

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-NINTH DAY — FRIDAY, APRIL 26, 2013

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

The roll of the house was called and a quorum was announced present (Record 334).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; 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; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Burnam; Farrar; Laubenberg; Lucio; Smithee.

Absent — Elkins; King, T.

The speaker recognized Representative Hughes who offered the invocation.

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

LEAVES OF ABSENCE GRANTED

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

Smithee on motion of Geren.

The following member was granted leave of absence for today because of illness:

Laubenberg on motion of Geren.

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

Burnam on motion of Geren.

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

Lucio on motion of Geren.

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

Farrar on motion of Geren.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Workman and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

CAPITOL PHYSICIAN

The speaker recognized Representative Cortez who presented Dr. Horacio Ramirez of San Antonio as the "Doctor for the Day."

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

(Speaker pro tempore in the chair)

MESSAGE FROM THE SENATE

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

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 20).

HR 1632 - ADOPTED

(by Gonzales)

Representative Gonzales moved to suspend all necessary rules to take up and consider at this time **HR 1632**.

The motion prevailed.

The following resolution was laid before the house:

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

(Harper-Brown in the chair)

HR 1632 was adopted.

(T. King now present)

INTRODUCTION OF GUESTS

The chair recognized Representative Gonzales who introduced representatives of College Republicans at Texas.

LEAVES OF ABSENCE GRANTED

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

Dutton on motion of Miles.

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

Farney on motion of Paddie.

**MAJOR STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 200 ON THIRD READING
(Anchia - House Sponsor)**

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

Representative Giddings moved to postpone consideration of **SB 200** until the end of third reading bills on today's General State Calendar.

The motion prevailed.

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 1494 ON THIRD 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 by (Record 335): 130 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Fallon; Farias; Fletcher; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.;

Kleinschmidt; Kolkhorst; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Flynn; Frank; Klick; Krause; Schaefer; Simpson; Stickland; Taylor; Turner, E.S.; Zedler.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Elkins.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 335. I intended to vote no.

Phillips

I was shown voting yes on Record No. 335. I intended to vote no.

Simmons

HB 2302 ON THIRD READING (by Hunter and S. Thompson)

HB 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.

HB 2302 was passed by (Record 336): 138 Yeas, 0 Nays, 2 Present, not voting.

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

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

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Branch; Elkins; Longoria.

STATEMENTS OF VOTE

When Record No. 336 was taken, I was in the house but away from my desk. I would have voted yes.

Branch

I was shown voting yes on Record No. 336. I intended to vote no.

E. S. Turner

HB 317 ON THIRD 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 by (Record 337): 138 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Fallon; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; White; Workman; Wu; Zedler; Zerwas.

Nays — Farias; Walle.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Elkins.

HB 2392 ON THIRD 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 by (Record 338): 138 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Fallon; Farias; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Schaefer.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Elkins; Villalba.

HB 1294 ON THIRD 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.

HB 1294 was passed by (Record 339): 137 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Fallon; Farias; Fletcher; Flynn; Frank; Frullo; Geren; Giddings;

Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Krause; Riddle; Stickland.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Elkins.

HB 1739 ON THIRD 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 by (Record 340): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Fallon; Farias; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown(C); Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Canales; Elkins.

STATEMENT OF VOTE

When Record No. 340 was taken, my vote failed to register. I would have voted yes.

Canales

HB 2137 ON THIRD 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 by (Record 341): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Fallon; Farias; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Elkins; Gonzales.

HB 696 ON THIRD READING (by Kleinschmidt)

HB 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.

HB 696 was passed by (Record 342): 138 Yeas, 1 Nays, 2 Present, not voting.

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

Nays — Stickland.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Davis, Y.; Elkins.

HB 773 ON THIRD 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.

HB 773 was passed by (Record 343): 139 Yeas, 1 Nays, 2 Present, not voting.

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

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

Nays — Simpson.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Elkins.

(Elkins now present)

HB 2571 ON THIRD READING (by Keffer)

HB 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.

HB 2571 was passed by (Record 344): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddock; 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; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

HB 1973 ON THIRD READING (by Lucio, Larson, and Isaac)

HB 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.

HB 1973 was passed by (Record 345): 138 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; 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; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Schaefer; Simpson; Thompson, E.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Famey; Farrar; Laubenberg; Lucio; Smithee.

STATEMENT OF VOTE

I was shown voting yes on Record No. 345. I intended to vote no.

D. Bonnen

HB 431 ON THIRD READING

(by Riddle, Harless, Parker, D. Bonnen, et al.)

HB 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.

HB 431 was passed by (Record 346): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; 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; Farias; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Lavender; Leach;

Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Fallon; Krause.

STATEMENT OF VOTE

When Record No. 346 was taken, I was in the house but away from my desk. I would have voted yes.

Krause

HB 148 ON THIRD READING

(by Burkett, et al.)

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

HB 148 was passed by (Record 347): 93 Yeas, 48 Nays, 2 Present, not voting.

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

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

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

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

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

SB 672 was passed by (Record 348): 139 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; 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; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; White; Workman; Wu; Zedler; Zerwas.

Nays — Farias; Walle.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

**SB 332 ON THIRD 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 passed by (Record 349): 140 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; 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; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Simpson.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

SB 457 ON THIRD READING
(Márquez - House Sponsor)

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

SB 457 was passed by (Record 350): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; 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; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson;

Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

SB 336 ON THIRD 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 passed by (Record 351): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; 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; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Gonzales.

POSTPONED BUSINESS

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

SB 200 ON THIRD READING
(Anchia - House Sponsor)

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

SB 200 was read third time earlier today and was postponed until this time.

Amendment No. 1

Representative Taylor offered the following amendment to **SB 200**:

Amend **SB 200** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering other SECTIONS of the bill accordingly:

SECTION _____. (a) Subtitle A, Title 8, Government Code, is amended by adding Chapter 807 to read as follows:

CHAPTER 807. PROHIBITION ON INVESTMENT IN IRAN

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 807.001. DEFINITIONS. In this chapter:

(1) "Active business operations" means all business operations that are not inactive business operations.

(2) "Board" means the State Pension Review Board.

(3) "Business operations" means engaging in commerce in any form in Iran, including by acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(4) "Company" means a sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association whose securities are publicly traded, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations, that exists to make a profit.

(5) "Direct holdings" means, with respect to a company, all securities of that company held directly by a state governmental entity in an account or fund in which a state governmental entity owns all shares or interests.

(6) "Inactive business operations" means the mere continued holding or renewal of rights to property previously operated to generate revenue but not presently deployed to generate revenue.

(7) "Indirect holdings" means, with respect to a company, all securities of that company held in an account or fund, such as a mutual fund, managed by one or more persons not employed by a state governmental entity, in which the state governmental entity owns shares or interests together with other investors not subject to the provisions of this chapter. The term does not include money invested under a plan described by Section 401(k) or 457 of the Internal Revenue Code of 1986.

(8) "Listed company" means a company listed by the board under Section 807.051.

(9) "Military equipment" means weapons, arms, military supplies, and equipment that readily may be used for military purposes, including radar systems and military-grade transport vehicles.

(10) "Scrutinized company" means a company that engages in scrutinized business operations described by Section 807.002.

(11) "State governmental entity" means:

(A) the Employees Retirement System of Texas, including a retirement system administered by that system;

(B) the Teacher Retirement System of Texas;

(C) the Texas Municipal Retirement System;

(D) the Texas County and District Retirement System; and

(E) the Texas Emergency Services Retirement System.

Sec. 807.002. SCRUTINIZED BUSINESS OPERATIONS. A company engages in scrutinized business operations if:

(1) the company has business operations that involve contracts with or providing supplies or services to the government of Iran, a company in which the government of Iran has any direct or indirect equity share, a consortium or project commissioned by the government of Iran, or a company involved in a consortium or project commissioned by the government of Iran; or

(2) the company supplies military equipment to Iran.

Sec. 807.003. EXCEPTION. Notwithstanding any provision of this chapter, a company that the United States government affirmatively declares to be excluded from its federal sanctions regime relating to Iran is not subject to divestment or the investment prohibition under this chapter.

Sec. 807.004. OTHER LEGAL OBLIGATIONS. With respect to actions taken in compliance with this chapter, including all good faith determinations regarding companies as required by this chapter, a state governmental entity is exempt from any conflicting statutory or common law obligations, including any obligations with respect to making investments, divesting from any investment, preparing or maintaining any list of companies, or choosing asset managers, investment funds, or investments for the state governmental entity's securities portfolios.

Sec. 807.005. INDEMNIFICATION OF STATE GOVERNMENTAL ENTITIES, EMPLOYEES, AND OTHERS. In a cause of action based on an action, inaction, decision, divestment, investment, company communication, report, or other determination made or taken in connection with this chapter, the state shall, without regard to whether the person performed services for compensation, indemnify and hold harmless for actual damages, court costs, and attorney's fees adjudged against, and defend:

(1) an employee, a member of the governing body, or any other officer of a state governmental entity;

(2) a contractor of a state governmental entity;

(3) a former employee, a former member of the governing body, or any other former officer of a state governmental entity who was an employee or officer when the act or omission on which the damages are based occurred;

(4) a former contractor of a state governmental entity who was a contractor when the act or omission on which the damages are based occurred; and

(5) a state governmental entity.

Sec. 807.006. NO PRIVATE CAUSE OF ACTION. (a) A person, including a member, retiree, or beneficiary of a retirement system to which this chapter applies, an association, a research firm, a company, or any other person

may not sue or pursue a private cause of action against the state, a state governmental entity, an employee, a member of the governing body, or any other officer of a state governmental entity, or a contractor of a state governmental entity, for any claim or cause of action, including breach of fiduciary duty, or for violation of any constitutional, statutory, or regulatory requirement in connection with any action, inaction, decision, divestment, investment, company communication, report, or other determination made or taken in connection with this chapter.

(b) A person who files suit against the state, a state governmental entity, an employee, a member of the governing body, or any other officer of a state governmental entity, or a contractor of a state governmental entity, is liable for paying the costs and attorney's fees of a person sued in violation of this section.

Sec. 807.007. INAPPLICABILITY OF REQUIREMENTS INCONSISTENT WITH FIDUCIARY RESPONSIBILITIES AND RELATED DUTIES. A state governmental entity is not subject to a requirement of this chapter if the state governmental entity determines that the requirement would be inconsistent with its fiduciary responsibility with respect to the investment of entity assets or other duties imposed by law relating to the investment of entity assets, including the duty of care established under Section 67, Article XVI, Texas Constitution.

Sec. 807.008. RELIANCE ON COMPANY RESPONSE. The board and a state governmental entity may rely on a company's response to a notice or communication made under this chapter without conducting any further investigation, research, or inquiry.

SUBCHAPTER B. DUTIES REGARDING INVESTMENTS

Sec. 807.051. LISTED COMPANIES. (a) The board shall prepare and maintain, and provide to each state governmental entity, a list of all scrutinized companies. In maintaining the list, the board may review and rely, as appropriate in the board's judgment, on publicly available information regarding companies with business operations in Iran, including information provided by the state, nonprofit organizations, research firms, international organizations, and governmental entities.

(b) The board shall update the list annually or more often as the board considers necessary, but not more often than quarterly, based on information from, among other sources, those listed in Subsection (a).

(c) Not later than the 30th day after the date the list of scrutinized companies is first provided or updated, the board shall file the list with the presiding officer of each house of the legislature and the attorney general.

Sec. 807.052. IDENTIFICATION OF INVESTMENT IN LISTED COMPANIES. Not later than the 14th day after the date a state governmental entity receives the list provided under Section 807.051, the state governmental entity shall notify the board of the listed companies in which the state governmental entity owns direct holdings or indirect holdings.

Sec. 807.053. NOTICE TO LISTED COMPANY ENGAGED IN INACTIVE BUSINESS OPERATIONS. For each listed company identified under Section 807.052 that is engaged in only scrutinized inactive business

operations, the state governmental entity shall send a written notice informing the company of this chapter and encouraging the company to continue to refrain from initiating active business operations in Iran until it is able to avoid being considered a listed company. The state governmental entity shall continue the correspondence as the entity, in its sole discretion, considers necessary, but is not required to initiate correspondence more often than semiannually.

Sec. 807.054. ACTIONS RELATING TO LISTED COMPANY ENGAGED IN ACTIVE BUSINESS OPERATIONS. (a) For each listed company identified under Section 807.052 that is engaged in scrutinized active business operations, the state governmental entity shall send a written notice informing the company of its listed company status and warning the company that it may become subject to divestment by state governmental entities.

(b) The notice must offer the company the opportunity to clarify its Iran-related activities and must encourage the company, not later than the 90th day after the date the company receives notice under this section, to either cease its scrutinized business operations or convert the operations to inactive business operations in order to avoid qualifying for divestment by state governmental entities.

(c) If, during the time provided by Subsection (b), the company ceases scrutinized business operations, the board shall remove the company from the list maintained under Section 807.051 and this chapter will no longer apply to the company unless it resumes scrutinized business operations.

(d) If, during the time provided by Subsection (b), the company converts its scrutinized active business operations to inactive business operations, the company is subject to all provisions of this chapter relating to inactive business operations.

(e) If, after the time provided by Subsection (b) expires, the company continues to have scrutinized active business operations, the state governmental entity shall sell, redeem, divest, or withdraw all publicly traded securities of the company, except securities described by Section 807.056, according to the schedule provided by Section 807.055.

Sec. 807.055. DIVESTMENT OF ASSETS. (a) A state governmental entity required to sell, redeem, divest, or withdraw all publicly traded securities of a listed company shall comply with the following schedule:

(1) at least 50 percent of those assets must be removed from the state governmental entity's assets under management not later than the 270th day after the date the company receives notice under Section 807.054 or Subsection (b) unless the state governmental entity determines, based on a good faith exercise of its fiduciary discretion and subject to Subdivision (2), that a later date is more prudent; and

(2) 100 percent of those assets must be removed from the state governmental entity's assets under management not later than the 450th day after the date the company receives notice under Section 807.054 or Subsection (b).

(b) If a company that ceased scrutinized active business operations after receiving notice under Section 807.054 resumes scrutinized active business operations, the state governmental entity shall send a written notice to the

company informing it that the state governmental entity will sell, redeem, divest, or withdraw all publicly traded securities of the scrutinized company according to the schedule in Subsection (a).

(c) Except as provided by Subsection (a), a state governmental entity may delay the schedule for divestment under that subsection only to the extent that the state governmental entity determines, in the state governmental entity's good faith judgment, that divestment from listed companies will likely result in a loss in value or a benchmark deviation described by Section 807.057(a). If a state governmental entity delays the schedule for divestment, the state governmental entity shall submit a report to the presiding officer of each house of the legislature and the attorney general stating the reasons and justification for the state governmental entity's delay in divestment from listed companies. The report must include documentation supporting its determination that the divestment would result in a loss in value or benchmark deviation described by Section 807.057(a), including objective numerical estimates. The state governmental entity shall update the report every six months.

Sec. 807.056. INVESTMENTS EXEMPTED FROM DIVESTMENT. A state governmental entity is not required to divest from any indirect holdings in actively or passively managed investment funds or private equity funds. The state governmental entity shall submit letters to the managers of investment funds containing listed companies requesting that they consider removing those companies from the fund or create a similar actively or passively managed fund with indirect holdings devoid of listed companies. If the manager creates a similar fund with substantially the same management fees and same level of investment risk and anticipated return, the state governmental entity may replace all applicable investments with investments in the similar fund in a time frame consistent with prudent fiduciary standards.

Sec. 807.057. AUTHORIZED INVESTMENT IN LISTED COMPANIES.
(a) A state governmental entity may cease divesting from or may reinvest in one or more listed companies if clear and convincing evidence shows that:

(1) the state governmental entity has suffered or will suffer a loss in the hypothetical value of all assets under management by the state governmental entity as a result of having to divest from listed companies under this chapter; or

(2) an individual portfolio that uses a benchmark-aware strategy would be subject to an aggregate expected deviation from its benchmark as a result of having to divest from listed companies under this chapter.

(b) A state governmental entity may cease divesting from or may reinvest in a listed company as provided by this section only to the extent necessary to ensure that the state governmental entity does not suffer a loss in value or deviate from its benchmark as described by Subsection (a).

(c) Before a state governmental entity may cease divesting from or may reinvest in a listed company under this section, the state governmental entity must provide a written report to the presiding officer of each house of the legislature and the attorney general setting forth the reason and justification, supported by clear and convincing evidence, for its decisions to cease divestment, to reinvest, or to remain invested in a listed company.

(d) The state governmental entity shall update the report required by Subsection (c) semiannually, as applicable.

(e) This section does not apply to reinvestment in a company that is no longer a listed company.

Sec. 807.058. PROHIBITED INVESTMENTS. Except as provided by Sections 807.003 and 807.057, a state governmental entity may not acquire securities of a listed company.

SUBCHAPTER C. EXPIRATION; REPORT; ENFORCEMENT

Sec. 807.101. EXPIRATION OF CHAPTER. This chapter expires on the earlier of:

(1) the date the United States revokes its sanctions against the government of Iran; or

(2) the date the United States Congress or the president of the United States, through legislation or executive order, declares that mandatory divestment of the type provided for in this chapter interferes with the conduct of United States foreign policy.

Sec. 807.102. REPORT. Not later than December 31 of each year, each state governmental entity shall file a publicly available report with the presiding officer of each house of the legislature and the attorney general that:

(1) identifies all securities sold, redeemed, divested, or withdrawn in compliance with Section 807.055;

(2) identifies all prohibited investments under Section 807.058; and

(3) summarizes any changes made under Section 807.056.

Sec. 807.103. ENFORCEMENT. The attorney general may bring any action necessary to enforce this chapter.

(b) Not later than January 1, 2014, the State Pension Review Board shall prepare and provide to each state governmental entity, as defined by Section 807.001, Government Code, as added by this Act, the list of scrutinized companies required by Section 807.051, Government Code, as added by this Act.

(c) Notwithstanding any other provision of this Act, this section takes effect January 1, 2014.

Amendment No. 1 was adopted by (Record 352): 130 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Cook; 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; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Márquez; Martinez; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith;

Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Collier; Cortez; Gutierrez; Martinez Fischer; Nevárez; Paddie; Rodriguez, E.; Rodriguez, J.; Simpson.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Smithee.

Absent — Bonnen, G.; Riddle.

STATEMENTS OF VOTE

When Record No. 352 was taken, my vote failed to register. I would have voted yes.

G. Bonnen

I was shown voting no on Record No. 352. I intended to vote yes.

Collier

I was shown voting no on Record No. 352. I intended to vote yes.

Cortez

I was shown voting no on Record No. 352. I intended to vote yes.

Gutierrez

I was shown voting no on Record No. 352. I intended to vote yes.

Martinez Fischer

I was shown voting no on Record No. 352. I intended to vote yes.

Paddie

I was shown voting no on Record No. 352. I intended to vote yes.

E. Rodriguez

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of a family emergency:

Riddle on motion of R. Miller.

SB 200 - (consideration continued)

SB 200, as amended, was passed by (Record 353): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; 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; Fletcher; Flynn; Frank; Frullo; Geren;

Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Burnam; Dutton; Farney; Farrar; Laubenberg; Lucio; Riddle; Smithee.

Absent — Morrison; Toth.

STATEMENT OF VOTE

When Record No. 353 was taken, I was in the house but away from my desk. I would have voted yes.

Toth

HB 1819 ON SECOND READING (by Kacal)

HB 1819, A bill to be entitled An Act relating to liability for injuring a trespassing sheep or goat.

HB 1819 was read second time on April 25 and was postponed until 9 a.m. today.

HB 1819 was passed to engrossment. (Simpson recorded voting no.)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 11:15 a.m. today, in 3W.9, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 11:15 a.m. today, 3W.9, for a formal meeting, to set a calendar.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Cook requested permission for the Committee on State Affairs to meet while the house is in session, at 11:45 a.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

State Affairs, 11:45 a.m. today, 1W.14, for a formal meeting, to consider pending business.

FIVE-DAY POSTING RULE SUSPENDED

Representative Aycock moved to suspend the five-day posting rule to allow the Committee on Public Education to consider **HB 300** and **HB 1775** at 2 p.m. or upon final adjournment Tuesday, April 30 in E2.036.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Education, 2 p.m. or upon final adjournment Tuesday, April 30, E2.036, for a public hearing, to consider **HB 300**, **HB 1775**, and the previously posted agenda.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Branch requested permission for the Committee on Higher Education to meet while the house is in session, at 11:30 a.m. today, in 3W.9, to consider **SB 1530** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Higher Education, 11:30 a.m. today, 3W.9, for a formal meeting, to consider **SB 1530** and pending business.

**HR 1684 - ADOPTED
(by Giddings)**

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 1684**.

The motion prevailed.

The following resolution was laid before the house:

HR 1684, Honoring Iota Phi Lambda Sorority on the charter of its new Dallas County chapter.

HR 1684 was adopted.

(Speaker in the chair)

LEAVE OF ABSENCE GRANTED

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

Guillen on motion of Raymond.

**HR 1743 - ADOPTED
(by R. Sheffield)**

Representative R. Sheffield moved to suspend all necessary rules to take up and consider at this time **HR 1743**.

The motion prevailed.

The following resolution was laid before the house:

HR 1743, Recognizing April 26, 2013, as McDonald's Salad Day.

HR 1743 was adopted.

(Farrar now present)

**ADDRESS BY REPRESENTATIVE P. KING
ON A MATTER OF PERSONAL PRIVILEGE**

The chair recognized Representative P. King who addressed the house on a matter of personal privilege, speaking as follows:

I guess I'm speaking not only as a legislator, but as someone who worked as a policeman for about 15 years and a judge for about eight, and did uncounted arraignments, magistrate warnings, and someone who's been a lawyer and spoke in a courtroom, spent a lot of hours in a courtroom. And as you know, back in 1978, this legislature created a thing called the Public Integrity Unit. And in 1981, we began the biennial process of funding that unit, and we placed it in Travis County. It is very reasonable and proper for us to have created that unit, it is reasonable and proper for us to have funded it, and it is reasonable and proper for us to have it in Travis County. The issue that I'm concerned about, and it's something I believe we're going to have the opportunity, if not today, in the days to come, is to address whether or not that unit is properly functioning, and whether or not it should continue to operate in the venue that it does.

I know that everyone is familiar with the news headlines, and if you've seen the videos that have been received by public record on the performance on the head of that unit in a recent driving while intoxicated arrest. I have arrested a lot of people for DWI, and Allen Fletcher and I have talked about this, he has as well, and the behavior that was demonstrated, for example in the police video cam, wasn't one of remorse, wasn't one of "I can't believe I made this mistake," and folks, people can make mistakes. What concerns me is what appears to be the utter contempt and disrespect for the law and for the office. To sit in the back of a police car and to stand in front of a police car on video and to hear comments not, "I am sorry. I can't believe that I've done this. What was I thinking?" But to hear things like, "Well congratulations, officers, you have ruined my career," shows a complete disrespect for the circumstances at hand. "I'm sorry, officers," repeatedly, "Congratulations, you have ruined my career," not "I have done such

a terrible thing." Again, mistakes happen, but it's the attitude towards that mistake that counts. Then later, on the video cam in the jail, I can tell you when someone, particularly a lady, when they have to be strapped down with their hands to the chair, when they have to have their feet constrained, and they have to have a spit cloth put over their face, that the behavior that's being demonstrated is exceptionally inappropriate. It's disrespectful to the officers, to the jailers, and I've been a jailer. I've worked in a jail. And it is particularly improper for someone who heads a public integrity unit. I will suggest to you that calling personally for the sheriff by first name, these are inappropriate measures.

I think there are things that could be done. I understand that she has said she will not resign. Again, this is a unit created by the legislature and funded by the legislature, and there are very good people that work in that unit and who do an honorable job. I would suggest that if one of them had done something of this nature, they would have been fired the next day.

This said, I know that we're going to have the opportunity for amendments. It takes two steps to move the unit to another venue. I don't know that that's necessarily necessary. I think there's things the incumbent can do to avoid that from happening. Resignation is one of those options. In the meantime, I think there will be options for us to vote. It takes two steps. You have to have one amendment to move the money, you have to have another amendment, another statutory amendment, to move the office. I think that these are things the legislature, in its role of oversight, should consider, unless other steps are taken to ensure us that this office is going to be managed as its name requires, as a public integrity unit. This is a position that statewide officials and the public at large have tremendous interest in. This could be put in a statewide official's office. It can remain in Travis County.

But what's most important is that when we all leave at the end of May, we all know that that office is being managed and run in a manner that reflects its title of Public Integrity Unit. And with that, thank you so much, members, for your time today.

**EMERGENCY CALENDAR
HOUSE BILLS
SECOND READING**

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

**CSHB 1025 ON SECOND READING
(by Pitts)**

CSHB 1025, A bill to be entitled An Act relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority regarding appropriations.

Amendment No. 1

Representative Phillips offered the following amendment to **CSHB 1025**:

Floor Packet Page No. 2

Amend **CSHB 1025** by striking SECTION 2 (page 1, line 18 through page 2, line 1) and substituting the following:

SECTION 2. TEXAS DEPARTMENT OF TRANSPORTATION: ROAD REPAIRS IN ENERGY SECTORS. An amount of \$110,000,000 of unencumbered appropriations from the general revenue fund to the Texas Department of Transportation for use during the state fiscal biennium ending August 31, 2013, made by Chapter 1355 (**HB 1**), Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act), for Strategy G.1.1, General Obligation Bonds, is appropriated to the Texas Department of Transportation for the two-year period beginning on the effective date of this Act for the purposes for which amounts appropriated by that Act to the department for Strategy C.1.2, New Maintenance Contracts, may be used, including repairs to roadways and bridges for damage caused by over-size vehicles or overweight loads used in the development and production of energy or by above normal usage of roadways and bridges by vehicles used in the development and production of energy.

Amendment No. 2

Representatives Keffer and Phillips offered the following amendment to Amendment No. 1:

Amend Floor Amendment No. 1 by Phillips (page 2 of the prefiled amendments packet, line 18) after the period by adding the following:

Of the money appropriated to the Department of Transportation under this section, not less than 50 percent must be distributed to counties in oil and gas production regions for the purpose of maintaining and repairing roads affected by increased energy production activities.

Amendment No. 2 was adopted.

AMENDMENT NO. 1 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE GUTIERREZ: Representative Keffer, first off, I think you have a good amendment—I think this is actually a good amendment to the ultimate bill. We are experiencing, in Bexar County and south in Atascosa, with Eagle Ford Shale and I know some of the folks in North Texas have developed the same problem in their shale development that they have up there. Can we be assured that this money is going to be directed, by our comments perhaps today, that this will be directed to those particular counties that are affected by the Eagle Ford Shale and some of the other damages to those counties?

REPRESENTATIVE KEFFER: Well, that would certainly be the goal, but Chairman Phillips, if you'd—

REPRESENTATIVE PHILLIPS: Well, the language specifically discusses those caused by the oversized vehicles, which it calls them, used in the development and production of energy or by and above the normal usage of roadways for production of energy. So that's where it is—it's hard to start saying this county or this county because it's all over, and the focus of TxDOT is going to be initially

on safety. There are some roads that are so bad—so this is not going to be enough money to solve our problems. Guys, we have potentially a billion dollars right now that we need to start funding. This is to raise this awareness and to start the down payment, and I hope and pray that the appropriators, or us through this process, will take the right actions to invest in the infrastructure that's helping to pay for our infrastructure in the oil and gas industry. And, again, so ya'll know, if someone says, well what about the guys who are driving on those roads? We have—the senate has passed over, we're looking at—we've worked with the industry. They're going to be increasing the fees for their permits, so everybody's got to chip in so we can continue to have a successful economy.

GUTIERREZ: So, certainly these counties are in need of this money—and this is for Representative Phillips, since you took the mic—Larry, this is money that you found that was unexpended in bond money that had gone unexpended, correct?

PHILLIPS: That's correct.

GUTIERREZ: Thank you, I think this is a very good amendment.

KEFFER: Mr. Gutierrez, there is also, just so you know, so the body knows, there are—Senator Uresti—we are working on formulas and pathways for a mechanism for the counties and TxDOT to put this money where the focus needs to be, and that is on the energy-related issues, safety, whatever. So, again, I mean there are other things going in that direction also, so that it's not just out there in the twilight zone or oblivion.

GUTIERREZ: No, and certainly these counties that are directly affected—and I understand, you know, picking county A over county B is difficult to do.

REMARKS ORDERED PRINTED

Representative Gutierrez moved to print remarks between Representative Keffer and Representative Gutierrez and between Representative Phillips and Representative Gutierrez.

The motion prevailed.

Amendment No. 1, as amended, was adopted.

Amendment No. 3

Representative Phillips offered the following amendment to **CSHB 1025**:
Floor Packet Page No. 5

Amend **CSHB 1025** (house committee printing) as follows:

(1) In SECTION 20 of the bill (page 8, line 2), strike "\$161,065,711" and substitute "\$101,065,711".

(2) In SECTION 20 of the bill, (page 8, at the end of line 6), insert the following:

In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2013, the amount of \$60,000,000 is appropriated to general revenue account number 5064, Volunteer Fire Department Assistance, for the state fiscal year ending August 31, 2013, for the purpose of assisting volunteer fire departments. The total appropriation under this section is \$161,065,711.

Amendment No. 4

Representative Simpson offered the following amendment to Amendment No. 3:

Amend Floor Amendment No. 3 to **CSHB 1025** by Phillips (page 5, pre-filed amendments packet) as follows:

(1) On page 1, strike lines 3 and 4 and substitute "(1) on page 12, strike lines 5 through 15".

(2) On page 1, line 9, strike "\$60,000,000 is appropriated to" and substitute "\$10,000,000 is appropriated from".

LEAVE OF ABSENCE GRANTED

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

Hilderbran on motion of J. Davis.

CSHB 1025 - (consideration continued)

(Geren in the chair)

Representative Giddings moved to table Amendment No. 4.

The motion to table prevailed.

Amendment No. 3 was withdrawn.

Amendment No. 5

Representative Lavender offered the following amendment to **CSHB 1025**:
Floor Packet Page No. 6

Amend **CSHB 1025** (house committee printing) as follows:

(1) On page 10, line 4, strike "Bastrop and Cass Counties" and substitute "Bastrop, Cass, and Marion Counties".

(2) On page 10, strike lines 10-11 and substitute the following:
"reimbursements to responders for work related to the Bear Creek wildfires in Cass and Marion Counties."

Amendment No. 5 was adopted.

Amendment No. 6

Representative Farias offered the following amendment to **CSHB 1025**:
Floor Packet Page No. 8

Amend **CSHB 1025** as follows:

In SECTION 26 of the bill, strike the sentence beginning with "Money appropriated" on page 10, line 26 through "per WADA" on page 11, line 3, and replace it with the following:

"Money appropriated by this section shall be distributed by increasing the basic allotment for school year 2012-2013 to the maximum extent possible with the appropriated funds."

Amendment No. 7

Representatives Strama, Howard, Walle, Farias, Otto, Bohac, E. Rodriguez, and Pitts offered the following amendment to Amendment No. 6:

Amend Amendment No. 6 by Farias to **CSHB 1025** (prefiled amendment packet page 8) as follows:

(1) Add after "bill," on line 2 "replace '\$500,000,000' on page 10 line 19 with '\$460,000,000'."

(2) Strike beginning on line 2 with the word "strike" through the end of line 7 and insert a new appropriately numbered subsection that reads as follows:

"Insert a new section into **CSHB 1025** and renumber accordingly that reads as follows:

'SECTION _____. TEXAS EDUCATION AGENCY: Summer Programs for Students At Risk. \$40,000,000 is added for Strategy A.2.2, Achievement of Students At Risk, as listed in Chapter 1355 (**HB 1**), Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act), for the state fiscal year ending August 31, 2013, for the purpose of, during summer recess, providing within a single program learning opportunities to educationally disadvantaged students, mentorship and professional development opportunities for new teachers, and additional compensation to a district's best teachers to both teach educationally disadvantaged students and mentor new teachers. A rigorous evaluation shall be conducted by a third party for this program, and not more than 10 percent of the \$40,000,000 may be used for program administrative and evaluation costs.'"

Amendment No. 8

Representative Springer offered the following substitute amendment for Amendment No. 7:

Amend Floor Amendment No. 7 to **CSHB 1025**, as amended, by adding the following at the end of the language regarding Summer Programs for Students at Risk:

In allocating money for grants under the summer programs for students at risk, the Texas Education Agency must allocate money equally to provide 10 grants such that public schools, considered in categories described by student enrollment, compete for grants such that schools in the top 20 percent category by enrollment compete for two available grants, schools in the second 20 percent category by enrollment compete for two available grants, schools in the third 20 percent category by enrollment compete for two available grants, schools in the fourth 20 percent category by enrollment compete for two available grants, and schools in the bottom 20 percent category by enrollment compete for two available grants.

Amendment No. 8 was adopted. (The vote was reconsidered later today, and Amendment No. 8 was withdrawn.)

Amendment No. 8 - Vote Reconsidered

Representative Springer moved to reconsider the vote by which Amendment No. 8 was adopted.

The motion to reconsider prevailed.

Amendment No. 8 was withdrawn.

Amendment No. 9

Representative Springer offered the following substitute amendment for Amendment No. 7:

Amend Amendment No. 7 to **CSHB 1025** as follows:

(1) Add after "bill," on line 2 "replace '\$500,000,000' on page 10 line 19 with '\$460,000,000'."

(2) Strike beginning on line 2 with the word "strike" through the end of line 7 and insert a new appropriately numbered subsection that reads as follows:

"Insert a new section into **CSHB 1025** and renumber accordingly that reads as follows:

'SECTION _____. TEXAS EDUCATION AGENCY: Summer Programs for Students At Risk. \$40,000,000 is added for Strategy A.2.2, Achievement of Students At Risk, as listed in Chapter 1355 (**HB 1**), Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act), for the state fiscal year ending August 31, 2013, for the purpose of, during summer recess, providing within a single program learning opportunities to educationally disadvantaged students, mentorship and professional development opportunities for new teachers, and additional compensation to a district's best teachers to both teach educationally disadvantaged students and mentor new teachers. A rigorous evaluation shall be conducted by a third party for this program, and not more than 10 percent of the \$40,000,000 may be used for program administrative and evaluation costs.'" In allocating money for grants under the summer programs for students at risk, the Texas Education Agency must allocate money equally to provide 10 grants such that public schools, considered in categories described by student enrollment, compete for grants such that schools in the top 20 percent category by enrollment compete for two available grants, schools in the second 20 percent category by enrollment compete for two available grants, schools in the third 20 percent category by enrollment compete for two available grants, schools in the fourth 20 percent category by enrollment compete for two available grants, and schools in the bottom 20 percent category by enrollment compete for two available grants.

Amendment No. 9 was adopted.

Amendment No. 7, as substituted, was adopted.

LEAVE OF ABSENCE GRANTED

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

Workman on motion of Muñoz.

CSHB 1025 - (consideration continued)

(Kuempel in the chair)

Representative Aycock moved to table Amendment No. 6, as amended.

The motion to table prevailed.

Amendment No. 10

Representative Hughes offered the following amendment to **CSHB 1025**:
Floor Packet Page No. 10

Amend **CSHB 1025** (house committee printing) as follows:

(1) On page 12, line 19, strike "(estimated to be \$7,495,137)" and substitute "(estimated to be \$5,495,137)".

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

SECTION _____. JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT: DISTRICT ATTORNEY SAFETY. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2013, the amount of \$2,000,000 is appropriated out of the general revenue fund to the Judiciary Section, Comptroller's Department, for the two-year period beginning on the effective date of this Act for the purpose of providing a one-time payment of an amount not to exceed \$7,500 to each district attorney in this state to be used for the purchase of security-related devices and for other security-related expenses of the district attorney and the district attorney's family.

Amendment No. 11

Representative Hughes offered the following amendment to Amendment No. 10:

Amend Amendment No. 10 by Hughes to **CSHB 1025** (page 10, prefiled amendments packet) as follows:

(1) On page 1, line 9, strike "DISTRICT ATTORNEY" and substitute "STATE PROSECUTOR".

(2) On page 1, lines 15-16, strike "district attorney in this state" and substitute "state prosecutor, as defined by Section 46.001, Government Code, in this state".

(3) On page 1, lines 17-18, strike "district attorney and the district attorney's" and substitute "state prosecutor and the state prosecutor's".

Amendment No. 11 was adopted.

Amendment No. 10, as amended, was withdrawn.

Amendment No. 12

Representative Kacal offered the following amendment to **CSHB 1025**:
Floor Packet Page No. 11

Amend **CSHB 1025** as follows:

(1) Insert in the appropriate place, TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: DISASTER RECOVERY FOR WEST, TEXAS:

Out of funds appropriated to the Trusteed Programs within the Office of the Governor for the state fiscal biennium ending August 31, 2013 in Strategy A.1.2, Disaster Funds, the Trusteed Programs within the Office of the Governor shall prioritize \$2,000,000 out of General Revenue Funds for disaster recovery efforts in West, Texas.

Amendment No. 13

Representative Eiland offered the following amendment to Amendment No. 12:

Amend Floor Amendment No. 12 by Kacal to **CSHB 1025** (prefiled amendment packet, page 11) by adding an appropriately numbered item to the amendment as follows:

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

SECTION _____. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: PAYMENT TO FEMA. Out of available funds appropriated to the Trusteed Programs within the Office of the Governor by Chapter 1355 (**HB 1**), Acts of the 82nd Legislature, Regular Session, 2011, or another Act of that legislature, for the state fiscal biennium ending August 31, 2013, the amount of \$9,125,566.31 is allocated for payment of the de-obligated amount owed by Chambers County to the Federal Emergency Management Agency (FEMA).

Amendment No. 13 was withdrawn.

Amendment No. 12 was adopted.

Amendment No. 14

On behalf of Representative Alonzo, Representative Pitts offered the following amendment to **CSHB 1025**:

Floor Packet Page No. 13

Amend **CSHB 1025** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the remaining SECTIONS of the bill accordingly:

SECTION _____. UNIVERSITY OF HOUSTON: TEXAS OPTOMETRY CAREER OPPORTUNITIES PROGRAM. Out of the unspent and unencumbered balance of general revenue fund appropriations made to the University of Houston for the state fiscal biennium ending August 31, 2013, the University of Houston may allocate and use any donations, gifts, or endowments received by the University of Houston, for the establishment and operation of the Texas Optometry Career Opportunities Program.

Amendment No. 15

On behalf of Representative Alonzo, Representative Pitts offered the following amendment to Amendment No. 14:

Amend Amendment No. 14 by Alonzo to **CSHB 1025** on page 1, lines 8 through 9, by striking "an amount of available general revenue, in addition to" and substituting "and use".

Amendment No. 15 was adopted.

Amendment No. 14, as amended, was adopted.

Amendment No. 16

Representative Alonzo offered the following amendment to **CSHB 1025**:
Floor Packet Page No. 20

Amend **CSHB 1025** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. TEXAS HIGHER EDUCATION COORDINATING BOARD: FINANCIAL INCENTIVES TO STUDENTS WHO AGREE TO TEACH BILINGUAL EDUCATION, ENGLISH AS A SECOND LANGUAGE, OR SPANISH IN PUBLIC SCHOOLS. From general revenue appropriated to the Texas Higher Education Coordinating Board for the state fiscal year ending August 31, 2013, the amount of \$1 million shall be used by the board to provide financial incentives to upper division students at institutions of higher education who agree to teach bilingual education, English as a second language, or Spanish in public schools in this state that have a shortage of teachers in those fields.

Amendment No. 16 was withdrawn.

Amendment No. 17

Representative Cortez offered the following amendment to **CSHB 1025**:
Floor Packet Page No. 23

Amend **CSHB 1025** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. HEALTH AND HUMAN SERVICES COMMISSION: REIMBURSEMENT OF AMBULANCE SERVICE PROVIDERS UNDER MEDICAID PROGRAM. Out of the unencumbered appropriations from the general revenue fund to the Health and Human Services Commission for use during the state fiscal biennium ending August 31, 2013, made by Chapter 1355 (**HB 1**), Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act), for Goal B, Medicaid, the Health and Human Services Commission shall use the amount necessary, but not to exceed \$8,904,983, to pay Medicaid program claims for Medicare deductibles and coinsurance for ambulance services provided to individuals who are dually eligible under both the Medicare and Medicaid programs as required under Section 32.050(c), Human Resources Code.

Amendment No. 18

Representative Cortez offered the following amendment to Amendment No. 17:

Amend Floor Amendment No. 17 by Cortez to **CSHB 1025** as follows:

On page 1, line 10, strike "Goal B, Medicaid" and replace with "Goal A, HHS ENTERPRISE OVERSIGHT & POLICY".

Amendment No. 18 was adopted.

Amendment No. 17, as amended, was adopted. (Fletcher recorded voting no.)

Amendment No. 19

Representative Creighton offered the following amendment to **CSHB 1025**:
Floor Packet Page No. 26

Amend **CSHB 1025** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. REPORT REGARDING FEDERAL FUNDING OF STATE AGENCIES. It is the intent of the legislature that not later than November 20, 2013, for the state fiscal year ending August 31, 2013, and November 20, 2014, for the state fiscal year ending August 31, 2014, a state agency receiving appropriations under this Act or Chapter 1355 (**HB 1**), Acts of the 82nd Legislature, Regular Session, 2011 (the General Appropriations Act), shall submit a report explaining the amount of federal funding the agency uses to fund agency operations to the governor, the comptroller of public accounts, the Legislative Reference Library, the state auditor, and the Legislative Budget Board.

Amendment No. 19 was adopted.

(Farney now present)

CSHB 1025, as amended, was passed to engrossment by (Record 354): 129 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Fallon; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford;

Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stickland; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zerwas.

Nays — Flynn; Goldman; Isaac; Klick; Krause; Schaefer; Stephenson; Taylor; Zedler.

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

Absent, Excused — Burnam; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Elkins.

STATEMENTS OF VOTE

I was shown voting no on Record No. 354. I intended to vote yes.

Flynn

I was shown voting yes on Record No. 354. I intended to vote no.

Sanford

I was shown voting no on Record No. 354. I intended to vote yes.

Stephenson

I was shown voting yes on Record No. 354. I intended to vote no.

E. S. Turner

CONSTITUTIONAL AMENDMENTS CALENDAR HOUSE JOINT RESOLUTIONS SECOND READING

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

HJR 87 ON SECOND READING (by Muñoz)

HJR 87, A joint resolution proposing a constitutional amendment authorizing a home-rule municipality to provide in its charter the procedure to fill a vacancy on its governing body for which the unexpired term is 24 months or less.

Amendment No. 1

On behalf of Representative Fallon, Representative Sheets offered the following amendment to **HJR 87**:

Amend **HJR 87** (house committee printing) on page 1, line 20, by striking "24" and substituting "12".

Amendment No. 1 was adopted.

HJR 87, as amended, was adopted by (Record 355): 129 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, D.; Burkett; 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; Farrar; Fletcher; Flynn; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zedler; Zerwas.

Nays — Branch; Klick.

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

Absent, Excused — Burnam; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Alonzo; Bell; Bonnen, G.; Coleman; Frank; Miller, R.; Reynolds; Turner, E.S.

STATEMENTS OF VOTE

When Record No. 355 was taken, I was in the house but away from my desk. I would have voted yes.

Bell

When Record No. 355 was taken, I was in the house but away from my desk. I would have voted yes.

G. Bonnen

When Record No. 355 was taken, I was temporarily out of the house chamber. I would have voted yes.

R. Miller

When Record No. 355 was taken, I was in the house but away from my desk. I would have voted no.

E. S. Turner

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

HB 654 ON SECOND READING
(by Cortez, Alvarado, and Naishtat)

HB 654, A bill to be entitled An Act relating to the ability of a tenant representative to serve as a commissioner of a local housing authority.

HB 654 was passed to engrossment.

(Speaker in the chair)

CSHB 897 ON SECOND READING
(by Zerwas, Geren, Isaac, et al.)

CSHB 897, A bill to be entitled An Act relating to instruction in cardiopulmonary resuscitation and the use of automated external defibrillators in secondary education curriculum.

CSHB 897 - REMARKS

REPRESENTATIVE KUEMPEL: Mr. Zerwas, thank you for presenting this bill. I just wanted everybody to think about how important CPR is to me. It's still hard, but we share a personal experience where CPR—you giving the CPR to my father saved his life. Is that correct?

REPRESENTATIVE ZERWAS: That's correct, Representative Kuempel, and your dad has left a tremendous legacy here. I can vividly remember that night, standing right over there, and Charlie Geren coming up very quickly saying, "Come on, Zerwas, we've got a problem down here"—not in those words, so much—with a true sense of urgency that something bad is going on, we need to go take care of it, and finding your father down by the elevator there truly in a total cardiac arrest situation. And, very quickly—along with the DPS officers that were there, which I'm very grateful for because they were incredibly helpful in managing those initial 15 to 20 minutes of resuscitation that we performed on your dad—defibrillated him eight times before EMS ever arrived. And we kept working, and kept working, and kept working, and just didn't stop, didn't give up. And, truly, I will have to say, even though I'm a physician, these skills are not physicians' skills, I just happened to be in an area where that's something that we found ourselves doing fairly often. But truly, the effort is around, as it's been defined now, just strictly providing cardiac compressions, keeping the blood circulating around, and waiting for the EMS to arrive with the appropriate drugs and equipment and stuff to do the more aggressive interventions. But as a consequence of that effort, along with the officers, and the defibrillating equipment, and then the subsequent extraordinary treatment that was rendered to him down the street here—put him in a hypothermic coma for two days, which is really one of the secrets to success of these resuscitations. He survived, and a lot of us were there when they brought him slowly out of that hypothermic coma to check his cognitive function and everything else, and he came around and we said, "Okay, Representative Kuempel, is two plus two four?" And he said, "No, it's three." Okay, you're right back where you started.

KUEMPEL: That's exactly right.

ZERWAS: But, his humor was all back. His recall was back to a significant degree—

KUEMPEL: It came back. Then, bottom line—CPR—if this bill passes, if this bill saves one life, it's well worth it. Thank you.

ZERWAS: Thank you, and your dad was a great man, and we're very glad that you're here to continue that great legacy in service.

REMARKS ORDERED PRINTED

Representative Murphy moved to print remarks between Representative Zerwas and Representative Kuempel.

The motion prevailed.

Amendment No. 1

Representative Dukes offered the following amendment to **CSHB 897**:

Amend **CSHB 897** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. This Act may be cited as the Edmund Kuempel Act.

Amendment No. 1 was adopted.

LEAVE OF ABSENCE GRANTED

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

Carter on motion of J. Davis.

CSHB 897 - (consideration continued)

CSHB 897, as amended, was passed to engrossment. (Simpson and Springer recorded voting no.)

CSHB 916 ON SECOND READING

(by Orr and Murphy)

CSHB 916, A bill to be entitled An Act relating to the amount of a chargeback for unemployment compensation benefits paid to a person who is partially unemployed.

CSHB 916 was passed to engrossment.

CSHB 2058 ON SECOND READING

(by Allen)

CSHB 2058, A bill to be entitled An Act relating to the administration of a high school equivalency examination.

CSHB 2058 was passed to engrossment.

HB 2439 ON SECOND READING
(by Parker, Carter, et al.)

HB 2439, A bill to be entitled An Act relating to the review of certain contracts by the state auditor.

Representative Creighton moved to postpone consideration of **HB 2439** until 12 p.m. Monday, April 29.

The motion prevailed.

CSSB 1286 ON SECOND READING
(Hunter - House Sponsor)

CSSB 1286, A bill to be entitled An Act relating to the regulation of professional employer services; authorizing fees.

CSSB 1286 was considered in lieu of **HB 2763**.

CSSB 1286 was passed to third reading. (Schaefer and E. S. Turner recorded voting no.)

HB 2763 - LAID ON THE TABLE SUBJECT TO CALL

Representative Hunter moved to lay **HB 2763** on the table subject to call.

The motion prevailed.

HB 3068 ON SECOND READING
(by Menéndez)

HB 3068, A bill to be entitled An Act relating to debit card surcharge.

Amendment No. 1

Representative Menéndez offered the following amendment to **HB 3068**:

Amend **HB 3068** (house committee report) as follows:

(1) On page 1, lines 4 and 5, strike "Chapter 59, Subtitle A, Title 3, Finance Code, is amended by adding SUBCHAPTER E. PROHIBITION OF SURCHARGE" and substitute "Chapter 59, Finance Code, is amended by adding Subchapter E".

(2) On page 1, between lines 6 and 7, insert the following:

SUBCHAPTER E. PROHIBITION OF SURCHARGE

(3) On page 1, line 7, strike "section" and substitute "subchapter".

(4) On page 1, lines 16 and 18, strike "Business and Commerce Code" and substitute "Business & Commerce Code".

(5) On page 1, line 19, strike "Sec. 59.002" and substitute "Sec. 59.402".

(6) On page 1, line 22, between "credit card" and "or a similar means," insert "₂".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Taylor offered the following amendment to **HB 3068**:

Amend **HB 3068** (house committee printing) as follows:

(1) On page 1, between lines 12 and 13, add the following:

(3) "Goods" means tangible, readily portable items offered for sale.

(2) On page 1, line 13, strike "(3)" and substitute "(4)".

(3) On page 1, between lines 14 and 15, add the following:

(5) "Services" means work, labor, or service that is purchased, including services furnished in connection with the sale or repair of goods or with the rental of goods.

(4) On page 1, line 15, strike "(4)" and substitute "(6)".

Amendment No. 2 was adopted.

HB 3068, as amended, was passed to engrossment. (Schaefer and Simpson recorded voting no.)

HB 3309 ON SECOND READING
(by Crownover)

HB 3309, A bill to be entitled An Act relating to the composition and use of money in the oil and gas regulation and cleanup fund.

HB 3309 was passed to engrossment. (Schaefer recorded voting no.)

CSHB 1394 ON SECOND READING
(by S. King)

CSHB 1394, A bill to be entitled An Act relating to the sunset review of certain powers and duties performed by the Department of State Health Services.

CSHB 1394 was passed to engrossment.

CSHB 1790 ON SECOND READING
(by Longoria, S. Thompson, and Burnam)

CSHB 1790, A bill to be entitled An Act relating to certain procedures for defendants who successfully complete a period of state jail felony community supervision.

Representative Crownover moved to postpone consideration of **CSHB 1790** until 9 a.m. Monday, April 29.

The motion prevailed.

SB 360 ON SECOND READING
(Lucio, Branch, Harless, Bohac, Márquez, et al. - House Sponsors)

SB 360, A bill to be entitled An Act relating to methods used by an animal shelter to euthanize a dog or cat.

SB 360 was considered in lieu of **HB 858**.

SB 360 was passed to third reading.

HB 858 - LAID ON THE TABLE SUBJECT TO CALL

Representative Harless moved to lay **HB 858** on the table subject to call.

The motion prevailed.

CSHB 2311 ON SECOND READING
(by Kacal, Ashby, Geren, Guerra, White, et al.)

CSHB 2311, A bill to be entitled An Act relating to an animal identification program.

CSHB 2311 - REMARKS

REPRESENTATIVE KACAL: Mr. Speaker, members, **CSHB 2311** relates to the state animal disease traceability. Animal disease traceability is a critical aspect of the agriculture industry to protect not only the state agricultural product, but also the public health of our citizens. Inter- and intra- state animal ID plans have been recently developed and implemented at the state and federal levels for the purpose of establishing a means to enable livestock and poultry federal animal officials to more rapidly and effectively address animal health emergencies.

First let me speak to what **HB 2311** does. The bill deletes the statutory reference the USDA's NAIS system program, which no longer exists, and instead substitutes more applicable language. **HB 2311** sets the limit that the state animal ID plan program cannot be more stringent than any federal animal ID program. The bill also clarifies the rules adopted by the Texas Animal Health Commission that require the use of official ID are for the purpose of animal disease control or animal emergency management only. In the event of an emergency disease, the Texas Animal Health Commission may require flexibility, we've allowed them to exceed the limits only in the case of a specific disease control and only after meeting a two-thirds vote.

REPRESENTATIVE KOLKHORST: We have been through a lot of processes on animal ID, and I want to clarify that this bill is not a vehicle for animal ID or that when we go home, something is not interpreted wrong. So, if you would very plainly tell us that this does not require our small producers to have RFID tags in all of their cattle or other type of flock?

KACAL: We can certainly clarify that. This is for animal disease and traceability only. This limits, or puts a ceiling on the Animal Commission so that they can only implement an ID program if it's in the case of an emergency management for a particular disease outbreak—a specific disease.

KOLKHORST: Okay, and Mr. Kacal, has this been an agreed-to bill, and specifically—I know you were maybe saying who worked on this—but to make sure that this is an agreed-to bill, again, for our smaller producers in our districts?

KACAL: Yes, let's make sure we understand the average-sized cow herd in the State of Texas runs between 30 and 40 head. We are including all small producers. The groups include Texas Cattle Raisers, Texas Cattle Feeders, the Livestock Market Association, the Texas Farm Bureau, the Texas Association of Dairymen, the Texas Pork Producers, the Independent Cattlemen—specifically small—and the Texas Sheep and Goat Raisers, the Texas Poultry Federation, and the Texas Animal Health Commission, as well as the TVMA.

KOLKHORST: Okay, and Mr. Kacal, my family and I, we're small producers. We fall right in there. We have about 30 or 40 head of cattle, and the last time I told you the history of a bill that passed on this floor, and then we all went home, and we really had to work through some major issues. And so, this is a positive step in the right direction?

KACAL: Absolutely. This clarifies and cleans up the statute.

REPRESENTATIVE BELL: Does your bill require, again, the identification of chickens that will remain entirely in Texas?

KACAL: Absolutely not.

BELL: Okay, what about pigs, goats, or sheep owned by local farmers?

KACAL: Absolutely not.

BELL: And so, if I raise an animal for slaughter on my own property that's not going to be transported over state lines, would the bill require their identification?

KACAL: Absolutely not. That animal belongs to you and you as your private property.

BELL: And my grandpa's chickens, if they have eggs, will your bill require their identification by leg band?

KACAL: Absolutely not.

BELL: You've got lots of support for your bill?

KACAL: Yes, we do.

REPRESENTATIVE PHILLIPS: I really want to know the real truth about this. Does this bill give more authority to the Animal Health Commission than it currently has today?

KACAL: No, it does not. In case of an emergency management or a disease outbreak, only by a two-thirds rule of the Animal Health Commission can they implement any sort of ID program. That's for the public's safety and health.

PHILLIPS: We had that with certain types of animals in the El Paso area a couple of years ago that we had the Newcastle's disease problem there. And we don't want to transfer over to the rest of the state, and that worked. My concern is, I want to make sure that there's no requirement that if I have constituents that have one or two horses, that they're going to have to register their horses today—I mean, if this bill passes—then they don't have to do it today.

KACAL: There is nothing here affecting the equine industry. The equine industry has their own standards that exceeds this and it's not affected in this legislation at all.

PHILLIPS: Okay. So let's get down to the nitty-gritty. What does this bill do that we need to vote for it if it doesn't change anything that's there today? And I'm being serious, because we've had a lot of concerns about this bill.

KACAL: This is an animal disease and traceability bill. It clarifies current law, fixes the legislation, and enables us to continue to protect the proteins that our livestock industry of Texas provide for the people—the citizens of Texas.

PHILLIPS: All right, okay, but I just want to make sure, what is it? What is it in the bill that does that, so we can have it on the record, so that if the Animal Health Commission starts doing something else then we can say, that's not what this bill is supposed to do. Because I'm concerned about the overgrowth of the Animal Health Commission. After we passed, everybody voted, unfortunately, for Mr. Hardcastle's bill—who I love to death—that gave them, basically, carte blanche authority to start regulating and ID-ing everybody. I want to make sure that we're not doing that.

KACAL: Let's make sure that we understand—one, it does get rid of the premise ID part and all the NAIS issues that we had in the past that were problematic.

PHILLIPS: Could you say that again—the first part? It's kind of hard to hear.

KACAL: It gets rid of the USDA premise and NAIS programs that were the problem we had in the other legislative session.

PHILLIPS: So this removes that?

KACAL: Correct.

PHILLIPS: And it says that they have the authority to go out there and make sure that if we have a bad disease problem with a certain flock or type of herd—whatever—in a certain part of Texas—

KACAL: For the protection of public health.

REMARKS ORDERED PRINTED

Representative Phillips moved to print all remarks on **CSHB 2311**.

The motion prevailed.

Amendment No. 1

Representative Hughes offered the following amendment to **CSHB 2311**:

Amend **CSHB 2311** (house committee report) as follows:

(1) On page 1, line 7, strike "disease-infected animals or animals that" and substitute "disease-infected cattle [~~animals~~] or cattle [~~animals~~] that".

(2) On page 1, lines 8-9, strike "implement an animal identification program" and substitute "implement a cattle [~~an animal~~] identification program".

(3) On page 1, lines 15-17, strike "as part of the animal identification program under Subsection (a) for animal disease control or [5] animal emergency management" and substitute "as part of the cattle [~~animal~~] identification program under Subsection (a) for cattle [~~animal~~] disease control or cattle [~~animal~~] emergency management".

(4) On page 1, line 20, strike "an animal identification program" and substitute "a cattle identification program".

(5) On page 1, line 22, strike "animal disease or for animal emergency management" and substitute "cattle disease or for cattle emergency management".

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

SECTION _____. The heading to Section 161.056, Agriculture Code, is amended to read as follows:

Sec. 161.056. CATTLE [~~ANIMAL~~] IDENTIFICATION PROGRAM.

AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE HUGHES: Members, consistent with some of the discussion that we were just hearing, many of us who were here in 2005—I suspect everyone here in 2005 will recall we passed a bill, **HB 1361**, with only one no vote, and that bill did not require animal ID or premise ID. What did the bill say? The bill said, in Section A, "the commission may develop and implement an animal ID program," Section B, "the commission may," Section C, "the commission may," Section D, "the commission may," and three or four more times it said the commission may develop an animal ID program consistent with the federal program. All but one of us voted for that; again, at the time, thinking we knew what we were doing. And of course then the feds rolled out their system that we were tagged to, and we all know what happened. We all know the phone calls we got, the visits we got, right? Mr. Phillips was talking about horses, we all heard from horse people, from poultry people.

And by and large, let's just talk about small producers in general, not the big industrial guys—we're thankful for the industry and the work they do—we also, that's right, we're thinking about grandma's chicken, what about individuals, 4-H rabbit projects, thank you, Mr. Phillips. And so, for that reason, at the time we had a blank check, and we came to regret it. Now, I have tremendous respect for Mr. Kacal, and I know how to pronounce his name, too, and he's worked hard on this, a lot of good folks have. But let me just say, we've heard that there are groups supporting the bill before you today—how many of us remember those same groups, those same groups told us back in '05, "Oh this is fine, there's nothing to it, don't worry about it." Now, I don't question their good faith, but they were wrong then, and so, let's make sure—I hope they're right now, let's make sure they're right now. There may be some other things we can talk about, but clearly, before 2005, we were told the Animal Health Commission cannot do animal ID unless we give them the authority, so we gave them the authority in that bill that we regret passing. Now, that bill is tied to the federal NAIS, and that system thankfully is gone, it's caput, defunct, it's out of here, praise the Lord, we're glad it's gone. So now, we're coming back, and this bill, the bill before us, says the commission may adopt rules to implement an animal ID program that's no more stringent than a federal animal disease traceability or other program. Then it says the commission may adopt rules, so this gives them very similar authority to what we gave them back in 2005, they can do what the feds say. And this bill goes further; this bill says that with a two-thirds vote of the commission, they can do more than the feds require. That's what the bill says, it's pretty plain, and so many of us have concerns about the bill.

However, the amendment I'm offering does not gut the bill, does not limit anything—here's what it does. Mr. Phillips, you asked about horses, how many of us heard from our horse people? I did too, and the author said nothing in this

bill affects the equine industry, and I agree with him. Here's what my amendment does. My amendment says let's make this bill apply only to cattle. Because as it is, it is going to apply to cattle, bison, sheep, goats, pigs, horses, and poultry. Let's make it apply only to cattle. Cattle is clearly defined, we know what it means. This simple amendment makes it only apply to cattle. That's all I'm asking for. Mr. Phillips, thank you—what about disease? The commission already has authority on 161.041 of the Agriculture Code. And it says that they can act to eradicate or control any disease or agent of transmission for any disease that affects livestock, exotic livestock, and it goes on. They have that authority now to pass rules concerning testing, movement, inspection, and treatment. They have authority for disease control. Let's don't write them another blank check.

REPRESENTATIVE WHITE: Just a point of clarification, Bryan. Now the author of this bill tells us that his legislation purports to put more boundaries, more strictures around the Animal Health Commission, exactly what they can do, because apparently what his narrative is is that without this bill, the Animal Health Commission can do an animal ID program for disease control. So, for clarification, Bryan, with your amendment, if you only restrict it to cattle, which your amendment does, will you open up the other species to this open-ended Animal Health Commission regulatory practice?

HUGHES: That's a good question. I trust the author. I disagree with the interpretation of this bill. I will remind others, we were told in 2005 the same thing. And that was a sincere intent at the time—we learned otherwise after the fact. So, clearly, we already have in 161.041 authority for disease control. If we're for limited government, if we're for private property, if we're for mom and pop producers, and property rights, I would respectfully submit that this amendment narrows the bill without gutting the bill.

REPRESENTATIVE ANDERSON: What we're concerned about here, if we limit it to cattle only, if you have disease in any other species, equine or goats or sheep, or what have you. We want to have the ability, don't you agree, to follow those animals if they become diseased? Do you agree that this legislation, as introduced here, is only in a disease scenario? So it's for disease traceability. It's not blanket ID.

HUGHES: Actually, it is blanket, Doc. It says in Section A, "the commission may develop and implement an animal ID program no more stringent than the federal animal ID traceability program." Then in Section D, it says if there is a specific disease outbreak, then by a two-thirds vote, they can go beyond even what the feds are doing, but that's only to go above the federal requirement. The way it is now, to trace animals, they can do a program today—once this bill passes.

ANDERSON: Do you agree that this a lot better scenario than what was proposed previously, which was the NAIS, which was the federal government identifying every animal from birth to slaughter and identifying every premises where those animals were, and identifying where feed and hay and all we

transfer, but that was all involved in the previous animal ID. Do you understand that this has nothing to do with that? This has to do with disease traceability when there is a disease process.

HUGHES: I will say that in 2005, we specifically said we can do the federal NAIS. Here, we're writing the feds a blank check. Whatever the feds decide to do, once we're gone and our authority to control this goes away, whatever they want to do, the Animal Health Commission can go up to that level, and with a two-thirds vote, they can go beyond what even the feds. Now, regardless of who's in Washington, most of us around here don't trust the feds and federal agencies to handle these things when we're not here.

ANDERSON: Are you aware that the federal law trumps state law?

HUGHES: Federal law trumps state law to a degree, but I don't think we ought to roll over any more than we have to. We do have the Tenth Amendment, and we do have the commerce clause that protects transactions here in Texas.

ANDERSON: It's my understanding, and correct me if I'm wrong, that your amendment doesn't change any of that, it just limits it to bovines. It doesn't change any of what you're taking about, it just limits this to cattle.

HUGHES: That's my point—this is actually a pretty narrow amendment. The folks behind the bill are cattle groups, which we respect, we like those guys, and so let them have this for cattle, but don't mess with other species.

KACAL: This amendment is unacceptable to the author. The point of this is for disease control, animal disease traceability. We cannot bracket it to cattle. If we have a disease outbreak in any of our livestock market—let's reiterate, behind oil and gas, agriculture is the number two largest industry in the State of Texas—and the protection of our food for the people of Texas is important, and that's why we cannot bracket it to a single, specific livestock group.

REPRESENTATIVE HARLESS: There was some talk earlier that it might create more burden for small producers. Is that your intent?

KACAL: Absolutely not. I don't believe it will at all.

HARLESS: Okay, what about—I know we had a question back here. This isn't the legislation we saw last session, where there would be IDs or bands on chickens, right?

KACAL: This clarifies the old statute by taking out all the premise ID and USDA NAIS system that no longer exists. So we just need to clarify and clean up the statute, which this bill has done in accordance with all the livestock groups, including dairy, poultry, and swine, which exceed all these regulations at the present time.

HARLESS: So you're asking to table the Hughes amendment?

KACAL: Yes, ma'am.

HUGHES: This is a very helpful discussion for us. A lot can be said about the author's intent, but let me just say under oath, I have no question about the author's intent. I trust him, I like him, and he's a great guy, and he knows this

industry well. I've got to say—I ask you this—folks that we here in 2005, remember what happened on a very, very similar bill. At least in 2005, there was a specific federal statute that we were referring to. Now, we're writing a blank check to whatever standard the feds may dream up after we leave, all right? Now that's what the language of the bill does. It isn't about what Mr. Kacal is trying to do, we don't question that at all, and I trust him. But we're not going to be here, none of us will be here in session once this bill takes effect. And once the feds, and even state agency folks start to implement the bill—so for that reason, I think it's very important that we narrow the impact of this bill. The folks we've heard from who are in favor of this bill are the cattle people.

REPRESENTATIVE CALLEGARI: Bryan, can you help explain to us, if your amendment doesn't pass, what effect does it have to what I would call the casual animal raiser, whether they have horses or sheep or goats or whatever?

HUGHES: Thank you for that question about small producers. Amendments have been discussed that will exempt small producers, but none of those amendments are here. So, without this amendment, anybody who's got horses, one horse, two horses, chickens, goats, everyone is subject to whatever the feds decide to do. And whether our Animal Health Commission does the same thing, and with a two-thirds vote, they can do more than that. So, Mr. Callegari, right now there are no protections for those small producers other than the good faith of bureaucrats in Washington and the folks in Austin when we're not here. I trust the author, but I confess I don't trust the people that will be involved once we leave.

CALLEGARI: So the bill that you refer to earlier, that we were concerned about that would require registration by everybody who has acreage—not in a subdivision—would be pretty onerous, wouldn't it?

HUGHES: It would be terribly onerous, Mr. Callegari, you're correct. And that's, some of the folks we heard from—it would be terribly onerous, and we can narrow this quite a bit, if we'll accept this amendment to make it cattle only.

CALLEGARI: Do you have any idea what it would cost to register these animals?

HUGHES: The cost to register those animals and those permits, there's no way to even know where we could begin. How many of us are small producers? How many of us here have small tracts of land with a few head of cattle? How many of us might be affected by this? So we are trying to narrow the bill. It would be an enormous cost, there's no telling what it would be. The last time you had to pay to register your premises? Mr. Phillips reminds me that last time, after we left, the commission made folks pay to have their property rights taken away. That's what happened last time. So if we're for property rights, if we're for small producers, for mom and pops, I would respectfully ask you to vote no on the motion to table.

Representative Kacal moved to table Amendment No. 1.

The motion to table prevailed.

ANDERSON: Members, this bill is much improved on what was offered in the past, in previous sessions. The Animal Health Commission must, under conditions of disease only, have the ability to track other species—not just bovine—and to identify those animals and go forward. The cost is minimal. They'll accept any kind of tag—backtags from auction, or minimal tags, or brands. And so, it's not a register your animal or tag your animal from birth to slaughter, or anything of that nature. It's to help control disease. It's minimal cost.

PHILLIPS: Now I'm concerned. You are talking about we're going to have to tag and register all our animals now.

ANDERSON: No, that's not the case.

PHILLIPS: What are you talking about? Because you just changed something different than what Mr. Kacal said.

ANDERSON: No, it's not to register or tag all your animals. Under a disease scenario, if the herd, or a group, or a flock is identified as having disease, you have to be able to identify that herd through the treatment process. It does not include any other animal or species—cattle, horses, goats, sheep. It doesn't require premises ID. It does not require animal ID. Only if there's a disease—a disease traceability—that's when they have to be identified. And they can use tags—which is super important in the exemptions of slaughter, where they can use the tags at the auction barns purchased off that animal to go to slaughter.

PHILLIPS: And, how much, what are the fees that the Animal Health Commission, because they have to do their budget for fees they assess because apparently we don't appropriate significant enough money for them. So how much money does it cost if I've got a herd and they've decided—they think—or let's back up. What if they say horses in this part of Texas, if there is a possibility of disease, so they're going to say, all the horses in Denton, Cook, Greyson—those counties right up there. We got a lot of horses and other things up there. What if they decide horses up there, there's a concern of disease outbreak? So every horse in those communities are going to have to be registered?

ANDERSON: No, you would have the animal that was diseased or the animals that have been exposed—you have the veterinarian profession involved here and the Animal Health Commission to identify those animals—so you don't have an animal with tuberculosis or what have you, that's being sold or moved throughout the state spreading the disease. I'm all for property rights and personal rights—believe me—but we do have to have control when there is a disease process evolving. We have to be able to identify that.

PHILLIPS: Well, it says right here—this is what concerns me about the bill—it says, "The commission may by two-thirds vote adopt rules for an animal health identification program more stringent than a program allowed by Subsection (a) for the control of specific animal disease or for animal emergency management." So that seems like we're opening the back door to everything, so they could require every horse—is that not right—they could require every horse in one county to be tagged?

REPRESENTATIVE SIMPSON: Does the bill allow for a more stringent than federal program?

KACAL: No, it does not. This is only in the case of emergency management, and animal disease—specific diseases—to protect the public.

SIMPSON: So, what does that mean? Can they make it more stringent than the federal program, if they believe that's the case?

KACAL: I do not interpret it that way, no, sir.

SIMPSON: Well, it says here on page 1, line 19, the following: "The commission may by two-thirds vote adopt rules to provide for an animal identification program more stringent than a program allowed by Subsection (a)."

KACAL: Representative Simpson, if we have an outbreak of disease in this state, and to protect the second largest industry—agriculture—to protect and feed our people, they do have the authority to shut that area down.

SIMPSON: I think, right now, they can do those sorts of things, but they don't need the tags to do it.

KACAL: It has nothing to do with tags. They are going to quarantine that area.

REMARKS ORDERED PRINTED

Representative Burkett moved to print the personal privilege address by Representative P. King.

The motion prevailed.

CSHB 2311 - (consideration continued)

CSHB 2311 was passed to engrossment. (Bohac, Capriglione, S. Davis, Flynn, Hughes, Kleinschmidt, E. Rodriguez, Schaefer, Simpson, and Zedler recorded voting no.)

CONSTITUTIONAL RULE SUSPENDED

Representative Creighton moved to suspend the constitutional rule requiring bills to be read on three several days and to place **HB 1025**, **HB 654**, **HB 897**, **HB 916**, **HB 2058**, **HB 3068**, **HB 3309**, **HB 1394**, **HB 2311**, **SB 1286**, **SB 360**, and **HB 1819** on their third reading and final passage.

The motion prevailed by (Record 356): 122 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Howard; Huberty; Hughes; Hunter; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Lavender; Lewis; Longoria; Lozano; 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; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Stephenson; Stickland; Strama; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Wu; Zedler; Zerwas.

Nays — Isaac; Krause; Leach; Sanford; Simpson; Springer; Taylor; Thompson, E.; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Anderson; Coleman; Farias; Herrero; Johnson; Phillips; Thompson, S.; Turner, E.S.

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

HB 1025 ON THIRD READING

(by Pitts)

HB 1025, A bill to be entitled An Act relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority regarding appropriations.

HB 1025 was passed by (Record 357): 128 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Springer; Stephenson; Stickland; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zerwas.

Nays — Goldman; Isaac; Klick; Krause; Sanford; Schaefer; Simpson; Taylor; Turner, E.S.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Johnson.

The speaker stated that **HB 1025** was passed subject to the provisions of Article III, Section 49a of the Texas Constitution.

STATEMENT OF VOTE

I was shown voting yes on Record No. 357. I intended to vote no.

Toth

HB 654 ON THIRD READING (by Cortez, Alvarado, and Naishtat)

HB 654, A bill to be entitled An Act relating to the ability of a tenant representative to serve as a commissioner of a local housing authority.

HB 654 was passed by (Record 358): 134 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Alonzo; Isaac; Johnson; Perry; White.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 358. I intended to vote no.

Flynn

When Record No. 358 was taken, I was in the house but away from my desk. I would have voted yes.

Isaac

HB 897 ON THIRD READING
(by Zerwas, Geren, Isaac, et al.)

HB 897, A bill to be entitled An Act relating to instruction in cardiopulmonary resuscitation and the use of automated external defibrillators in secondary education curriculum.

HB 897 was passed by (Record 359): 128 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; Wu; Zedler.

Nays — Capriglione; Fallon; Harper-Brown; Simpson; Springer; Stickland; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Johnson; Krause; Reynolds; Zerwas.

STATEMENT OF VOTE

I was shown voting yes on Record No. 359. I intended to vote no.

Frank

HB 916 ON THIRD READING
(by Orr and Murphy)

HB 916, A bill to be entitled An Act relating to the amount of a chargeback for unemployment compensation benefits paid to a person who is partially unemployed.

HB 916 was passed by (Record 360): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Johnson.

HB 2058 ON THIRD READING

(by Allen)

HB 2058, A bill to be entitled An Act relating to the administration of a high school equivalency examination.

HB 2058 was passed by (Record 361): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.;

Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Johnson.

HB 3068 ON THIRD READING
(by Menéndez)

HB 3068, A bill to be entitled An Act relating to debit card surcharge.

HB 3068 was passed by (Record 362): 126 Yeas, 12 Nays, 1 Present, not voting.

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

Nays — Burkett; Flynn; Frank; Frullo; Krause; Perry; Raney; Schaefer; Simpson; Stickland; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Johnson.

STATEMENT OF VOTE

I was shown voting no on Record No. 362. I intended to vote yes.

Flynn

HB 3309 ON THIRD READING
(by **Crownover**)

HB 3309, A bill to be entitled An Act relating to the composition and use of money in the oil and gas regulation and cleanup fund.

HB 3309 was passed by (Record 363): 135 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zedler; Zerwas.

Nays — Schaefer.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Hughes; Johnson; Stephenson.

HB 1394 ON THIRD READING
(by **S. King**)

HB 1394, A bill to be entitled An Act relating to the sunset review of certain powers and duties performed by the Department of State Health Services.

HB 1394 was passed by (Record 364): 135 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick;

Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zedler; Zerwas.

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

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — González, M.; Hunter; Johnson.

STATEMENT OF VOTE

When Record No. 364 was taken, my vote failed to register. I would have voted yes.

M. González

HB 2311 ON THIRD READING

(by Kacal, Ashby, Geren, Guerra, White, et al.)

HB 2311, A bill to be entitled An Act relating to an animal identification program.

HB 2311 was passed by (Record 365): 102 Yeas, 32 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Branch; Canales; Clardy; Collier; Cook; Cortez; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Farney; Fletcher; Frank; Frullo; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Guerra; Gutierrez; Harless; Hernandez Luna; Herrero; Huberty; Hunter; Kacal; Keffer; King, K.; King, P.; King, T.; Kolkhorst; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Márquez; Martínez; Martínez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Simmons; Smith; Springer; Stephenson; Strama; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zerwas.

Nays — Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Creighton; Davis, S.; Fallon; Farrar; Flynn; Goldman; Gooden; Harper-Brown; Howard; Hughes; Isaac; King, S.; Kleinschmidt; Klick; Krause; Naishtat; Nevárez; Perez; Phillips; Sanford; Schaefer; Simpson; Stickland; Taylor; Thompson, E.; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Coleman; Johnson; Menéndez; Morrison; Sheffield, R.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 365. I intended to vote no.

Bohac

When Record No. 365 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

I was shown voting yes on Record No. 365. I intended to vote no.

Parker

When Record No. 365 was taken, I was in the house but away from my desk. I would have voted yes.

R. Sheffield

SB 1286 ON THIRD READING (Hunter - House Sponsor)

SB 1286, A bill to be entitled An Act relating to the regulation of professional employer services; authorizing fees.

SB 1286 was passed by (Record 366): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Johnson.

STATEMENT OF VOTE

I was shown voting yes on Record No. 366. I intended to vote no.

E. S. Turner

SB 360 ON THIRD READING

(Lucio, Branch, Harless, Bohac, Márquez, et al. - House Sponsors)

SB 360, A bill to be entitled An Act relating to methods used by an animal shelter to euthanize a dog or cat.

SB 360 was passed by (Record 367): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; 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; Pickett; Pitts; Price; Raney; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Fallon; Johnson; Phillips; Ratliff.

HB 1819 ON THIRD READING

(by Kacal)

HB 1819, A bill to be entitled An Act relating to liability for injuring a trespassing sheep or goat.

HB 1819 was passed by (Record 368): 131 Yeas, 2 Nays, 1 Present, not voting.

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

Nays — King, S.; Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Burnam; Carter; Dutton; Guillen; Hilderbran; Laubenberg; Lucio; Riddle; Smithee; Workman.

Absent — Branch; Johnson; Larson; Menéndez; Parker; Sheffield, R.

STATEMENT OF VOTE

I was shown voting no on Record No. 368. I intended to vote yes.

S. King

COMMITTEE GRANTED PERMISSION TO MEET

Representative S. King requested permission for the Committee on Public Health to meet while the house is in session, during bill referral today, in 3W.15, to consider **HB 947** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Health, during bill referral today, 3W.15, for a formal meeting, to consider **HB 947** and pending business.

BILLS RECOMMITTED

Representative Harper-Brown moved to recommit **HB 87**, **HB 595**, and **HB 2336** to the Committee on Government Efficiency and Reform.

The motion prevailed.

PROVIDING FOR ADJOURNMENT

At 3:57 p.m., Representative J. Davis moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 2 p.m. Monday, April 29 in memory of Steven Kwek of Clear Lake.

The motion prevailed.

**RESOLUTIONS REFERRED TO COMMITTEES
CORRECTIONS IN REFERRAL**

Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Phillips in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 4:05 p.m., adjourned until 2 p.m. Monday, April 29.

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

HCR 113 (By Vo), Authorizing the State Preservation Board to approve and permit the construction of a monument on the Capitol grounds recognizing Vietnamese Americans for their contributions to this state and nation.

To Culture, Recreation, and Tourism.

HR 1677 (By Harless), Congratulating the Pearl Fincher Museum of Fine Arts in Spring on having surpassed the 100,000 visitor milestone.

To Rules and Resolutions.

HR 1678 (By Harless), Congratulating Ron Hickman, Harris County Precinct 4 constable, on his selection as the National Constable of the Year by the National Constables and Marshals Association.

To Rules and Resolutions.

HR 1679 (By White), Honoring the Hardin County Crime Victims' Assistance Center for its service to the community.

To Rules and Resolutions.

HR 1680 (By Hilderbran), Honoring the Texas Lions Camp in Kerrville on the occasion of its 60th anniversary.

To Rules and Resolutions.

HR 1681 (By Hughes), Congratulating Royce and Joyce Johnson of Winstboro on their 65th wedding anniversary.

To Rules and Resolutions.

HR 1682 (By Hughes), Congratulating Larry and Diane Huston on their selection as Man and Woman of the Year by the Hawkins Area Chamber of Commerce.

To Rules and Resolutions.

HR 1683 (By R. Sheffield), Honoring the Fraternal Alliance of Texas on the occasion of Join Hands Day, May 1, 2013.

To Rules and Resolutions.

HR 1685 (By Giddings), Honoring Dr. John Ellis Price on his retirement as president of the University of North Texas at Dallas.

To Rules and Resolutions.

HR 1687 (By Howard), Commemorating the 20th anniversary of the Young Women's Alliance in Austin.

To Rules and Resolutions.

HR 1688 (By Springer), Congratulating Ariannah Kemp of Gainesville High School on being named to the Texas Girls Coaches Association 3A All-State Basketball Team.

To Rules and Resolutions.

HR 1689 (By Springer), Congratulating the City of Gainesville for earning a 2013 Gold Award from the Texas Comptroller Leadership Circle program in recognition of the city's online financial transparency.

To Rules and Resolutions.

HR 1690 (By Springer), Congratulating Kay Hickey on being named the 2013 Citizen of the Year by the Muenster Jaycees.

To Rules and Resolutions.

HR 1691 (By Wu), Honoring Stephen Holloway for his service as a legislative intern for Representative Gene Wu.

To Rules and Resolutions.

HR 1692 (By Fallon), Congratulating the Little Elm Eagles and the Little Elm Red Raiders on winning Texas Amateur Athletic Federation basketball state championships.

To Rules and Resolutions.

HR 1693 (By Rose), In memory of Annie Ruth Brooks of Dallas.

To Rules and Resolutions.

HR 1694 (By Isaac), Congratulating Carl and Janice Garner of Dripping Springs on their 50th wedding anniversary.

To Rules and Resolutions.

HR 1695 (By Isaac), In memory of Scott Curtis Dickey of Dripping Springs.
To Rules and Resolutions.

HR 1696 (By Carter), Congratulating Dr. Bobby B. Lyle on his receipt of the Human Relations Award from the American Jewish Committee of Dallas.
To Rules and Resolutions.

HR 1697 (By Morrison), Recognizing the third class of Governor William P. Clements, Jr., Scholars.
To Rules and Resolutions.

HR 1698 (By Morrison), Congratulating Lexey Long for being named a Duchess in the visiting court of the Coronation of the Queen during Fiesta San Antonio.
To Rules and Resolutions.

HR 1699 (By Howard), Recognizing May 1, 2013, as the National Day to Prevent Teen Pregnancy.
To Rules and Resolutions.

HR 1700 (By Hughes), Congratulating Melanie Robertson on being named the 2013 Educator of the Year by the Pittsburg-Camp County Chamber of Commerce.
To Rules and Resolutions.

HR 1701 (By Murphy), Honoring Jim McSpadden for serving as precinct chair of Precinct 727 in Harris County.
To Rules and Resolutions.

HR 1702 (By Murphy), Honoring Helen F. Bledsoe for serving as precinct chair of Precinct 626 in Harris County.
To Rules and Resolutions.

HR 1703 (By Murphy), Honoring John E. Peterson for serving as precinct chair of Precinct 625 in Harris County.
To Rules and Resolutions.

HR 1704 (By Murphy), Honoring Kathaleen Wall for serving as precinct chair of Precinct 620 in Harris County.
To Rules and Resolutions.

HR 1705 (By Murphy), Honoring Michael Jay Morrison for serving as precinct chair of Precinct 559 in Harris County.
To Rules and Resolutions.

HR 1706 (By Murphy), Honoring Sam Mai for serving as precinct chair of Precinct 508 in Harris County.
To Rules and Resolutions.

HR 1707 (By Murphy), Honoring S. H. "Shelly" Hillman for serving as precinct chair of Precinct 504 in Harris County.
To Rules and Resolutions.

HR 1708 (By Murphy), Honoring Marti Brownfield for serving as precinct chair of Precinct 493 in Harris County.

To Rules and Resolutions.

HR 1709 (By Murphy), Honoring Stuart Mayper for serving as precinct chair of Precinct 492 in Harris County.

To Rules and Resolutions.

HR 1710 (By Murphy), Honoring Chris Perkins for serving as precinct chair of Precinct 487 in Harris County.

To Rules and Resolutions.

HR 1711 (By Murphy), Honoring Mary K. Maxwell for serving as precinct chair of Precinct 483 in Harris County.

To Rules and Resolutions.

HR 1712 (By Murphy), Honoring Craig Hagedorn for serving as precinct chair of Precinct 438 in Harris County.

To Rules and Resolutions.

HR 1713 (By Murphy), Honoring Roman Klein for serving as precinct chair of Precinct 437 in Harris County.

To Rules and Resolutions.

HR 1714 (By Murphy), Honoring Warren Hayes Stevens for serving as precinct chair of Precinct 429 in Harris County.

To Rules and Resolutions.

HR 1715 (By Murphy), Honoring David Dettling for serving as precinct chair of Precinct 395 in Harris County.

To Rules and Resolutions.

HR 1716 (By Murphy), Honoring Larry Pound for serving as precinct chair of Precinct 356 in Harris County.

To Rules and Resolutions.

HR 1717 (By Murphy), Honoring Bob Blackmer for serving as precinct chair of Precinct 338 in Harris County.

To Rules and Resolutions.

HR 1718 (By Murphy), Honoring Steve Dorman for serving as precinct chair of Precinct 130 in Harris County.

To Rules and Resolutions.

HR 1719 (By Anderson), Commemorating the dedication of a Blue Star Memorial Highway Marker in McGregor.

To Rules and Resolutions.

HR 1720 (By Anderson), In memory of U.S. Army Captain Andrew Michael Pedersen-Keel.

To Rules and Resolutions.

HR 1721 (By Anderson), Congratulating Terri Schmidt on her receipt of the President's Club Bronze Award from Jazzercise.

To Rules and Resolutions.

HR 1722 (By Anderson), Congratulating the members of the McGregor High School boys' basketball team who received honors for their performances during the 2012-2013 season.

To Rules and Resolutions.

HR 1723 (By Anderson), Congratulating Dustin George of Lorena High School on becoming a finalist for a National Merit Scholarship.

To Rules and Resolutions.

HR 1724 (By Anderson), Commending Midway High School seniors Sarah Goodnight, Lauren McLean, Jose Gonzalez, and Carlos Leal for their exceptional performances on the Preliminary SAT/National Merit Scholarship Qualifying Test.

To Rules and Resolutions.

HR 1725 (By Anderson), Congratulating the cast and crew of Lorena Middle School's Miss Electricity on winning the 2013 UIL District 17-3A Junior High One-Act Play competition.

To Rules and Resolutions.

HR 1726 (By Anderson), Congratulating Dr. Carol A. Lowe of McLennan Community College on taking office as president of the Texas Community College Teachers Association.

To Rules and Resolutions.

HR 1727 (By Anderson), Congratulating Kayleigh Ripley of McGregor High School on being named to the Waco Tribune-Herald 2013 Super Centex Girls' Basketball Team.

To Rules and Resolutions.

HR 1728 (By Anderson), Congratulating Sydney Taylor of Lorena on being named the 2013 Waco Cotton Palace Queen.

To Rules and Resolutions.

HR 1729 (By Anderson), Congratulating Crawford High School basketball players Ann-Marie Dunlap, Jordyn Villa, and Ellen Whitney on earning awards for their performances during the 2012-2013 season.

To Rules and Resolutions.

HR 1730 (By Anderson), Congratulating elementary school students Anna Corey and Brigitte Eichenberg of the Waco Independent School District on winning honorable mention awards in the 2012-2013 National PTA Reflections program.

To Rules and Resolutions.

HR 1731 (By C. Turner), Honoring Dallas Vietnamese Radio on its 10th anniversary.

To Rules and Resolutions.

HR 1732 (By C. Turner), Congratulating Crossway Apartments on its receipt of the 2012 Business Partnership Award from the Arlington Police Department.

To Rules and Resolutions.

HR 1733 (By Bohac), In memory of Edward T. McCormick of Houston.
To Rules and Resolutions.

HR 1734 (By Bohac), In memory of Vickie Mobley of Houston.
To Rules and Resolutions.

HR 1735 (By Bohac), In memory of Julia DeKay Welling of Houston.
To Rules and Resolutions.

HR 1736 (By Bohac), In memory of Richard Gilbert "Bert" Cagle of Rosanky.

To Rules and Resolutions.

HR 1737 (By Bohac), In memory of Virginia Breazeale Hill of Houston.
To Rules and Resolutions.

HR 1738 (By Bohac), In memory of Gervais William Straker, Sr., of Houston.

To Rules and Resolutions.

HR 1739 (By Bohac), In memory of Joyce Marie Evans of Houston.
To Rules and Resolutions.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

SB 1708 to Homeland Security and Public Safety.

SIGNED BY THE SPEAKER

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

House List No. 20

HB 174, HB 701, HB 2035, HCR 43

MESSAGES FROM THE SENATE

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

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Friday, April 26, 2013 - 1

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 522 Estes
Relating to contested cases conducted under the Administrative Procedure Act.

SB 1158 Van de Putte
Relating to higher education for veterans and their families.

SB 1176 Deuell
Relating to the regulation of medical waste.

SB 1200 Van de Putte
Relating to the Texas Military Preparedness Commission and strategic planning regarding military bases and defense installations.

SB 1678 Deuell
Relating to the events and expenses eligible for, reporting requirements concerning disbursements from, an audit by the state auditor of, and a study by the comptroller of the Major Events trust fund and the Events trust fund.

SB 1864 Hegar
Relating to the creation of Fulshear Parkway Improvement District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 25

Agriculture and Livestock - **HB 1306, HB 2153, HB 2434, HB 2995, SB 174, SB 412, SB 1041**

Appropriations - **HB 7, HB 3664, HB 3666**

Business and Industry - **SB 1286**

Criminal Jurisprudence - **HB 912, HB 1302, HB 1562, HB 2595, HB 3334**

Culture, Recreation, and Tourism - **HB 1179, SB 201, SB 615, SB 777, SB 820, SB 1546**

Defense and Veterans' Affairs - **SB 10**

Economic and Small Business Development - **HB 800, HB 842, HB 953, HB 1499, HB 1925, HB 2201, HB 3005, HB 3028, HB 3162, HB 3714, SB 1537**

Higher Education - **HB 82, HB 1409, HB 2753, HB 2765**

Homeland Security and Public Safety - **HB 104**

Human Services - **HB 948, HB 1453, HB 1634, HB 1829**

Insurance - **HB 837, HB 1032, HB 1833, HB 2162, HB 2360, HB 2645, HB 3105, HB 3227, HB 3276, HB 3460, SB 365**

Investments and Financial Services - **HB 2879, SB 297, SB 804, SB 1008, SB 1248**

Judiciary and Civil Jurisprudence - **HB 2319, HB 2912**

Licensing and Administrative Procedures - **SB 518, SB 639**

Natural Resources - **HB 1307, HB 2146, HB 2362, HB 3137, HB 3511, HB 3903, SB 595, SB 1212, SB 1241, SB 1299**

Public Health - **HB 205**

Special Purpose Districts - **HB 3614**

State Affairs - **HB 2816, SB 349, SB 885, SB 981, SB 987**

Transportation - **HB 2742, HB 3125, HB 3482, HB 3483, HB 3668**

Urban Affairs - **HB 1235, HB 1329, HB 1888, HB 2174, HB 2175, HB 2244, HB 2617, HB 2840, HB 3813**

Ways and Means - **HB 1223**

ENGROSSED

April 25 - HB 166, HB 334, HB 722, HB 798, HB 870, HB 950, HB 1023, HB 1090, HB 1188, HB 1193, HB 1204, HB 1330, HB 1395, HB 1503, HB 1534, HB 1553, HB 1554, HB 1605, HB 1607, HB 1675, HB 1690, HB 1728, HB 1777, HB 1807, HB 1917, HB 1920, HB 1952, HB 1953, HB 2103, HB 2252, HB 2263, HB 2394, HB 2460, HB 2536, HB 2623, HB 2684, HB 2725, HB 2760, HB 2892, HB 2911, HB 2984, HB 3172, HB 3253, HB 3314, HB 3332, HB 3337, HB 3378, HB 3407, HB 3434, HB 3559, HB 3561, HB 3889, HB 3900

ENROLLED

April 25 - HB 174, HB 701, HB 2035, HCR 43