1854 Hegar

Relating to certain project powers and duties of the Fort Bend County Levee Improvement District No. 7; providing authority to impose a tax and issue bonds.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 5

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, April 25, 2013 - 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:

SB 475 Van de Putte

Relating to the expiration of the municipal sales and use tax for street maintenance in certain municipalities.

SB 780 Hinojosa

Relating to the prioritization of certain available legal defense services when appointing representation for an indigent defendant in a criminal case.

SB 1133 Rodríguez

Relating to contributions to certain fire and police pension funds.

SB 1192 Davis

Relating to the rights of certain victims of sexual assault.

SB 1400 Estes

Relating to the municipal and county regulation of air guns.

SB 1643 Williams

Relating to the monitoring of prescriptions for certain controlled substances; providing penalties.

SB 1646 Williams

Relating to the regulation of pain management services.

SB 1757

Uresti

Relating to the manufacture, sale, distribution, purchase, or possession of a license plate flipper; creating an offense.

SB 1758

Uresti

Relating to the establishment of a task force to examine hiring and management practices of the Department of Family and Protective Services.

SB 1810

Ellis

Relating to the intercollegiate athletics fee at Texas Southern University.

SB 1882

Zaffirini

Relating to information for legislative purposes requested under the Public Information Act.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 6

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, April 25, 2013 - 6

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:

SB 1162

Watson

Relating to requirements for the purchase or acquisition of a water or sewer system.

SB 1403

Patrick

Relating to public school teachers.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 24

Agriculture and Livestock - **HB 3566, HB 3567, HB 3569**

Appropriations - **HB 2202, HB 2770, HB 3574**

Business and Industry - **HB 1155, HB 3576, SB 849**

Corrections - **HB 1645, HB 2053, HB 2289, HB 2652, HB 3743, SB 213**

County Affairs - **HB 2833, HB 2834, HB 3764, HB 3798, SB 332**

Criminal Jurisprudence - **SB 336, SB 387, SB 457**

Culture, Recreation, and Tourism - **HB 1044, HB 2659, HB 3209, HCR 51, HCR 62**

Defense and Veterans' Affairs - **HB 1249, HB 2028, HB 2029, HB 3545, SB 597**

Economic and Small Business Development - **HB 2858, HB 3578**

Federalism and Fiscal Responsibility, Select - **HJR 59, HJR 109**

Government Efficiency and Reform - **HB 3833**

Higher Education - **HB 2549, HB 2550, SB 974**

Homeland Security and Public Safety - **SB 396**

Human Services - **HB 743, HB 2323**

Insurance - **HB 3106, SB 531**

International Trade and Intergovernmental Affairs - **HB 1286, SB 795**

Investments and Financial Services - **SB 192, SB 244**

Judiciary and Civil Jurisprudence - **HB 1702, HB 3241, HB 3748, SB 825, SB 966, SB 1267**

Land and Resource Management - **SB 1165**

Licensing and Administrative Procedures - **HB 1012, HB 1013, HB 1412, HB 3306, SB 204, SB 515, SB 516, SB 517, SB 672**

Natural Resources - **HB 693, HB 3212, HB 3902, HB 3925, SB 447**

Public Education - **HB 274, HB 284, HB 296, HB 343, HB 742, HB 866, HB 946, HB 1230, HB 1831, HB 2004, HB 2367, HB 2607, HB 2610, HB 2824, HB 3573, HB 3808, HCR 68**

Public Health - **SB 500**

State Affairs - **HB 711, HB 793, HB 1071**

Transportation - **HB 1573, HB 2293, HB 2580, HB 2947, HB 3256, HB 3415, HB 3568, HB 3677, HB 3756, SB 274, SB 466**

Ways and Means - **HB 500**

ENGROSSED

**April 24 - HB 397, HB 432, HB 502, HB 511, HB 740, HB 833, HB 1029,
HB 1160, HB 1284, HB 1972, HB 2051, HB 2197, HB 2720**

ENROLLED

April 24 - HCR 85, HCR 91, HCR 94

SIGNED BY THE GOVERNOR

April 24 - HCR 78, HCR 95