

# HOUSE JOURNAL

---

---

EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

---

---

## PROCEEDINGS

---

SEVENTY-FIFTH DAY (CONTINUED) — MONDAY, MAY 20, 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 934).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; 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.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Turner, E.S.

Absent — Cortez.

The speaker recognized Representative Howard who introduced Larry Coulter, senior pastor, Shepherd of the Hills Presbyterian Church, Austin, who offered the invocation as follows:

Almighty God, in whom we live and move and have our very being. We thank you for the common graces we all share in this state we love so much, for we know they are from you. We thank you for rugged mountains in the west and for the vast skies of the Panhandle that paint so glorious a sunset it takes our breath away. We thank you for the misty mornings in the Big Thicket and the cries of the seagulls along the seemingly endless coastline. We thank you for the tall pine trees in East Texas forests and live oaks that stand in spring wildflowers on lonely hills in Central Texas. We thank you for North Texas farmland and

South Texas ranches. We thank you for the bustling major cities and the small quiet towns, but mostly we thank you for the diverse people that share this wonderful state that we call home.

And now we pray for these men and women who serve us in the Texas House. As this session nears the end, keep them focused on the task at hand: providing for the welfare of all Texans. Take away the anxiety of the fast moving legislative process that marks these last days of May so that they may see with clarity and act decisively on the bills before them. Help them to set aside any partisan politics that gets in the way of doing what they know to be right. Cause their actions today to always keep in mind those whom they serve, and may they have the courage to make the hard choices that leadership often demands.

We pray also for each house member's family. We thank you for the sacrifice that they have had to make during this session, enduring long hours away from the ones they love. Now, Lord, we ask your blessing upon this day of work. May it be marked not only by wisdom, common deliberation, and justice, but also by faith and hope in you, the Eternal God. In Jesus' name, we pray. Amen.

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

#### **LEAVE OF ABSENCE GRANTED**

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

E. S. Turner on motion of Bell.

#### **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 final adjournment.

#### **CAPITOL PHYSICIAN**

The speaker recognized Representative C. Turner who presented Dr. Rick Edwards and Dr. Barbara Estment of Fort Worth as the "Doctors for the Day."

The house welcomed Drs. Edwards and Estment and thanked them for their participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Kacal 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).

#### **HR 2116 - PREVIOUSLY ADOPTED (by Anderson, et al.)**

The chair laid out the following previously adopted resolution:

**HR 2116**, Commemorating the 50th anniversary of the Texas Longhorn Breeders Association of America in 2014.

On motion of Representative P. King, the names of all the members of the house were added to **HR 2116** as signers thereof.

### **INTRODUCTION OF GUESTS**

The chair recognized Representative Anderson who introduced representatives of the Texas Longhorn Breeders Association of America.

### **HR 2364 - PREVIOUSLY ADOPTED (by Raymond)**

The chair laid out the following previously adopted resolution:

**HR 2364**, Commending Baltasar Cavazos Chena for his work in fostering economic partnerships between the U.S. and Mexico.

On motion of Representative Raymond, the names of all the members of the house were added to **HR 2364** as signers thereof.

### **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. 35 and Senate List No. 30).

### **HR 1933 - PREVIOUSLY ADOPTED (by D. Miller)**

The chair laid out the following previously adopted resolution:

**HR 1933**, In memory of Charles Henry "Tart" Mund of New Braunfels.

On motion of Representative Button, the names of all the members of the house were added to **HR 1933** as signers thereof.

### **CSSB 59 - VOTE RECONSIDERED**

Representative S. Thompson moved to reconsider the vote by which **CSSB 59**, as amended, was passed to third reading on Friday, May 17.

The motion to reconsider prevailed.

### **CSSB 59 ON SECOND READING (Callegari - House Sponsor)**

The chair laid before the house, on its second reading and passage to third reading,

**CSSB 59**, A bill to be entitled An Act relating to required reports and other documents prepared by state agencies and institutions of higher education.

**CSSB 59** was read second time on Friday, May 17 and was passed to third reading, as amended.

### **Amendment No. 1 - Vote Reconsidered**

Representative S. Thompson moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

**CSSB 59**, as amended, was passed to third reading.

**SB 59 ON THIRD READING**  
**(Callegari - House Sponsor)**  
**CONSTITUTIONAL RULE SUSPENDED**

On motion of Representative S. Thompson and by unanimous consent, the constitutional rule requiring bills to be read on three several days was suspended, and **SB 59** was placed on its third reading and final passage.

**SB 59**, A bill to be entitled An Act relating to required reports and other documents prepared by state agencies and institutions of higher education.

**SB 59** was read third time and was passed by (Record 935): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; 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; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Turner, E.S.

Absent — Cortez.

**STATEMENT OF VOTE**

When Record No. 935 was taken, my vote failed to register. I would have voted yes.

Cortez

(Speaker pro tempore in the chair)

**LOCAL, CONSENT, AND RESOLUTIONS CALENDAR  
SECOND READING**

The following bills were laid before the house, read second time, and passed to third reading (members registering votes are shown following the caption), and the following resolutions were laid before the house on committee report:

**SB 31** (Patrick - House Sponsor), A bill to be entitled An Act relating to formula funding for certain semester credit hours earned for dual course credit.

**SB 62** (Laubenberg - House Sponsor), A bill to be entitled An Act relating to the vaccination against bacterial meningitis of entering students at public and private or independent institutions of higher education. (Sanford recorded voting no.) (Simpson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 66** (Laubenberg - House Sponsor), A bill to be entitled An Act relating to the child fatality review team committee.

**Amendment No. 1**

On behalf of Representative Dukes, Representative Laubenberg offered the following amendment to **SB 66**:

Amend **SB 66** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION \_\_\_\_\_. (a) The Protect Our Kids Commission is composed of six members appointed by the governor, one of whom shall be designated as presiding officer, three members appointed by the lieutenant governor, three members appointed by the speaker of the house of representatives, one member with experience in behavioral health and substance abuse appointed by the commissioner of the Department of State Health Services, one member who represents the Department of Family and Protective Services appointed by the commissioner of the department, and one member who represents the Office of Title V and Family Health of the Department of State Health Services appointed by the office director.

(b) Each member appointed to the commission must have experience relating to the study of the relationship between child protective services and child welfare services and child abuse and neglect fatalities.

(c) In making appointments to the commission, each appointing authority shall make every effort to select individuals whose expertise is not already represented by other members of the commission and who reflect the geographical, cultural, racial, and ethnic diversity of the state.

(d) Members of the commission serve without compensation and are not entitled to reimbursement for expenses.

(e) The commission shall study the relationship between child protective services and child welfare services and the rate of child abuse and neglect fatalities.

(f) The commission shall:

(1) identify promising practices and evidence-based strategies to address and reduce fatalities from child abuse and neglect;

(2) develop recommendations and identify resources necessary to reduce fatalities from child abuse and neglect for implementation by state and local agencies and private sector and nonprofit organizations, including recommendations to implement a comprehensive statewide strategy for reducing those fatalities; and

(3) develop guidelines for the types of information that should be tracked to improve interventions to prevent fatalities from child abuse and neglect.

(g) The commission may accept gifts and grants of money, property, and services from any source to be used to conduct a function of the commission.

(h) Not later than December 1, 2015, the commission shall submit to the governor, lieutenant governor, and speaker of the house of representatives a report containing:

(1) the commission's findings and a complete explanation of each of the commission's recommendations;

(2) proposed legislation necessary to implement the recommendations made in the report; and

(3) any administrative recommendations proposed by the commission.

(i) The commission is not subject to Chapter 2110, Government Code.

(j) The Protect Our Kids Commission is abolished and this section expires December 31, 2015.

Amendment No. 1 was adopted.

**SB 127** (S. King - House Sponsor), A bill to be entitled An Act relating to the creation of certain funding formulas and policies and to certain public health evaluations by the Department of State Health Services.

**SB 263** was deferred until the end of today's local, consent, and resolutions calendar.

**SB 264** was deferred until the end of today's local, consent, and resolutions calendar.

**CSSB 281** (Frank - House Sponsor), A bill to be entitled An Act relating to the administration and powers of the Red River Authority of Texas.

**SB 389** (Lewis - House Sponsor), A bill to be entitled An Act relating to the imposition of court costs in certain criminal proceedings.

**SB 391** (Herrero - House Sponsor), A bill to be entitled An Act relating to a defendant's obligation to pay a fine or court cost after the expiration of a period of community supervision.

**CSSB 393** (Lewis and S. Thompson - House Sponsors), A bill to be entitled An Act relating to the criminal procedures related to children who commit certain Class C misdemeanors. (Creighton, Kolkhorst, and Simmons recorded voting no.) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**Amendment No. 1**

Representative Lewis offered the following amendment to **CSSB 393**:

Amend **CSSB 393** (house committee report) as follows:

- (1) On page 9, line 8, strike "shall" and substitute "may".
- (2) On page 9, line 9, strike "must" and substitute "the school district may require to".
- (3) On page 9, line 12, strike "(5), or (6)" and substitute "or (5)".
- (4) On page 9, line 14, strike "must" and substitute "may".
- (5) On page 10, line 7, between "37.144" and the comma, insert ", or if the school district has not elected to adopt a system of graduated sanctions under that section".

Amendment No. 1 was adopted.

**SB 464** (Flynn - House Sponsor), A bill to be entitled An Act relating to the dismissal of complaints against property tax professionals.

**SB 474** (Villarreal - House Sponsor), A bill to be entitled An Act relating to financing statements and other records under the secured transactions law.

**CSSB 511** (Workman - House Sponsor), A bill to be entitled An Act relating to the commitment of certain juveniles to local post-adjudication secure correctional facilities in certain counties and to the release under supervision of those juveniles. (Simmons recorded voting no.)

**SB 533** (Keffer - House Sponsor), A bill to be entitled An Act relating to a review of cost savings to state agencies and institutions of higher education under energy savings performance contracts.

**SB 545** (Harper-Brown - House Sponsor), A bill to be entitled An Act relating to the peace officers authorized to operate an authorized emergency service vehicle used to conduct a police escort.

**SB 551** (Nevárez - House Sponsor), A bill to be entitled An Act relating to the use of municipal hotel occupancy tax revenue to enhance and upgrade sports facilities in certain municipalities. (Anderson, Creighton, Flynn, Huberty, Kolkhorst, Krause, Schaefer, Stickland, and Zedler recorded voting no.) (Carter and Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 553** (Johnson - House Sponsor), A bill to be entitled An Act relating to certain high school students serving as early voting clerks in an election.

**SB 564** (Murphy - House Sponsor), A bill to be entitled An Act relating to the creation of the Harris County Municipal Utility District No. 536; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 605** (Zerwas - House Sponsor), A bill to be entitled An Act relating to the creation of the Fort Bend County Improvement District No. 24; providing authority to impose an assessment, impose a tax, and issue bonds. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 606** (Fletcher - House Sponsor), A bill to be entitled An Act relating to the powers and duties of the Harris County Municipal Utility District No. 457; providing authority to impose a tax and issue bonds. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 608** (Bell - House Sponsor), A bill to be entitled An Act relating to the creation of the Harris-Waller Counties Municipal Utility District No. 3; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 609** (Bell - House Sponsor), A bill to be entitled An Act relating to the creation of the Waller County Municipal Utility District No. 17; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 623** (Toth - House Sponsor), A bill to be entitled An Act relating to the creation of the Montgomery County Municipal Utility District No. 138; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 658** (Smith - House Sponsor), A bill to be entitled An Act relating to the imposition and collection of a penalty for fraudulently obtaining unemployment compensation benefits.

**SB 677** (Leach - House Sponsor), A bill to be entitled An Act relating to the electronic recording of proceedings in a statutory probate court in Collin County.

**SB 691** (Lavender - House Sponsor), A bill to be entitled An Act relating to the intercollegiate athletics fee at Texas A&M University–Texarkana; authorizing a fee. (Creighton, Huberty, Kolkhorst, Sanford, Schaefer, and Stickland recorded voting no.) (Carter and Simpson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 701** (Herrero - House Sponsor), A bill to be entitled An Act relating to a defense to prosecution for criminal trespass.

**CSSB 709** (Allen - House Sponsor), A bill to be entitled An Act relating to representation of a person in a special education impartial due process hearing. (The vote was reconsidered later today, and **CSSB 709** was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.)

**CSSB 745** (Otto - House Sponsor), A bill to be entitled An Act relating to sexual assault prevention and crisis services and to the administration of the Crime Victims' Compensation Act.

**SB 778** (Clardy - House Sponsor), A bill to be entitled An Act relating to trusts.

**Amendment No. 1**

Representative Clardy offered the following amendment to **SB 778**:

Amend **SB 778** (house committee printing), on page 2, by striking line 6 and substituting the following:

insurance premium, provided that:

(A) the person conducting the insurance transaction is appropriately licensed if required by applicable licensing and regulatory requirements administered by a functional regulatory agency of this state; and

(B) the insurance product and premium

Amendment No. 1 was adopted.

**SB 816** (Huberty - House Sponsor), A bill to be entitled An Act relating to the date by which a school district must complete a report of an initial evaluation of a student for special education services.

**SB 817** (Johnson - House Sponsor), A bill to be entitled An Act relating to certain requirements for political parties holding conventions and for officers of certain of those parties.

**CSSB 831** (Coleman, Márquez, Rose, Burkett, and J. Davis - House Sponsors), A bill to be entitled An Act relating to a list of mental health, substance abuse, and suicide prevention programs that may be selected for implementation by public schools.

**CSSB 839** (Morrison - House Sponsor), A bill to be entitled An Act relating to the provision of insurance coverage for certain portable electronic devices. (Huberty and Schaefer recorded voting no.)

**CSSB 841** (Smithee - House Sponsor), A bill to be entitled An Act relating to certain authorized investments under the Insurance Code.

**SB 856** (Márquez - House Sponsor), A bill to be entitled An Act relating to the administration and management of elections and public information of the El Paso County Water Improvement District No. 1.

**SB 863** (E. Thompson and Allen - House Sponsors), A bill to be entitled An Act relating to the creation of Pearland Municipal Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 877** (Guillen and Flynn - House Sponsors), A bill to be entitled An Act relating to establishing the Citizens' Star of Texas Award.

**SB 904** (Morrison - House Sponsor), A bill to be entitled An Act relating to the adoption of certain voting procedures and the modification of certain election deadlines, including those necessary to implement the federal Military and Overseas Voter Empowerment Act.

**SB 913** (Naishtat - House Sponsor), A bill to be entitled An Act relating to the reexamination of an applicant for a professional counselor license. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**CSSB 918** (Keffer - House Sponsor), A bill to be entitled An Act relating to the sale by the Brazos River Authority and regulation of certain real property in the immediate vicinity of Possum Kingdom Lake.

**SB 958** (Keffer - House Sponsor), A bill to be entitled An Act relating to the liability of certain special-purpose districts or authorities providing water to a purchaser for the generation of electricity. (Anderson, Flynn, and Zedler recorded voting no.)

#### **SB 976 - HOUSE SPONSOR AUTHORIZED**

On motion of Representative Branch, Representative Rose was authorized as a house sponsor to **SB 976**.

**SB 976** (Branch and Rose - House Sponsors), A bill to be entitled An Act relating to the temporary approval of an institution to participate in the tuition equalization grant program. (Huberty, Schaefer, Simmons, and Taylor recorded voting no.)

(Cortez now present)

**CSSB 1031** (Callegari - House Sponsor), A bill to be entitled An Act relating to the Harris-Galveston Subsidence District; providing authority to impose a fee. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1063** (Kolkhorst - House Sponsor), A bill to be entitled An Act relating to the inclusion of natural gas as a public facility for a public facility corporation.

**SB 1065** (Zerwas - House Sponsor), A bill to be entitled An Act relating to the creation of the Fort Bend County Municipal Utility District No. 209; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1066** (Zerwas - House Sponsor), A bill to be entitled An Act relating to the creation of the Fort Bend County Municipal Utility District No. 210; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1068** (Zerwas - House Sponsor), A bill to be entitled An Act relating to the creation of the Fort Bend County Municipal Utility District No. 212; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1069** (Zerwas - House Sponsor), A bill to be entitled An Act relating to the creation of the Fort Bend County Municipal Utility District No. 213; granting a limited power of eminent domain; providing authority to impose a tax and issue bonds. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**CSSB 1086** (Isaac - House Sponsor), A bill to be entitled An Act relating to the regulation of certain water and sewage utilities to ensure public safety in and around certain municipalities. (Simpson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1192** (S. Thompson - House Sponsor), A bill to be entitled An Act relating to the rights of certain victims of sexual assault.

**Amendment No. 1**

Representative S. Thompson offered the following amendment to **SB 1192**:

Amend **SB 1192** (house committee printing) as follows:

(1) On page 5, line 25, between "investigation" and "of", insert "or prosecution".

(2) On page 6, line 16, between "investigation" and "of", insert "or prosecution".

Amendment No. 1 was adopted.

**SB 1224** (G. Bonnen - House Sponsor), A bill to be entitled An Act relating to the use by a property owner of a common or contract carrier to send a payment, report, application, statement, or other document or paper to a taxing unit or taxing official.

**SB 1241** (D. Miller - House Sponsor), A bill to be entitled An Act relating to the Edwards Aquifer Authority's regulation of wells with limited production capabilities.

**SB 1282** (Price - House Sponsor), A bill to be entitled An Act relating to deadlines for proposals for adoption by certain districts or authorities of desired future conditions of relevant aquifers.

**SB 1299** (Callegari - House Sponsor), A bill to be entitled An Act relating to powers of the West Harris County Regional Water Authority relating to certain wells.

**SB 1376** (Paddie - House Sponsor), A bill to be entitled An Act relating to specialty license plates issued to retired members of the United States armed forces.

**Amendment No. 1**

Representative Paddie offered the following amendment to **SB 1376**:

Amend **SB 1376** (house committee printing) on page 1 by striking lines 11 through 12 and substituting the following:

(c) A letter from any branch of the military under the jurisdiction of the United States Department of Defense or the United States Department of Homeland Security

Amendment No. 1 was adopted.

**SB 1422** (K. King - House Sponsor), A bill to be entitled An Act relating to the use of digitized signatures for pleadings and orders in suits affecting the parent-child relationship.

**SB 1437** was deferred until the end of today's local, consent, and resolutions calendar.

**SB 1473** (Flynn - House Sponsor), A bill to be entitled An Act relating to the chief executive officer of the Hopkins County Hospital District and to the delegation of certain authority by the district's board of directors to the chief executive officer.

**SB 1510** (Hilderbran - House Sponsor), A bill to be entitled An Act relating to the public notice required to be provided by certain taxing units before adopting an ad valorem tax rate.

**SB 1531** (Branch - House Sponsor), A bill to be entitled An Act relating to providing information to entering undergraduate students at certain general academic teaching institutions to promote timely graduation.

**SB 1536** (Menéndez - House Sponsor), A bill to be entitled An Act relating to the Texas military; imposing criminal penalties; authorizing fees. (Simpson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**Amendment No. 1**

Representative Menéndez offered the following amendment to **SB 1536**:

Amend **SB 1536** as follows:

(1) On page 58, line 14, between "(3)" and "must", insert "subject to Subsection (c)".

(2) On page 58, between lines 19 and 20, insert the following:

(c) The adjutant general may adopt a policy regarding waiver of the maximum age requirement under Subsection (b)(3).

Amendment No. 1 was adopted.

**SB 1542** (Zerwas - House Sponsor), A bill to be entitled An Act relating to clinical initiatives to improve the quality of care and cost-effectiveness of the Medicaid program. (Huberty, Krause, Schaefer, Stickland, and Taylor recorded voting no.)

**SB 1548** (Lavender - House Sponsor), A bill to be entitled An Act relating to the definition of "qualified employee" in an enterprise zone.

**SB 1759** (Lewis - House Sponsor), A bill to be entitled An Act relating to the procedures for the appointment of and the duties of attorneys ad litem in certain suits affecting the parent-child relationship.

**SB 1820** (Bell - House Sponsor), A bill to be entitled An Act relating to the creation of Waller County Improvement District No. 1; providing authority to impose an assessment, impose a tax, and issue bonds. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1821** (Bell - House Sponsor), A bill to be entitled An Act relating to the creation of Waller County Improvement District No. 2; providing authority to impose an assessment, impose a tax, and issue bonds. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1823** (Zerwas - House Sponsor), A bill to be entitled An Act relating to the administration, powers, and duties of the Fort Bend County Municipal Utility District No. 134.

**SB 1828** (Sheets - House Sponsor), A bill to be entitled An Act relating to the creation of Mesquite Medical Center Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1831** (Zerwas - House Sponsor), A bill to be entitled An Act relating to the power and duties of the Fulshear Municipal Utility District No. 1 of Fort Bend County.

**SB 1832** (Hilderbran - House Sponsor), A bill to be entitled An Act relating to the operation of the juvenile board of Edwards County.

**SB 1835** (Morrison - House Sponsor), A bill to be entitled An Act relating to the Calhoun County Groundwater Conservation District; providing authority to impose a voter-approved tax.

**SB 1836** (Zerwas - House Sponsor), A bill to be entitled An Act relating to the funding of the Texas Home Visiting Program; authorizing voluntary contributions. (Huberty, Sanford, and Schaefer recorded voting no.) (Simpson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1838** (D. Bonnen - House Sponsor), A bill to be entitled An Act relating to the creation of the Cotton Center Municipal Utility District No. 2 of Caldwell County; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1841** (J. Davis - House Sponsor), A bill to be entitled An Act relating to the creation of the Harris County Water Control and Improvement District No. 161; granting the power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1846** (E. Thompson - House Sponsor), A bill to be entitled An Act relating to the creation of the Brazoria County Municipal Utility District No. 49; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1847** (E. Thompson - House Sponsor), A bill to be entitled An Act relating to the creation of the Brazoria County Municipal Utility District No. 50; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1852** (Laubenberg - House Sponsor), A bill to be entitled An Act relating to the powers and duties of the Collin County Water Control and Improvement District No. 3; providing authority to issue bonds. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1854** (R. Miller - House Sponsor), A bill to be entitled An Act relating to certain project powers and duties of the Fort Bend County Levee Improvement District No. 7; providing authority to impose a tax and issue bonds. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1855** (Lavender - House Sponsor), A bill to be entitled An Act relating to the Texarkana College District.

**SB 1858** was deferred until the end of today's local, consent, and resolutions calendar.

**SB 1861** (D. Bonnen - House Sponsor), A bill to be entitled An Act relating to the Angleton-Danbury Hospital District of Brazoria County, Texas.

**SB 1864** (Zerwas - House Sponsor), A bill to be entitled An Act relating to the creation of Fulshear Parkway Improvement District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1869** (D. Miller - House Sponsor), A bill to be entitled An Act relating to the creation of the Kendall County Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing

authority to impose assessments, fees, or taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1870** (Zerwas - House Sponsor), A bill to be entitled An Act relating to the creation of the West Fort Bend Water Authority; providing authority to issue bonds; granting the power of eminent domain; providing an administrative penalty. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1878** (Fallon - House Sponsor), A bill to be entitled An Act relating to the creation of Highway 380 Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1884** (G. Bonnen - House Sponsor), A bill to be entitled An Act relating to the creation of the Westwood Management District; providing authority to issue bonds; providing authority to impose fees or taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**SB 1893** (Orr - House Sponsor), A bill to be entitled An Act relating to the creation of the Chisholm Trails Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes. (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

**CSSB 1914** (Pickett - House Sponsor), A bill to be entitled An Act relating to certain specialty license plates.

**HR 1826 - PREVIOUSLY ADOPTED**  
**(by Menéndez)**

The chair laid out the following previously adopted resolution:

**HR 1826**, Congratulating Susan Blackwood on her achievements as executive director of San Antonio Sports.

On motion of Representative Menéndez, the names of all the members of the house were added to **HR 1826** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Menéndez who introduced Dr. Susan Blackwood and her husband, James.

(C. Turner in the chair)

**HR 1836 - PREVIOUSLY ADOPTED**  
**(by Bohac)**

The chair laid out and had read the following previously adopted resolution:

**HR 1836**, Honoring Judge Herman Paul Pressler III of Houston for his service to the State of Texas.

On motion of Representatives J. Davis, Fletcher, Murphy, and Riddle, the names of all the members of the house were added to **HR 1836** as signers thereof.

#### INTRODUCTION OF GUESTS

The chair recognized Representative Bohac who introduced the Honorable Herman Paul Pressler III and his family and friends. Mr. Pressler briefly addressed the house.

#### **HR 1806 - PREVIOUSLY ADOPTED** (by J. Sheffield)

The chair laid out the following previously adopted resolution:

**HR 1806**, Congratulating Abigail Fonseca of Glen Rose High School on winning a state medallion at the 2013 State Visual Arts Scholastic Event.

On motion of Representative J. Sheffield, the names of all the members of the house were added to **HR 1806** as signers thereof.

#### **HR 1892 - PREVIOUSLY ADOPTED** (by J. Sheffield)

The chair laid out the following previously adopted resolution:

**HR 1892**, Congratulating Jared Thames of Glen Rose High School on taking his second state championship in powerlifting with his 2013 win.

On motion of Representative J. Sheffield, the names of all the members of the house were added to **HR 1892** as signers thereof.

#### **HR 1864 - PREVIOUSLY ADOPTED** (by J. Sheffield)

The chair laid out the following previously adopted resolution:

**HR 1864**, Congratulating Ben McPherson of Glen Rose High School on his selection as a member of the 2013 Texas All-State Band.

On motion of Representative J. Sheffield, the names of all the members of the house were added to **HR 1864** as signers thereof.

#### INTRODUCTION OF GUESTS

The chair recognized Representative J. Sheffield who introduced representatives of Glen Rose High School.

(Speaker pro tempore in the chair)

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

**SB 263** was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

**SB 264** was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

**SB 1437 - HOUSE SPONSOR AUTHORIZED**

On motion of Representative Dutton, Representative Goldman was authorized as a house sponsor to **SB 1437**.

**SB 1437** (Sanford and Goldman - House Sponsors), A bill to be entitled An Act relating to authorizing certain persons to file documents electronically for recording with a county clerk.

**SB 1858** was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

**SB 709 - VOTE RECONSIDERED**

Representative S. Thompson moved to reconsider the vote by which **SB 709** was passed to third reading earlier today.

The motion to reconsider prevailed.

**SB 709** was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Local and Consent Calendars.

**ADJOURNMENT**

Representative Cortez moved that the house adjourn until 1:40 p.m. today.

The motion prevailed.

The house accordingly, at 12:08 p.m., adjourned until 1:40 p.m. today.

---

**ADDENDUM**

---

**SIGNED BY THE SPEAKER**

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

**House List No. 35**

**HB 120, HB 150, HB 154, HB 220, HB 241, HB 242, HB 252, HB 308, HB 333, HB 402, HB 424, HB 436, HB 442, HB 455, HB 518, HB 616, HB 654, HB 693, HB 712, HB 729, HB 736, HB 802, HB 808, HB 809, HB 845, HB 885, HB 964, HB 995, HB 1043, HB 1188, HB 1191, HB 1237, HB 1256, HB 1259, HB 1385, HB 1427, HB 1448, HB 1491, HB 1492, HB 1506, HB 1514, HB 1580, HB 1589, HB 1772, HB 1920, HB 1969, HB 1973, HB 1982, HB 2006, HB 2015, HB 2034, HB 2137, HB 2213, HB 2254, HB 2300, HB 2465, HB 2482, HB 2760, HB 2929, HB 2952, HB 3064, HB 3152, HB 3561, HB 3568, HB 3729, HB 3889, HB 3925, HB 3935, HCR 40, HCR 51, HCR 56, HCR 68, HCR 84, HCR 87, HCR 96, HCR 102, HJR 147**

**Senate List No. 30**

**SB 377, SB 715, SB 914, SB 1142, SB 1312, SB 1541, SB 1868**

**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

Monday, May 20, 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:**

**HB 52** Flynn SPONSOR: Carona  
Relating to the sale of a cemetery plot; providing penalties; authorizing a fee.

**HB 62** Guillen SPONSOR: West  
Relating to a justice or judge having an interest in a business entity that owns, manages, or operates a private correctional or rehabilitation facility.

**HB 367** Martinez, "Mando" SPONSOR: Davis  
Relating to the disclosure by a member of the legislature or the lieutenant governor of certain information concerning a resident of this state to a governmental body.  
(Amended)

**HB 376** Strama SPONSOR: Zaffirini  
Relating to the regulation of child-care providers by the Texas Workforce Commission and local workforce development boards.

**HB 485** Davis, Sarah SPONSOR: Whitmire  
Relating to the amount of the fees paid by certain peace officers, correctional officers, members of the state military forces, and veterans of the armed forces for a license to carry a concealed handgun and to the issuance of such a license to certain peace officers and members of the state military forces; authorizing a fee.

**HB 1294** Price SPONSOR: Seliger  
Relating to the dismissal of a charge for the offense of failing to secure a child in a child passenger safety seat system.  
(Committee Substitute/Amended)

**HB 1348** Menéndez SPONSOR: Uresti  
Relating to the taxation of certain tangible personal property located inside a defense base development authority.

**HB 1752** Patrick, Diane SPONSOR: Seliger  
Relating to creating the Texas Teacher Residency Program.  
(Committee Substitute)

**HB 1967** Deshotel SPONSOR: Williams  
Relating to use of sales and use tax proceeds by certain economic development corporations for certain job-related skills training.

**HB 1996** Miller, Rick SPONSOR: Fraser  
Relating to certain political party officials visiting a primary election polling place for administrative purposes.

**HB 2025** Capriglione SPONSOR: Hancock  
Relating to the concurrent jurisdiction of the municipal courts of certain neighboring municipalities to hear criminal cases.

**HB 2049** Huberty SPONSOR: Williams  
Relating to a qualifying cogeneration facility's ability to sell electric energy to multiple purchasers.  
(Committee Substitute/Amended)

**HB 2127** Howard SPONSOR: Watson  
Relating to the eligibility of certain employees of public institutions of higher education to participate in a state group benefits program.

**HB 2290** Lozano SPONSOR: Estes  
Relating to the use for administrative costs of a portion of money received by certain entities to implement a supplemental environmental project.

**HB 2380** Davis, Sarah SPONSOR: Taylor  
Relating to a provision in a will or trust that would cause a forfeiture of or void an interest for bringing any court action, including contesting the will or trust.

**HB 2394** Perry SPONSOR: Hancock  
Relating to a study on the feasibility of requiring title for all trailers, semitrailers, and travel trailers not considered manufactured housing.

**HB 2473** Deshotel SPONSOR: Williams  
Relating to use of sales and use tax proceeds by economic development corporations in connection with housing facilities for certain institutions of higher education.  
(Committee Substitute)

**HB 2840** Giddings SPONSOR: West  
Relating to the urban land bank demonstration program in certain municipalities.  
(Committee Substitute)

**HB 3068** Menéndez SPONSOR: Carona  
Relating to debit card or stored value card surcharges.  
(Committee Substitute)

**HB 3211** Cortez SPONSOR: Zaffirini  
Relating to the Hispanic Heritage Center of Texas.

**SCR 36** Estes  
Honoring Ken Horton for his leadership in Texas agriculture.

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

**SB 111** (31 Yeas, 0 Nays)

**SB 201** (31 Yeas, 0 Nays)

**SB 260** (31 Yeas, 0 Nays)

**SB 406** (31 Yeas, 0 Nays)

**SB 1792** (30 Yeas, 0 Nays, 1 Present, not voting)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

**SB 64**

Senate Conferees: Nelson - Chair/Deuell/Hinojosa/Huffman/Van de Putte

**SB 971**

Senate Conferees: Williams - Chair/Ellis/Hinojosa/Nichols/Taylor

THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

**HB 5**

Senate Conferees: Patrick - Chair/Duncan/Seliger/Van de Putte/Williams

**HB 1768**

Senate Conferees: Hinojosa - Chair/Deuell/Seliger/Uresti/Whitmire

Respectfully,

Patsy Spaw

Secretary of the Senate