

HOUSE JOURNAL

SEVENTY-SEVENTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-SEVENTH DAY — MONDAY, APRIL 23, 2001

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 160).

Present — Mr. Speaker; Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Absent, Excused — Hilbert.

The invocation was offered by Reverend Vaughn Baker, pastor, Counts Memorial United Methodist Church, Weatherford, as follows:

Gracious and almighty God, long ago your people were a people of law, of sabbath, and of the land. Like those numbered as descendants of Abraham, we as citizens of this great state are also people of law, for we need structure, discipline, and guidelines; we are people of sabbath, for we need rest and recuperation from the grinding toil of life; and we, like Israel of long ago, are people of the earth, for from the earth we were taken and to the earth our earthly bodies shall return.

But we have this part of earth called Tejas, for it is beautiful, and we pray your blessings upon this state for order, for peace, and for prosperity. Like Jabez of the Hebrew Bible, we pray that you would grow us and bless us and keep our lives and Texas, our Texas, free from pain.

As the rain showers upon our Capitol this morning, shower blessings of your Holy Spirit upon us in renewal of spirit, of virtue, and a moral fiber. Restore in us that which once again would make us the salt of the earth and the light of the world. Bless this gathering of the 77th Legislature with your

presence. God, we want you to park here, to show up, and to hang around, moving around these desks, in the aisles and into the hearts of all who are present, that we may do justice, that we may show mercy, and we may walk humbly with thee. We ask the same through Yeshua Messiah. Amen.

LEAVE OF ABSENCE GRANTED

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

Hilbert on motion of Haggerty.

CAPITOL PHYSICIAN

The speaker recognized Representative Ehrhardt who presented Doctors Dale Ragle and Ann Gardea of Dallas as the "Doctors for the Day."

The house welcomed Doctors Ragle and Gardea and thanked them for their participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

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 697 - ADOPTED (by Ramsay)

Representative Ramsay moved to suspend all necessary rules to take up and consider at this time **HR 697**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 697, Recognizing the valuable contributions by the educators from the Mount Vernon Independent School District.

HR 697 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representative Ramsay, who introduced educators from the Mount Vernon Independent School District.

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. 34 and Senate List No. 14).

INTRODUCTION OF GUESTS

The speaker recognized Representative Ellis, who introduced Joe Beaver and his family.

HCR 175, in honor of Joe Beaver of Huntsville for winning the all-around world title at the 42nd National Finals Rodeo, having been previously adopted, was read.

HCR 144 - ADOPTED
(by Eiland)

Representative Eiland moved to suspend all necessary rules to take up and consider at this time **HCR 144**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 144, Honoring State Representative Kyle Janek, his wife, Shannon Janek, on the birth of their son, William Walker Janek.

HCR 144 was read and was adopted without objection.

On motion of Representative Uher, the names of all the members of the house were added to **HCR 144** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Eiland, who introduced Representative Kyle Janek, his wife, Shannon, and their sons, William Walker and Ryan.

(Edwards in the chair)

HR 809 - ADOPTED
(by R. Lewis)

Representative R. Lewis moved to suspend all necessary rules to take up and consider at this time **HR 809**.

(Speaker in the chair)

The motion prevailed without objection.

The following resolution was laid before the house:

HR 809, In memory of Ashley Anna Achten of Mauriceville.

HR 809 was unanimously adopted by a rising vote.

HR 805 - ADOPTED
(by Chavez)

Representative Chavez moved to suspend all necessary rules to take up and consider at this time **HR 805**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 805, Paying tribute to the life and work of Cesar Chavez on the eighth anniversary of his death.

HR 805 was read and was adopted without objection.

HR 758 - ADOPTED
(by Maxey)

Representative Maxey moved to suspend all necessary rules to take up and consider at this time **HR 758**.

(Edwards in the chair)

The motion prevailed without objection.

The following resolution was laid before the house:

HR 758, Recognizing April 22-28, 2001, as National Crime Victims' Rights Week.

HR 758 was adopted without objection.

On motion of Representative Bonnen, the names of all the members of the house were added to **HR 758** as signers thereof.

HR 800 - ADOPTED
(by Hill)

Representative Hill moved to suspend all necessary rules to take up and consider at this time **HR 800**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 800, Commending the Youth Achievement program in Garland for good works within the community.

HR 800 was adopted without objection.

(Speaker in the chair)

REGULAR ORDER OF BUSINESS SUSPENDED

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

HJR 47 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS

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

HJR 47, A joint resolution proposing a constitutional amendment authorizing the cancellation of an election to fill a vacancy in the legislature when a candidate is running unopposed.

On motion of Representative Madden, the house concurred in the senate amendments to **HJR 47** by (Record 161): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley;

Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Davis, Y.; Garcia; McCall; Truitt.

Senate Amendment No. 1

Amend **HJR 47** (Senate Committee Printing) as follows:

On page 1, line 22 strike "as a candidate" and insert "and declares a candidacy".

POSTPONED BUSINESS

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

CSHB 587 ON SECOND READING

(by **Thompson, Haggerty, Gallego, Sadler, Danburg, et al.**)

CSHB 587, A bill to be entitled An Act relating to the investigation and prosecution of an offense motivated by bias or prejudice and to other civil and criminal remedies for and protections against certain hateful acts.

CSHB 587 was read second time on April 18 and was, postponed until 10 a.m. April 20, and was again postponed until this time.

Representative Chisum moved to table **CSHB 587**.

A record vote was requested.

The motion to table was lost by (Record 162): 60 Yeas, 84 Nays, 1 Present, not voting.

Yeas — Allen; Berman; Bonnen; Brimer; Brown, B.; Brown, F.; Callegari; Carter; Chisum; Christian; Clark; Corte; Crabb; Craddick; Crownover; Davis, J.; Delisi; Denny; Driver; George; Geren; Goolsby; Green; Hamric; Hardcastle; Hartnett; Heflin; Hilderbran; Hill; Hope; Howard; Hunter; Hupp; Isett; Janek; Jones, E.; Keel; Keffer; Kolkhorst; Krusee; Madden; Marchant; Miller; Mowery; Nixon; Pitts; Reyna, E.; Seaman; Shields; Smith; Smithee; Solomons; Swinford; Talton; Truitt; Walker; West; Williams; Wohlgemuth; Woolley.

Nays — Alexander; Averitt; Bailey; Bosse; Burnam; Capelo; Chavez; Coleman; Cook; Counts; Danburg; Davis, Y.; Deshotel; Dukes; Dunnam;

Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; Giddings; Glaze; Goodman; Gray; Grusendorf; Gutierrez; Haggerty; Hawley; Hinojosa; Hochberg; Hodge; Homer; Hopson; Jones, J.; Junell; King, T.; Kitchen; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Naishtat; Najera; Noriega; Oliveira; Olivo; Pickett; Puente; Ramsay; Rangel; Reyna, A.; Ritter; Sadler; Salinas; Solis; Telford; Thompson; Tillery; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Wilson; Wise; Wolens; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Jones, D.; King, P.; Morrison; Raymond.

STATEMENTS OF VOTE

When Record No. 162 was taken, I was in the house but away from my desk. I would have voted yes.

D. Jones

When Record No. 162 was taken, my vote failed to register. I would have voted no.

Raymond

Amendment No. 1

Representative Hupp offered the following amendment to **CSHB 587**:

Amend **CSHB 587** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 19.02(d), Penal Code, is amended to read as follows:

(d) At the punishment stage of a trial, the defendant may raise the issue as to whether he caused the death under the immediate influence of sudden passion arising from an adequate cause. If the defendant proves the issue in the affirmative by a preponderance of the evidence, the offense is a felony of the first [~~second~~] degree.

SECTION 2. Section 19.04(b), Penal Code, is amended to read as follows:

(b) An offense under this section is a felony of the first [~~second~~] degree.

SECTION 3. Section 19.05(b), Penal Code, is amended to read as follows:

(b) An offense under this section is a [~~state jail~~] felony of the third degree.

SECTION 4. Section 20.02(c), Penal Code, is amended to read as follows:

(c) An offense under this section is a Class A misdemeanor unless:

(1) the person restrained was a child younger than 17 years of age, in which event the offense is a [~~state jail~~] felony of the third degree; or

(2) the actor recklessly exposes the victim to a substantial risk of serious bodily injury, in which event it is a felony of the second [~~third~~] degree.

SECTION 5. Section 20.03(c), Penal Code, is amended to read as follows:

(c) An offense under this section is a felony of the second [~~third~~] degree.

SECTION 6. Section 20.05(b), Penal Code, is amended to read as follows:

(b) An offense under this section is a ~~[state-jail]~~ felony of the third degree.

SECTION 7. Section 21.11(c), Penal Code, is amended to read as follows:

(c) An offense under Subsection (a)(1) is a felony of the first ~~[second]~~ degree and an offense under Subsection (a)(2) is a felony of the second ~~[third]~~ degree.

SECTION 8. Section 22.01(b), Penal Code, is amended to read as follows:

(b) An offense under Subsection (a)(1) is a Class A misdemeanor, except that the offense is a felony of the second ~~[third]~~ degree if the offense is committed against:

(1) a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant; or

(2) a member of the defendant's family or household, if it is shown on the trial of the offense that the defendant has been previously convicted of an offense against a member of the defendant's family or household under this section.

SECTION 9. Section 22.011(f), Penal Code, is amended to read as follows:

(f) An offense under this section is a felony of the first ~~[second]~~ degree.

SECTION 10. Section 22.015(c), Penal Code, is amended to read as follows:

(c) An offense under Subsection (b)(1) is a ~~[state-jail]~~ felony of the third degree. An offense under Subsection (b)(2) is a felony of the second ~~[third]~~ degree.

SECTION 11. Section 22.02(b), Penal Code, is amended to read as follows:

(b) An offense under this section is a felony of the first ~~[second]~~ degree; ~~except that the offense is a felony of the first degree if the offense is committed:~~

~~[(1) by a public servant acting under color of the servant's office or employment;~~

~~[(2) against a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant; or~~

~~[(3) in retaliation against or on account of the service of another as a witness, prospective witness, informant, or person who has reported the occurrence of a crime].~~

SECTION 12. Sections 22.04(e)-(g), Penal Code, are amended to read as follows:

(e) An offense under Subsection (a)(1) or (2) is a felony of the first degree ~~[when the conduct is committed intentionally or knowingly. When the conduct is engaged in recklessly it shall be a felony of the second degree].~~

(f) An offense under Subsection (a)(3) is a felony of the second ~~[third]~~ degree when the conduct is committed intentionally or knowingly. When the

conduct is engaged in recklessly it shall be a ~~[state-jail]~~ felony of the third degree.

(g) An offense under Subsection (a) when the person acts with criminal negligence shall be a ~~[state-jail]~~ felony of the third degree.

SECTION 13. Sections 22.041(d)-(f), Penal Code, are amended to read as follows:

(d) Except as provided by Subsection (e), an offense under Subsection (b) is:

(1) a ~~[state-jail]~~ felony of the third degree if the actor abandoned the child with intent to return for the child; or

(2) a felony of the second ~~[third]~~ degree if the actor abandoned the child without intent to return for the child.

(e) An offense under Subsection (b) is a felony of the first ~~[second]~~ degree if the actor abandons the child under circumstances that a reasonable person would believe would place the child in imminent danger of death, bodily injury, or physical or mental impairment.

(f) An offense under Subsection (c) is a ~~[state-jail]~~ felony of the third degree.

SECTION 14. Section 22.05(e), Penal Code, is amended to read as follows:

(e) An offense under Subsection (a) is a Class A misdemeanor. An offense under Subsection (b) is a felony of the second ~~[third]~~ degree.

SECTION 15. Section 22.07(b), Penal Code, is amended to read as follows:

(b) An offense under Subdivision (1) or (2) of Subsection (a) is a Class B misdemeanor. An offense under Subdivision (3) of Subsection (a) is a Class A misdemeanor. An offense under Subdivision (4) of Subsection (a) is a felony of the second ~~[third]~~ degree.

SECTION 16. Section 22.08(b), Penal Code, is amended to read as follows:

(b) An offense under this section is a Class C misdemeanor unless the actor's conduct causes suicide or attempted suicide that results in serious bodily injury, in which event the offense is a ~~[state-jail]~~ felony of the third degree.

SECTION 17. Section 22.09(d), Penal Code, is amended to read as follows:

(d) An offense under Subsection (b) is a felony of the ~~[second-degree unless a person suffers serious bodily injury, in which event it is a felony of the]~~ first degree. An offense under Subsection (c) is a felony of the second ~~[third]~~ degree.

SECTION 18. Section 22.11(b), Penal Code, is amended to read as follows:

(b) An offense under this section is a felony of the second ~~[third]~~ degree.

SECTION 19. Section 28.02(d), Penal Code, is amended to read as follows:

(d) An offense under this section is a felony of the ~~[second-degree, except that the offense is a felony of the]~~ first degree ~~[if it is shown on the trial of the offense that:~~

~~[(1) bodily injury or death was suffered by any person by reason of the commission of the offense; or~~

~~[(2) the actor committed the offense knowing that the property intended to be damaged or destroyed was a place of worship].~~

SECTION 20. Sections 28.03(b) and (f), Penal Code, are amended to read as follows:

(b) Except as provided by Subsection (f), an offense under this section is:

(1) a Class C misdemeanor if:

(A) the amount of pecuniary loss is less than \$50; or

(B) except as provided in Subdivision (3)(B), it causes substantial inconvenience to others;

(2) a Class B misdemeanor if the amount of pecuniary loss is \$50 or more but less than \$500;

(3) a Class A misdemeanor if the amount of pecuniary loss is:

(A) \$500 or more but less than \$1,500; or

(B) less than \$1,500 and the actor causes in whole or in part impairment or interruption of public communications, public transportation, public water, gas, or power supply, or other public service, or causes to be diverted in whole, in part, or in any manner, including installation or removal of any device for any such purpose, any public communications, public water, gas, or power supply;

(4) a ~~[state jail]~~ felony of the third degree if the amount of pecuniary loss is:

(A) \$1,500 or more but less than \$20,000;

(B) less than \$1,500, if the property damaged or destroyed is a habitation and if the damage or destruction is caused by a firearm or explosive weapon; or

(C) less than \$1,500, if the property was a fence used for the production or containment of:

(i) cattle, bison, horses, sheep, swine, goats, exotic livestock, or exotic poultry; or

(ii) game animals as that term is defined by Section 63.001, Parks and Wildlife Code;

(5) a felony of the second ~~[third]~~ degree if the amount of the pecuniary loss is \$20,000 or more but less than \$100,000; or

(6) a felony of the first ~~[second]~~ degree if the amount of pecuniary loss is \$100,000 or more ~~[but less than \$200,000; or~~

~~[(7) a felony of the first degree if the amount of pecuniary loss is \$200,000 or more].~~

(f) An offense under this section is a ~~[state jail]~~ felony of the third degree if the damage or destruction is inflicted on a place of worship or human burial, a public monument, or a community center that provides medical, social, or educational programs and the amount of the pecuniary loss to real property or to tangible personal property is less than \$20,000.

SECTION 21. Sections 28.08(b) and (d), Penal Code, are amended to read as follows:

(b) Except as provided by Subsection (d), an offense under this section is:

(1) a Class B misdemeanor if the amount of pecuniary loss is less than \$500;

(2) a Class A misdemeanor if the amount of pecuniary loss is \$500 or more but less than \$1,500;

(3) a [~~state jail~~] felony of the third degree if the amount of pecuniary loss is \$1,500 or more but less than \$20,000;

(4) a felony of the second [~~third~~] degree if the amount of pecuniary loss is \$20,000 or more but less than \$100,000; or

(5) a felony of the first [~~second~~] degree if the amount of pecuniary loss is \$100,000 or more [~~but less than \$200,000; or~~

~~[(6) a felony of the first degree if the amount of pecuniary loss is \$200,000 or more].~~

(d) An offense under this section is a [~~state jail~~] felony of the third degree if:

(1) the marking is made on a school, an institution of higher education, a place of worship or human burial, a public monument, or a community center that provides medical, social, or educational programs; and

(2) the amount of the pecuniary loss to real property or to tangible personal property is less than \$20,000.

SECTION 22. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before the effective date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 23. This Act takes effect September 1, 2001.

Representative Hochberg raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 3 of the House Rules and Article III, Section 30 of the Texas Constitution on the grounds that the amendment would change the original purpose of the bill.

The speaker sustained the point of order.

The ruling precluded further consideration of the amendment.

Amendment No. 2

Representative Averitt offered the following amendment to **CSHB 587**:

Amend **CSHB 587** by striking line 27 on page 4 through line 26 on page 8, by substituting Article 3 to read as follows:

SECTION 3.01. Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 140 to read as follows:

CHAPTER 140. REMEDIES FOR AND PROTECTIONS AGAINST HATEFUL ACTS

Sec. 140.001. DEFINITIONS. In this chapter:

(1) "Claimant" means a party seeking the relief provided by this chapter, including a plaintiff, counterclaimant, cross-claimant, or third-party plaintiff.

(2) "Defendant" includes any party from whom a claimant seeks relief under this chapter.

Sec. 140.002. RIGHT TO BE FREE FROM HATEFUL ACTS. (a) A person in this state has the right to be free from an act of violence committed against the person or the person's property because of the person's race, color, disability, religion, national origin or ancestry, age, gender, or sexual preference.

Sec. 140.003. ACTION BY PERSON. (a) A person whose exercise or enjoyment of the right secured by Section 140.002 is intentionally violated by another person may commence in the person's own name an action for:

(1) damages to the person arising from the intentional actions of the defendant in violating the exercise or enjoyment by the person or the right secured by Section 140.002;

(2) exemplary damages as provided by Chapter 41; and
(3) injunctive relief or any other appropriate relief to protect the exercise or enjoyment of the right secured by Section 140.002.

(b) A court shall award a party who prevails in an action under this section reasonable attorney's fees in bringing or defending the action.

Sec. 140.004. INDEPENDENT REMEDY. An action under this chapter is independent of any other remedy or procedure that may be available to the claimant.

SECTION 3.02. Chapter 140, Civil Practice and Remedies Code, as added by this article, applies only to a cause of action that accrues on or after the effective date of this Act. An action that accrued before the effective date of this Act is governed by the law applicable to the action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

Amendment No. 2 was adopted without objection.

Amendment No. 3

Representatives Chisum, Merritt, Nixon, R. Lewis, and Dunnam offered the following amendment to **CSHB 587**:

Amend **CSHB 587** as follows:

(1) On page 2, line 9, between "PREJUDICE." and "In", insert "(a)".

(2) On page 2, line 23 and page 5, lines 14 and 15, strike "sexual orientation" and substitute "sexual preference".

(3) On page 2, between lines 23 and 24, insert the following:

"(b) In this article, "sexual preference" has the following meaning only: a preference for heterosexuality, homosexuality, or bisexuality."

(4) On page 5, between lines 8 and 9, insert the following:

"(3) "Sexual preference" has the meaning assigned by Article 42.014(b), Code of Criminal Procedure."

(5) Insert a new ARTICLE 6 to read as follows, and renumber existing ARTICLE 6 and SECTION 6.01 accordingly:

ARTICLE 6

SECTION 6.01. (a) This Act does not create any legal status or right not already existent in statute or common law for a group or a member of a group described by Article 42.014(a), Code of Criminal Procedure, as amended by this Act, and Section 140.002, Civil Practice and Remedies Code, as added by this Act.

(b) This Act shall be used only to protect individuals from being targets of hateful acts of violence simply because those individuals are members of a group described by Article 42.014(a), Code of Criminal Procedure, as amended by this Act, and Section 140.002, Civil Practice and Remedies Code, as added by this Act.

Amendment No. 3 was adopted without objection.

Amendment No. 4

Representative Smithee offered the following amendment to **CSHB 587**:

Amend **CSHB 587** on page 2, as follow:

(1) On line 9, between "PREJUDICE." and "In", insert "(a)".

(2) Between lines 23 and 24, insert the following:

(b) Evidence of an act, the exercise of which is protected by the Bill of Rights of the United States Constitution or by the Texas Constitution, is not admissible for the purpose of proving that an offense was committed because of bias or prejudice, unless the evidence is otherwise admissible in the guilt or innocence phase of the trial under the Texas Rules of Evidence.

(Speaker pro tempore in the chair)

Representative Wolens moved to table Amendment No. 4.

The motion to table prevailed.

(Speaker in the chair)

A record vote was requested.

CSHB 587, as amended, was passed to engrossment by (Record 163): 87 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Alexander; Averitt; Bailey; Bosse; Burnam; Capelo; Chavez; Chisum; Coleman; Cook; Counts; Danburg; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; Geren; Giddings; Glaze; Goodman; Gray; Gutierrez; Haggerty; Hawley; Hinojosa; Hochberg; Hodge; Homer; Hopson; Jones, J.; Junell; Keffer; King, T.; Kitchen; Lewis, G.; Lewis, R.; Longoria; Luna; Martinez Fischer; Maxey; McClendon; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Naishtat; Najera; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Ritter; Sadler; Salinas; Solis; Telford; Thompson; Tillery; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Wilson; Wise; Wolens; Yarbrough; Zbranek.

Nays — Allen; Berman; Bonnen; Brimer; Brown, B.; Brown, F.; Callegari; Carter; Christian; Clark; Corte; Crabb; Craddick; Crownover; Davis, J.; Delisi; Denny; Driver; Elkins; George; Goolsby; Green; Grusendorf; Hamric; Hardcastle; Hartnett; Heflin; Hilderbran; Hill; Hope; Howard; Hunter; Hupp; Isett; Janek; Jones, E.; Keel; King, P.; Kolkhorst; Krusee; Kuempel; Madden; Marchant; McCall; Miller; Morrison; Mowery; Nixon; Reyna, E.; Seaman; Shields; Smith; Smithee; Solomons; Swinford; Talton; Truitt; Williams; Wohlgemuth; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Jones, D.

HB 587 - STATEMENT OF VOTE

This bill is not really about enhancing penalties under Texas law for crimes motivated by bias or prejudice. Current law already does this. Tex. Pen. Code sec. 12.47 prescribes a penalty of the next higher category if the offense was committed because of the defendant's bias or prejudice. The current statute, enacted in 1993 and amended in 1997, purposely does not include enumerated classes, because to do so necessarily diminishes the value of all non-included victims.

In fact, the purpose of **HB 587** is to use the criminal statutes to carve out special protection for certain specified groups. This excludes the victims of crimes whose attacker did not necessarily assault or kill them because of their specific race, gender or sexual preference, but who are, nevertheless, just as injured or dead.

When this bill was debated in the 76th Legislative Session, its proponents failed to answer the question of how the proposed creation of enumerated protected classes of victims was preferable over the current law, which focuses on the defendant's motivation and, by not enumerating protected classes, can be used to the benefit of any victim of crime who is attacked by an assailant motivated by bias or prejudice.

As the Presidential race unfolded in the year 2000, the refusal of the 76th Legislature to enact the enumerated classes-type of "hate crimes" bill was used as criticism of Governor Bush in his candidacy. Aside from the obvious (namely that the particular case for which the legislation was named would not have been affected by the proposed bill), when it was pointed out that Texas nevertheless already had a hate crimes statute, critics then shifted gears to suggest that, although a "hate crimes" statute was on the books in Texas, the statute's failure to delineate classes of victims leaves it subject to attack on grounds of "vagueness".

Contrary to the rhetoric about vagueness, Courts of Appeals in Texas have consistently upheld the validity of Tex. Pen. Code sec. 12.47 as it currently exists. See, e.g., *Martinez v. State*, 980 S.W. 2d 662 (Tex. App.—San Antonio 1998); *Roderick v. State*, No. 13-99-235-CR (Tex. App. Corpus Christi, April 5, 2001); *Boyd v. State*, No. 05-96-01516-CR (Tex. App. Dallas 5th [unpublished] March 25, 1999). Likewise it is non-sequitur to analogize the proposals of creating specially protected classes of victims with current statutes protecting, for example, peace officers, since any person, regardless of race, gender or sexual preference, could be acting in the capacity of such a public servant.

All of the above being true, there are certain proponents of the specially protected classes-type of hate crimes measure who say this legislation is necessary as a matter of making a principled statement against "hate." I am just as firmly convinced that a "no" vote is necessitated on my part for the sake of intellectual honesty and, most importantly, to be true to the principle of upholding equal protection under the law for all victims of crime.

Keel

CSSB 277 ON SECOND READING
(Counts - House Sponsor)

CSSB 277, A bill to be entitled An Act relating to the transfer, sale, or assignment of structured settlements.

CSSB 277 was considered in lieu of **HB 1920**.

CSSB 277 was read second time and was passed to third reading.

HB 1920 - LAID ON THE TABLE SUBJECT TO CALL

Representative Counts moved to lay **HB 1920** on the table subject to call.

The motion prevailed without objection.

SB 695 ON SECOND READING
(Clark - House Sponsor)

SB 695, A bill to be entitled An Act relating to consultations between a governmental body and its attorney.

SB 695 was considered in lieu of **HB 1021**.

SB 695 was read second time and was passed to third reading.

HB 1021 - LAID ON THE TABLE SUBJECT TO CALL

Representative Clark moved to lay **HB 1021** on the table subject to call.

The motion prevailed without objection.

MESSAGE FROM THE SENATE

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

MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING

The following bill was laid before the house and read third time:

HB 3450 ON THIRD READING
(by Gallego, Carter, McCall, and Ehrhardt)

HB 3450, A bill to be entitled An Act relating to the continuation and functions of the Texas Interagency Council for the Homeless.

HB 3450 was passed.

CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING

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

HJR 5 ON SECOND READING
(by Solomons)

HJR 5, A joint resolution proposing a constitutional amendment prescribing requirements for imposing a lien for work and material used in the construction, repair, or renovation of improvements on residential homestead property.

Amendment No. 1

Representative Solomons offered the following amendment to **HJR 5**:

Amend **HJR 5** as follows:

(1) On page 7, line 9, strike "or" and substitute "[or]".

(2) On page 7, line 10, between "mortgage" and the period, insert the following:

; or

(8) the conversion and refinance of a personal property lien secured by a manufactured home to a lien on real property, including the refinance of the purchase price of the manufactured home, the cost of installing the manufactured home on the real property, and the refinance of the purchase price of the real property

(3) On page 7, line 15, strike "2001," and insert "2001:
(1)".

(4) On page 7, line 17, between "property" and the period, insert "; and (2) including the conversion and refinance of a personal property lien secured by a manufactured home to a lien on real property as a debt on homestead property subject to a forced sale

(5) On page 7, line 27, between "property" and the period, insert "and including the conversion and refinance of a personal property lien secured by a manufactured home to a lien on real property as a debt on homestead property subject to a forced sale".

Amendment No. 1 was adopted without objection.

A record vote was requested.

HJR 5, as amended, was adopted by (Record 164): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez;

Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Jones, D.

CSHJR 81 ON SECOND READING (by Counts)

CSHJR 81, A joint resolution proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board.

A record vote was requested.

CSHJR 81 was adopted by (Record 165): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Ehrhardt; Gutierrez; Jones, D.; Turner, S.

HJR 8 ON SECOND READING (by Puente and Uresti)

HJR 8, A joint resolution proposing a constitutional amendment relating to the election and terms of office of the judges of County Courts at Law Nos. 10, 11, and 12 of Bexar County, Texas.

A record vote was requested.

HJR 8 was adopted by (Record 166): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Gutierrez; Jones, D.

HJR 45 ON SECOND READING
(by Tillery, et al.)

HJR 45, A joint resolution proposing a constitutional amendment to require the governor to call a special session for the appointment of presidential electors under certain circumstances.

A record vote was requested.

HJR 45 was adopted by (Record 167): 145 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez;

Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Nay — Shields.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Carter; Jones, D.

CSHJR 75 ON SECOND READING
(by Mowery and Driver)

CSHJR 75, A joint resolution proposing a constitutional amendment to eliminate obsolete, archaic, redundant, and unnecessary provisions and to clarify, update, and harmonize certain provisions of the Texas Constitution.

Representative Mowery moved to postpone consideration of **CSHJR 75** until 10 a.m. tomorrow.

The motion prevailed without objection.

GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING

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

HB 1763 ON THIRD READING
(by McCall, Averitt, Bosse, Chisum, and Gallego)

HB 1763, A bill to be entitled An Act relating to the continuation and functions of the Finance Commission of Texas and the regulation of certain financial institutions and businesses.

HB 1763 was passed.

HB 688 ON THIRD READING
(by Woolley, Crabb, Coleman, Menendez, et al.)

HB 688, A bill to be entitled An Act relating to the sale, possession, or consumption of alcoholic beverages near a private or parochial school.

A record vote was requested.

HB 688 was passed by (Record 168): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee;

Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbraneck.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Marchant.

HB 3335 ON THIRD READING (by Telford)

HB 3335, A bill to be entitled An Act relating to duties and immunities of certain persons with cause to believe that an elderly or disabled person is in a state of abuse, neglect, or exploitation.

A record vote was requested.

HB 3335 was passed by (Record 169): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbraneck.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Callegari.

HB 1688 ON THIRD READING
(by McClendon)

HB 1688, A bill to be entitled An Act relating to the possession and self-administration of prescription asthma medicine by public school students while on school property or at a school-related event or activity.

A record vote was requested.

HB 1688 was passed by (Record 170): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Ehrhardt; Ramsay; Yarbrough.

STATEMENT OF VOTE

When Record No. 170 was taken, my vote failed to register. I would have voted yes.

Ehrhardt

HB 1685 ON THIRD READING
(by Rangel)

HB 1685, A bill to be entitled An Act relating to a partnership or affiliation between certain entities and a general academic teaching institution or a medical and dental unit.

A record vote was requested.

HB 1685 was passed by (Record 171): 146 Yeas, 1 Nay, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangell; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Nay — Howard.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Flores.

HB 1678 ON THIRD READING
(by Bosse)

HB 1678, A bill to be entitled An Act relating to nonrepairable and salvage motor vehicles.

HB 1678 was passed.

HB 1901 ON THIRD READING
(by S. Turner, Naishtat, Chavez, and Hodge)

HB 1901, A bill to be entitled An Act relating to juveniles with mental health and substance abuse disorders.

HB 1901 was passed.

HB 1281 ON THIRD READING
(by Counts, Ellis, Hilderbran, Hope, and S. Turner)

HB 1281, A bill to be entitled An Act relating to water utility services, rates, and tariffs.

A record vote was requested.

HB 1281 was passed by (Record 172): 146 Yeas, 1 Nay, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick;

Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wolens; Woolley; Yarbrough; Zbranek.

Nay — Wohlgemuth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilbert.

Absent — Reyna, E.

STATEMENT OF VOTE

When Record No. 172 was taken, I was in the house but away from my desk. I would have voted yes.

E. Reyna

HB 1948 ON THIRD READING

(by Keel)

HB 1948, A bill to be entitled An Act relating to a local option election to allow or prohibit the sale of wine by the holder of a winery permit.

Amendment No. 1

On behalf of Representative Hilderbran, Representative Keel offered the following amendment to **HB 1948**:

Amend **HB 1948** on 3rd Reading by amending Section 251.11(c), Alcoholic Beverage Code, as added by the Hilderbran amendment, by striking "equal to 10 percent of the registered voters in the subdivision" and substitute "equal to 25 percent of the registered voters in the subdivision who voted in the most recent general election.".

(Speaker pro tempore in the chair)

Amendment No. 1 was adopted without objection.

HB 1948, as amended, was passed.

HB 1837 ON THIRD READING

(by Denny)

HB 1837, A bill to be entitled An Act relating to restrictions on the application of noise regulations to sport shooting ranges.

HB 1837 was passed.

HB 1755 ON THIRD READING
(by Gutierrez)

HB 1755, A bill to be entitled An Act relating to action by certain occupational regulatory agencies against certain recipients of student financial assistance.

A record vote was requested.

HB 1755 was passed by (Record 173): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

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

Absent, Excused — Hilbert.

Absent — Chavez; Garcia; Marchant.

STATEMENT OF VOTE

When Record No. 173 was taken, my vote failed to register. I would have voted yes.

Chavez

HB 1216 ON THIRD READING
(by Pitts)

HB 1216, A bill to be entitled An Act relating to the regulation of talent agencies.

HB 1216 was passed.

HB 996 ON THIRD READING
(by Coleman)

HB 996, A bill to be entitled An Act relating to the authority of a municipality to authorize the removal of certain motor vehicles from public roadways in the municipality to aid in the enforcement of parking ordinances of the municipality.

HB 996 was passed.

HB 695 ON THIRD READING
(by A. Reyna)

HB 695, A bill to be entitled An Act relating to the regulation of certain occupations by the Texas Real Estate Commission; providing penalties.

HB 695 was passed.

HB 815 ON THIRD READING
(by Bailey, Merritt, and Tillery)

HB 815, A bill to be entitled An Act relating to the presentation of the state flag to survivors of deceased peace officers.

HB 815 was passed.

HB 1403 ON THIRD READING
(by Noriega, Garcia, Hill, E. Reyna, Flores, et al.)

HB 1403, A bill to be entitled An Act relating to the eligibility of certain persons to qualify as residents of this state for purposes of higher education tuition.

Amendment No. 1

Representative Dunnam offered the following amendment to **HB 1403**:

Amend **HB 1403** as follows:

(1) On page 2, between lines 4 and 5, insert the following appropriately numbered SECTION and renumber the subsequent SECTIONS accordingly:

SECTION __. Subchapter B, Chapter 54, Education Code, is amended by adding Section 54.0551 to read as follows:

Sec. 54.0551. CHANGE OF RESIDENCE; ONE PARENT REMAINING IN STATE. An individual who is 18 years of age or under or is a dependent and who, along with the individual's parents, was formerly a resident of this state is entitled to pay tuition at the rate provided for Texas residents if:

(1) the individual and the parent who is the individual's managing conservator or who is the individual's joint managing conservator with whom the individual primarily resides change their legal residence from this state to another state; and

(2) the other parent who is the individual's possessory conservator or who is the individual's joint managing conservator with whom the individual does not primarily reside continues to reside in this state and is not delinquent on the payment of any child support.

(2) On page 3, line 6, strike "4" and substitute "5".

Amendment No. 1 was adopted without objection.

A record vote was requested.

HB 1403, as amended, was passed by (Record 174): 142 Yeas, 1 Nay, 2 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver;

Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hawley; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uresti; Villarreal; Walker; West; Williams; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Nay — Hartnett.

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

Absent, Excused — Hilbert.

Absent — Heflin; Hilderbran; Hinojosa; Isett.

HB 3181 ON THIRD READING (by Danburg and Madden)

HB 3181, A bill to be entitled An Act relating to procedures for maintaining information on lists of registered voters.

Amendment No. 1

Representative Maxey offered the following amendment to **HB 3181**:

Amend **HB 3181** on third reading by adding the following appropriately numbered section to the bill and renumbering subsequent sections of the bill appropriately:

Section __. Section 15.021, Election Code, is amended by adding Subsections (d), (e), and (f) to read as follows:

(d) The secretary of state, in conjunction with the Department of Information Resources, shall conduct a study to determine the feasibility of allowing voters to correct information under this section by digital transmission of the corrected information to the registrar.

(e) If the study determines it is feasible to allow the digital transmission of corrected information by the voter to the registrar, the corrected information may be submitted without:

(1) the submitting a written, signed notice of the incorrect information and the corresponding correction under Subsection (a); and

(2) complying with Subsection (b).

(f) If the study determines that it is feasible to allow the digital transmission of corrected information by the voter to the registrar, the secretary of state may adopt rules to:

(1) approve technologies for submitting changes of registration information by digital transmission under this section; and

(2) prescribe additional procedures as necessary to implement a system for the digital transmission of changes in registration information.

Amendment No. 1 was adopted without objection.

HB 3181, as amended, was passed.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**CSHB 323 ON SECOND READING
(by Oliveira and Solis)**

CSHB 323, A bill to be entitled An Act relating to establishing a center for border economic and enterprise development at The University of Texas at Brownsville.

CSHB 323 was passed to engrossment.

**HB 1194 ON SECOND READING
(by Brimer)**

HB 1194, A bill to be entitled An Act relating to the eligibility of certain property owned or leased by a local official for ad valorem tax abatement or tax increment financing.

HB 1194 was passed to engrossment. (Burnam recorded voting no)

**HB 2537 ON SECOND READING
(by Eiland)**

HB 2537, A bill to be entitled An Act relating to the recovery of exemplary damages by the surviving spouse or heirs of the body of a deceased employee.

HB 2537 was passed to engrossment. (Berman, Bonnen, B. Brown, Chisum, Christian, Clark, Corte, Delisi, E. Jones, Keffer, Kuempel, Morrison, Seaman, Swinford, Talton, and Williams recorded voting no)

HB 2537 - REASON FOR VOTE

At the committee hearing no witness testified and there was no opposition. Upon further reflection and upon information provided since the hearing I believe the bill opens liability for employees too far.

Clark

**HB 247 ON SECOND READING
(by B. Turner, Hupp, Miller, Hilderbran, et al.)**

HB 247, A bill to be entitled An Act relating to the use of stored water for wildlife management on a person's property.

Amendment No. 1

On behalf of Representative Cook, Representative B. Turner offered the following amendment to **HB 247**:

Amend **HB 247** by striking page 1, lines 9-11, and substituting the following:

storage of not more than 200 acre-feet of water for:

(1) domestic and livestock purposes; or

(2) commercial or noncommercial wildlife management, including fishing, if the property is appraised under Subchapter D, Chapter 23, Tax Code, on the basis of its use for wildlife management.

Amendment No. 2

Representative B. Turner offered the following amendment to Amendment No. 1:

Amend the Cook amendment to **HB 247** on page 1, line 6, between "fishing," and "if", by inserting "but not including fish farming,".

Amendment No. 2 was adopted without objection.

Amendment No. 1, as amended, was adopted without objection.

HB 247, as amended, was passed to engrossment.

HB 1994 ON SECOND READING (by Marchant)

HB 1994, A bill to be entitled An Act relating to certain charges included in a retail installment agreement.

Amendment No. 1

Representative Maxey offered the following amendment to **HB 1994**:

Amend **HB 1994** as follows:

(1) On page 1, line 10, strike "\$75" and substitute "\$60".

(2) On page 2, line 1, strike "\$75" and substitute "\$60".

(3) On page 2, line 9, strike "\$75" and substitute "\$60".

(4) On page 2, line 24, strike "\$75" and substitute "\$60".

Representative Marchant moved to table Amendment No. 1.

The motion to table prevailed.

A record vote was requested.

HB 1994 was passed to engrossment by (Record 175): 91 Yeas, 52 Nays, 3 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Brimer; Brown, B.; Callegari; Capelo; Chavez; Chisum; Christian; Clark; Cook; Corte; Counts; Crabb; Craddick; Crownover; Davis, J.; Delisi; Denny; Deshotel; Driver; Dunnam; Eiland; Elkins; Farabee; Gallego; Garcia; George; Geren; Giddings; Goodman; Goolsby; Green; Grusendorf; Gutierrez; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Junell; Keel; Keffer; King, P.; King, T.; Kolkhorst; Kuempel; Lewis, G.; Lewis, R.; Madden; Marchant; McCall; Merritt; Miller; Morrison; Mowery; Nixon; Pitts; Ramsay; Reyna, A.; Reyna, E.; Ritter; Seaman; Smith; Solomons; Swinford; Talton; Truitt; Walker; West; Williams; Wise; Wohlgemuth; Wolens; Woolley.

Nays — Bosse; Burnam; Carter; Coleman; Danburg; Davis, Y.; Dukes; Dutton; Ehrhardt; Ellis; Farrar; Flores; Glaze; Gray; Haggerty; Hinojosa; Hochberg; Hodge; Jones, J.; Kitchen; Krusee; Longoria; Luna;

Martinez Fischer; Maxey; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Najera; Noriega; Olivo; Pickett; Puente; Rangel; Raymond; Sadler; Salinas; Shields; Smithee; Solis; Thompson; Tillery; Turner, B.; Turner, S.; Uresti; Villarreal; Wilson; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Brown, F.; Uher(C).

Absent, Excused — Hilbert.

Absent — Edwards; Oliveira; Telford.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 175. I intended to vote no.

Allen

I was shown voting yes on Record No. 175. I intended to vote no.

Chisum

(Speaker in the chair)

HB 1794 ON SECOND READING (by Wise)

HB 1794, A bill to be entitled An Act relating to private club alcoholic beverage accounts.

HB 1794 was passed to engrossment. (Howard recorded voting no)

CSSB 365 ON SECOND READING (Ritter - House Sponsor)

CSSB 365, A bill to be entitled An Act relating to the adoption of a uniform residential building code for use in the state.

CSSB 365 was considered in lieu of **HB 2411**.

Amendment No. 1

Representative Yarbrough offered the following amendment to **CSSB 365**:

Amend **CSSB 365** by adding the following on page 2, between lines 18 and 19:

(c) a municipality may adopt a code more stringent than the International Residential Code, but may not adopt a code less stringent than the International Residential Code.

Representative Ritter moved to table Amendment No. 1.

The motion to table prevailed.

CSSB 365 was passed to third reading.

HB 2411 - LAID ON THE TABLE SUBJECT TO CALL

Representative Ritter moved to lay **HB 2411** on the table subject to call.

The motion prevailed without objection.

INTRODUCTION OF GUEST

The speaker introduced actor Barry Corbin. Mr. Corbin briefly addressed the house.

**CSHB 1420 ON SECOND READING
(by J. Jones)**

CSHB 1420, A bill to be entitled An Act relating to the definition of the practice of law.

CSHB 1420 was passed to engrossment.

**CSHB 1730 ON SECOND READING
(by Goolsby)**

CSHB 1730, A bill to be entitled An Act relating to the requirement that the name of a state agency be printed on certain state motor vehicles.

Representative Goolsby moved to postpone consideration of **CSHB 1730** until 10 a.m. Thursday, April 26.

The motion prevailed without objection.

**HB 1113 ON SECOND READING
(by Goolsby)**

HB 1113, A bill to be entitled An Act relating to legislative leave time accounts for police officers in certain municipalities.

HB 1113 was passed to engrossment. (Chisum, Howard, and Swinford recorded voting no)

**CSHB 3483 ON SECOND READING
(by Ramsay)**

CSHB 3483, A bill to be entitled An Act relating to the creation, powers, and duties of the Clean Coal Technology Council.

Amendment No. 1

Representative Burnam offered the following amendment to **CSHB 3483**:

Amend **CSHB 3483** as follows:

1. On page 4, between lines 15 and 16, add the following:

(6) assess the potential revenues that could be derived from a coal use tax;

2. On page 4, line 16, strike "(6)" and substitute "(7)".

3. On page 4, line 21, strike "(7)" and substitute "(8)".

Representative Ramsay moved to table Amendment No. 1.

The motion to table prevailed.

CSHB 3483 was passed to engrossment.

**CSHB 468 ON SECOND READING
(by Solomons and Heflin)**

CSHB 468, A bill to be entitled An Act relating to the transportation of and certain ad valorem tax liens on manufactured homes; providing a penalty.

Amendment No. 1

Representative Solomons offered the following amendment to **CSHB 468**:

Amend **CSHB 468** as follows:

(1) Section 4 is amended by adding a new subsection (f) to Section 623.093, Transportation Code, to read as follows:

" If an application for a permit to move a manufactured house is accompanied by a copy of a writ of possession issued by a court of competent jurisdiction, the applicant is not required to submit the written statement from the chief appraiser set forth in subsection (d)"

Amendment No. 1 was adopted without objection.

CSHB 468, as amended, was passed to engrossment.

HB 1075 ON SECOND READING
(by Haggerty)

HB 1075, A bill to be entitled An Act relating to certain reports submitted to the community justice assistance division of the Texas Department of Criminal Justice on the use of ignition interlock devices.

HB 1075 was passed to engrossment.

CSHB 1243 ON SECOND READING
(by Villarreal and Naishtat)

CSHB 1243, A bill to be entitled An Act relating to monitoring by the Texas Workforce Commission of the long-term employment history of certain former recipients of public assistance.

(G. Lewis in the chair)

Amendment No. 1

Representative Wohlgemuth offered the following amendment to **CSHB 1243**:

Amend **CSHB 1243** as follows:

In SECTION 1 of the bill in proposed Section 302.009, Labor Code (House Committee Report, page 2, between lines 9 and 10), insert the following:

(C) if data is available, the recipient's income as a percentage of the federal poverty level adjusted for the total value of any public assistance utilized by the recipient's household including, but not limited to, medical assistance, food stamps, child care, transportation assistance, the federal earned income tax credit, and job training activities; and

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Hilderbran offered the following amendment to **CSHB 1243**:

On page 1, line 12, strike the words 'employment programs operated by the division under'

On page 1, line 14, strike the words '7 U.S.C. Section 2015(d)' and substitute 'Chapter 33, Human Resources Code'

On page 1, line 16, after the word 'Services', insert the following: 'and the Department shall provide all information needed by the division to evaluate results'.

On page 2, line 13, between the words 'commission' and 'shall', insert the words ', with the assistance of the Department,'

Amendment No. 2 was adopted without objection.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

CSHB 1243 - (consideration continued)

Amendment No. 3

Representative Hilderbran offered the following amendment to **CSHB 1243**:

Amend **CSHB 1243** by inserting a new appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION __. The Texas Workforce Commission is required to implement this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commission may, but is not required to, implement this Act using other appropriations available for that purpose.

Representative Villarreal moved to table Amendment No. 3.

The motion to table prevailed.

A record vote was requested.

CSHB 1243, as amended, was passed to engrossment by (Record 176): 79 Yeas, 66 Nays, 2 Present, not voting.

Yeas — Alexander; Bailey; Bosse; Brimer; Burnam; Capelo; Carter; Chavez; Coleman; Cook; Counts; Danburg; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; Giddings; Glaze; Gray; Gutierrez; Haggerty; Hawley; Hinojosa; Hochberg; Hodge; Homer; Hopson; Jones, E.; Jones, J.; Junell; King, T.; Kitchen; Lewis, R.; Longoria; Luna; Martinez Fischer; Maxey; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Najera; Noriega; Oliveira; Olivo; Pickett; Puente; Rangel; Raymond; Reyna, A.; Ritter; Sadler; Salinas; Solis; Telford; Thompson; Tillery; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Wilson; Wohlgemuth; Wolens; Yarbrough; Zbranek.

Nays — Allen; Averitt; Berman; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Clark; Corte; Crabb; Craddick; Crownover; Davis, J.; Delisi; Denny; Driver; Elkins; George; Geren; Goodman; Goolsby; Green; Grusendorf; Hamric; Hardcastle; Hartnett; Heflin; Hilderbran; Hill; Hope; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Keel; Keffer; King, P.; Kolkhorst; Krusee; Kuempel; Madden; Marchant; McCall; Merritt; Miller; Morrison; Mowery; Nixon; Pitts; Ramsay; Reyna, E.; Seaman; Shields; Smith; Smithee; Solomons; Swinford; Talton; Truitt; Walker; West; Williams; Woolley.

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

Absent, Excused — Hilbert.

Absent — Bonnen; Wise.

STATEMENTS OF VOTE

When Record No. 176 was taken, I was in the house but away from my desk. I would have voted no.

Bonnen

I was shown voting no on Record No. 176. I intended to vote yes.

Ramsay

I was shown voting no on Record No. 176. I intended to vote yes.

Shields

CSHB 1684 ON SECOND READING (by Solomons)

CSHB 1684, A bill to be entitled An Act relating to certain charges that may be included in a retail installment agreement.

Amendment No. 1

Representative A. Reyna offered the following amendment to **CSHB 1684**:

Amend **CSHB 1684** as follows:

Insert on page 1, line 10 after "contract." the following:

However, a policy or agent fee may not be charged if it exceeds 20 percent of the premium for insurance under Subsection (a) or (b), or if the base premium rate for the insurance provided under Subsection (a) or (b) includes a commission component.

Representative Solomons moved to table Amendment No. 1.

The motion to table prevailed.

A record vote was requested.

CSHB 1684 was passed to engrossment by (Record 177): 93 Yeas, 49 Nays, 3 Present, not voting.

Yeas — Alexander; Allen; Averitt; Berman; Bonnen; Brimer; Brown, B.; Callegari; Carter; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Davis, J.; Delisi; Denny; Deshotel; Driver; Edwards; Eiland; Elkins; Ellis; Gallego; George; Geren; Goodman; Goolsby; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Junell; Keel; Keffer; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Lewis, R.; Longoria; Madden; Marchant; McCall; McReynolds; Menendez; Merritt; Miller; Morrison; Mowery; Nixon; Pitts; Ramsay; Reyna, E.; Ritter; Sadler; Seaman; Smith; Solomons; Swinford; Talton; Telford; Thompson; Truitt; Walker; West; Williams; Wohlgemuth; Wolens; Woolley.

Nays — Bailey; Bosse; Burnam; Chavez; Davis, Y.; Dukes; Dunnam; Dutton; Ehrhardt; Farabee; Farrar; Garcia; Giddings; Glaze; Gray; Hinojosa; Hochberg; Hodge; Jones, J.; Kitchen; Luna; Martinez Fischer; Maxey; McClendon; Moreno, J.; Moreno, P.; Naishtat; Najera; Noriega; Oliveira; Olivo; Pickett; Puente; Rangel; Raymond; Reyna, A.; Salinas; Shields; Smithee; Solis; Tillery; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Wise; Yarbrough; Zbraneck.

Present, not voting — Mr. Speaker; Brown, F.; Lewis, G.(C).

Absent, Excused — Hilbert.

Absent — Capelo; Danburg; Flores; Wilson.

STATEMENT OF VOTE

I was shown voting yes on Record No. 177. I intended to vote no.

Keffer

(Speaker in the chair)

SB 361 ON SECOND READING (Hardcastle - House Sponsor)

SB 361, A bill to be entitled An Act relating to the membership and activities of the Interagency Council on Autism and Pervasive Developmental Disorders.

SB 361 was considered in lieu of **HB 1696**.

Amendment No. 1

Representative Hardcastle offered the following amendment to **SB 361**:

Amend **SB 361**, page 2, by striking subsection (e) in its entirety and replacing it with a new subsection (e) to read as follows:

(e) the governor shall designate a public member of the council as the chairman of the council to serve in that capacity at the pleasure of the governor.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Hardcastle offered the following amendment to **SB 361**:

Amend **SB 361**, by inserting on page 2, line 25 between "commissioner" and "shall" the following:
of the Department of Human Services.

Amendment No. 2 was adopted without objection.

SB 361, as amended, was passed to third reading.

HB 1696 - LAID ON THE TABLE SUBJECT TO CALL

Representative Hardcastle moved to lay **HB 1696** on the table subject to call.

The motion prevailed without objection.

CSHB 430 ON SECOND READING
(by Pitts)

CSHB 430, A bill to be entitled An Act relating to the examination required to become a certified public accountant.

CSHB 430 was passed to engrossment.

HB 362 ON SECOND READING
(by Averitt)

HB 362, A bill to be entitled An Act relating to the definition of unfair competition and unfair and deceptive acts or practices in the business of insurance.

HB 362 was passed to engrossment.

HB 106 ON SECOND READING
(by Gutierrez)

HB 106, A bill to be entitled An Act relating to restricting written reports required of public school classroom teachers.

Amendment No. 1

Representative Gutierrez offered the following amendment to **HB 106**:

Amend **HB 106**, in SECTION 1 of the bill, as follows:

On page 2 line 4, delete the word "a" and replace it with the word "the".

Amendment No. 1 was adopted without objection.

HB 106, as amended, was passed to engrossment.

CSHB 236 ON SECOND READING
(by Hinojosa, Gallego, Keel, and Chavez)

CSHB 236, A bill to be entitled An Act relating to the applicability of the death penalty to a capital offense committed by a person with mental retardation.

Amendment No. 1

Representative Dunnam offered the following amendment to **CSHB 236**:

Amend **CSHB 236** by striking all below the enacting clause and substituting the following:

SECTION 1. The Code of Criminal Procedure is amended by adding Chapter 46B to read as follows:

CHAPTER 46B. CAPITAL CASE: EFFECT
OF MENTAL RETARDATION

Art. 46B.01. DEFINITION. In this chapter, "mental retardation" has the meaning assigned by Section 591.003, Health and Safety Code.

Art. 46B.02. RESTRICTION ON DEATH PENALTY. Notwithstanding Section 19.03(b), Penal Code, or Article 37.071, a defendant who at the time of commission of a capital offense was a person with mental retardation is

incompetent to be executed and may not be sentenced to death. The procedures described by Article 46.04 apply to a person who has been sentenced to death before the effective date of this chapter but who may have been a person with mental retardation at the time of the commission of the offense for which the person was sentenced.

Art. 46B.03. HEARING. (a) Counsel for a defendant in a capital case, at any time before the trial commences, may request that the judge hearing the case hold a hearing limited to a determination as to whether the defendant was a person with mental retardation at the time of the commission of the alleged offense.

(b) On receipt of a request under Subsection (a), the court shall notify all interested parties of the request and schedule a hearing on the sole issue of mental retardation.

Art. 46B.04. BURDEN OF PROOF. At a hearing under this chapter, the burden is on the defendant to prove by a preponderance of the evidence that the defendant was a person with mental retardation at the time of the commission of the alleged offense. The state may offer evidence to rebut the defendant's claim.

Art. 46B.05. SENTENCING ALTERNATIVES. (a) If the court finds that the defendant was a person with mental retardation at the time of the commission of the alleged offense and the defendant is subsequently convicted of the offense, the court shall sentence the defendant in accordance with the provisions of Article 37.071, except that the court may not sentence the defendant to death.

(b) If the court finds that the defendant was not a person with mental retardation at the time of the commission of the alleged offense, the court shall conduct the trial in the same manner as if a hearing under this chapter had not been held. At the trial of the offense:

(1) the jury may not be informed of the fact that the court has found under this chapter that the defendant was not a person with mental retardation; and

(2) the defendant may present at trial evidence of mental disability as permitted by Article 37.071.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2001.

Amendment No. 1 was withdrawn.

CSHB 236 was passed to engrossment. (Christian, Howard, Keffer, Shields, Williams, and Wohlgemuth recorded voting no)

CSHB 328 ON SECOND READING
(by Gallego, B. Turner, and Hawley)

CSHB 328, A bill to be entitled An Act relating to single-member trustee districts for certain school districts.

CSHB 328 was passed to engrossment.

HB 457 ON SECOND READING
(by Clark, Naishtat, and Chavez)

HB 457, A bill to be entitled An Act relating to the computation of dropout rates for purposes of public school accountability.

Amendment No. 1

Representative Clark offered the following amendment to **HB 457**:

Amend **HB 457** by striking lines 7-12 and substituting the following:

(f) In the computation of dropout rates under Section 39.051(b)(2), a student who is released from a juvenile pre-adjudication secure detention facility or juvenile post-adjudication secure correctional facility and fails to enroll in school or a student who leaves a residential treatment center after receiving treatment for fewer than 85 days and fails to enroll in school may not be considered to have dropped out from the campus or school district serving the facility or center unless that campus or district is the one to which the student is regularly assigned.

Amendment No. 1 was adopted without objection.

HB 457, as amended, was passed to engrossment.

SB 184 ON SECOND READING
(Naishtat - House Sponsor)

SB 184, A bill to be entitled An Act relating to eligibility requirements for certain persons under the food stamp program.

SB 184 was considered in lieu of **HB 475**.

Amendment No. 1

Representative Naishtat offered the following amendment to **SB 184**:

Amend **SB 184** in SECTION 1 of the bill (Engrossed version, page 1, lines 18-22) by striking proposed Section 33.015(b)(1), Human Resources Code, and substituting the following:

(b) For purposes of Subsection (a)(2), a hardship includes a situation in which a person is prevented from personally appearing at department offices because the person is:

(1) subject to a work or training schedule;

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Wohlgenuth offered the following amendment to **SB 184**:

Amend **SB 184** as follows:

(1) In SECTION 1 of the bill, in proposed Section 33.015, Human Resources Code (Engrossed version, page 2, between lines 14 and 15), insert the following and re-letter the remaining subsections accordingly:

(d) The department may require a person exempted under Subsection (a) from making a personal appearance at department offices to provide verification of the person's entitlement to the exemption on initial eligibility certification and on each subsequent periodic eligibility recertification if the department considers the verification necessary to protect the integrity of the

food stamp program. If the person does not provide verification, the department shall require the person to personally appear at department offices to establish initial eligibility or to comply with periodic eligibility recertification requirements.

(2) In SECTION 2 of the bill (Engrossed version, page 3, line 2), between "food stamps" and the period, insert "and establish resource limits governing categorical eligibility for food stamps".

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative Wohlgemuth offered the following amendment to **SB 184**:

Amend **SB 184** as follows:

(1) In SECTION 1 of the bill, in proposed Section 33.015, Human Resources Code (Engrossed Version, page 2, between lines 18 and 19), insert the following:

(e) The department shall require a person exempted under this section from making a personal appearance at department offices to provide verification of the person's entitlement to the exemption on initial eligibility certification and on each subsequent periodic eligibility recertification. If the person does not provide verification and the department considers the verification necessary to protect the integrity of the food stamp program, the department shall initiate a fraud referral to the department's Office of the Inspector General.

(2) In SECTION 2 of the bill (Engrossed Version, page 3, line 2), between "food stamps" and the period, insert "and establish resource limits governing categorical eligibility for food stamps".

(3) In SECTION 3 of the bill, immediately following the existing text, insert the following:

If a state agency requests a waiver or authorization in connection with implementation of Section 33.015(e), Human Resources Code, as added by this Act, and a federal agency denies that request, the denial does not prohibit the state agency from implementing the other provisions of Section 33.015, Human Resources Code, as added by this Act.

Amendment No. 3 was adopted without objection.

SB 184, as amended, was passed to third reading. (Christian, Denny, Howard, Hupp, Keffer, Seaman, Shields, Talton, Williams, and Wohlgemuth recorded voting no)

HB 475 - LAID ON THE TABLE SUBJECT TO CALL

Representative Naishtat moved to lay **HB 475** on the table subject to call.

The motion prevailed without objection.

CSHB 965 ON SECOND READING (by Dunnam)

CSHB 965, A bill to be entitled An Act relating to the eligibility requirements for an applicant or a holder of a lottery sales agent license.

Amendment No. 1

Representative Hartnett offered the following amendment to **CSHB 965**:

Amend **CSHB 965** (house committee printing) as follows:

(1) On page 1, line 6, strike "Subsection (g)" and substitute "Subsections (g) and (h)".

(2) On page 3, line 18, between the semicolon and "or" insert the following:

(5) operates, displays, or exhibits a skill or pleasure coin-operated machine, as defined by Section 2153.002, Occupations Code, if that machine dispenses, as a reward for play, cash or items redeemable for money or merchandise;

(3) On page 3, line 19, strike "(5)" and substitute "(6) [(5)]".

(4) On page 4, between lines 1 and 2, insert the following:

(h) For purposes of Subsection (a)(5), the comptroller shall provide the director with a report of persons who have tax permits for skill or pleasure coin-operated machines, as defined by Section 2153.002, Occupations Code. The commission may adopt rules regarding the form and frequency of reports under this subsection.

Representative Bailey raised a point of order against further consideration of Amendment No. 1 under Rule 11, Section 2 of the House Rules on the grounds that it is not germane to the bill.

The speaker sustained the point of order.

The ruling precluded further consideration of the amendment.

CSHB 965 was passed to engrossment.

CSHB 2337 ON SECOND READING
(by Goolsby)

CSHB 2337, A bill to be entitled An Act relating to the practice of landscape architecture.

CSHB 2337 was passed to engrossment.

SB 802 ON SECOND READING
(Bailey - House Sponsor)

SB 802, A bill to be entitled An Act relating to tax-exempt benefits for county employees.

SB 802 was considered in lieu of **HB 3471**.

SB 802 was passed to third reading.

HB 3471 - LAID ON THE TABLE SUBJECT TO CALL

Representative Bailey moved to lay **HB 3471** on the table subject to call.

The motion prevailed without objection.

SB 1589 ON SECOND READING
(Goodman and Naishtat - House Sponsors)

SB 1589, A bill to be entitled An Act relating to removing the Texas Juvenile Probation Commission from the list of agencies considered to be

health and human services agencies generally subject to the authority of the Health and Human Services Commission.

SB 1589 was considered in lieu of **HB 2281**.

SB 1589 was passed to third reading.

HB 2281 - LAID ON THE TABLE SUBJECT TO CALL

Representative Goodman moved to lay **HB 2281** on the table subject to call.

The motion prevailed without objection.

SB 938 ON SECOND READING
(Cook - House Sponsor)

SB 938, A bill to be entitled An Act relating to the duties of the Department of Agriculture and certain agricultural boards.

SB 938 was considered in lieu of **HB 2000**.

SB 938 was passed to third reading.

HB 2000 - LAID ON THE TABLE SUBJECT TO CALL

Representative Cook moved to lay **HB 2000** on the table subject to call.

The motion prevailed without objection.

HB 1733 ON SECOND READING
(by J. Moreno)

HB 1733, A bill to be entitled An Act relating to the licensing requirements for labor halls in certain municipalities.

Amendment No. 1

Representative Goolsby offered the following amendment to **HB 1733**:

Amend **HB 1733** by adding a new SECTION 2. to read as follows and by renumbering the remaining SECTION accordingly:

SECTION 2. Section 92.013, Labor Code, is amended by adding subsection (d) to read as follows:

(d) This Section shall not apply to any Temporary Common Worker Employer or Labor Hall that was licensed on or before August 31, 2001, or to any additional Labor Hall locations that may be licensed by a Temporary Common Worker Employer who was licensed on or before August 31, 2001.

Amendment No. 1 was adopted without objection.

HB 1733, as amended, was passed to engrossment.

CSHB 3329 ON SECOND READING
(by Averitt)

CSHB 3329, A bill to be entitled An Act relating to tax-exempt private activity bonds.

CSHB 3329 was passed to engrossment.

CSHB 2746 ON SECOND READING
(by Carter, Hawley, Clark, and Chisum)

CSHB 2746, A bill to be entitled An Act relating to emergency services and rural fire prevention districts; providing for a tax.

CSHB 2746 was passed to engrossment.

CSHB 2384 ON SECOND READING
(by Carter)

CSHB 2384, A bill to be entitled An Act relating to certain fire fighter and police officer employment matters in certain municipalities.

CSHB 2384 was passed to engrossment.

HB 1188 ON SECOND READING
(by Telford)

HB 1188, A bill to be entitled An Act relating to the rights of a public school teacher who is assaulted during the performance of the teacher's regular duties.

Amendment No. 1

Representative Corte offered the following amendment to **HB 1188**:

Amend **HB 1188** as follows:

(1) On page 1, lines 5-6, between "is amended by" and "adding", insert "amending Subsection (b) and".

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

(b) In addition to all other days of leave provided by this section or by the school district, an employee of a school district who is physically assaulted during the performance of the employee's regular duties is entitled to the number of days of leave necessary to recuperate from all physical injuries sustained as a result of the assault. At the request of an employee, the school district must immediately assign an employee to assault leave and, on investigation of the claim, may change the assault leave status and charge the leave against the employee's accrued personal leave or against an employee's pay if insufficient accrued personal leave is available. Days of leave taken under this subsection may not be deducted from accrued personal leave. Except as otherwise provided by this subsection, the [The] period provided by this subsection may not extend more than two years beyond the date of the assault. An employee who does not take the two full years of assault leave may, before the fifth anniversary of the date of the assault, take the portion of that period not previously taken, not to exceed one year, if two physicians certify that additional recovery time is medically necessary due to a complication or another injury resulting from the assault. Notwithstanding any other law, assault leave policy benefits due to an employee shall be coordinated with temporary income benefits due from workers' compensation so that the employee's total compensation from

temporary income benefits and assault leave policy benefits equals 100 percent of the employee's weekly rate of pay.

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

SECTION __. The change in law made by Section 22.003(b), Education Code, as amended by this Act, applies only to a public school employee assaulted during the 2001-2002 school year or later. An assault of an employee before the 2001-2002 school year is governed by the law in effect at the time the assault occurs, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted without objection.

HB 1188, as amended, was passed to engrossment.

**HB 2139 ON SECOND READING
(by Marchant)**

HB 2139, A bill to be entitled An Act relating to certain agreements under a retail installment contract for the purchase of a motor vehicle.

HB 2139 was passed to engrossment.

**CSHB 2300 ON SECOND READING
(by Thompson, Farabee, et al.)**

CSHB 2300, A bill to be entitled An Act relating to the salaries of certain judges and to the collection of certain court costs.

Amendment No. 1

Representative Thompson offered the following amendment to **CSHB 2300**:

Amend **CSHB 2300** as follows:

(1) On page 1, line 13, between "county" and "[on]", insert "or the amount received as salary by the statutory county court judge on January 1, 2001, whichever amount is greater".

(2) On page 2, line 8, strike "[:" and substitute ":".

(3) On page 2, line 9, strike "[~~(1)~~ not" and substitute "(1) [not".

(4) On page 2, line 15, strike "[;" and substitute "; and".

(5) On page 2, line 16, strike "[~~(2)~~ the" and substitute "(2) [the".

(6) On page 2, strike lines 22-27 and substitute the following:

[~~(5)~~] except as provided by Subsection (e) [(f)], the county uses at least 50 percent of the amount the county receives each state fiscal year under Section 25.0016 for salaries for the statutory county court judges.

(e) [(f)] Subsection (d)(2) [~~(e)~~(5)] does not require a county to pay a salary that exceeds the minimum salary under Subsection (a).

(7) On page 6, lines 13 and 14, strike "with a judge who is entitled to an annual salary supplement from the state under Section 26.006" and substitute "[~~with a judge who is entitled to an annual salary supplement from the state under Section 26.006~~".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Thompson offered the following amendment to **CSHB 2300**:

Amend **CSHB 2300** as follows:

(1) Amend Section 118.052(1) to read as follows:

(1) CIVIL COURT ACTIONS

(A) Filing of Original Action (Sec. 118.053):

(i) Garnishment after judgment \$15.00

(ii) All others ~~\$50.00~~[\$40.00]

(B) Filing of Action Other than Original (Sec. 118.054)
~~\$45.00~~[\$30.00]

(C) Services Rendered After Judgement in Original Action (Sec. 118.0545):

(i) Abstract of judgement \$ 5.00

(ii) Execution, order of sale, writ, or other process \$ 5.00

(2) Amend Section 118.052(3)(A) to read as follows:

(A) Issuing Document (Sec. 118.059):

original document and one copy ~~\$12.00~~[\$4.00]

each additional set of an original and one copy ~~\$12.00~~[\$4.00]

Amendment No. 2 was adopted without objection.

Amendment No. 3

Representative Sadler offered the following amendment to **CSHB 2300**:

Amend **CSHB 2300** as follows:

(1) On page 10, line 20, between "by" and "of" strike "Subsection (c)" and substitute "Subsections (c) and (d)".

(2) On page 11, between lines 7 and 8, insert the following:

(d) Section 25.0019, Government Code, as added by this Act, does not apply to a person who on August 31, 2001:

(1) was serving as a statutory county court judge;

(2) was engaging in the private practice of law; and

(3) was not prohibited under state law from engaging in the private practice of law.

Amendment No. 3 was adopted without objection.

Amendment No. 4

Representative Gutierrez offered the following amendment to **CSHB 2300**:

Amend **CSHB 2300** by adding Section ___ to read as follows, and renumber the subsequent sections appropriately:

SECTION___. Subchapter D, Chapter 51, Government Code, is amended by adding Section 51.321 to read as follows:

Sec. 51.321. FAMILY VIOLENCE PREVENTION FEE. (a) The commissioners court of a county may adopt a family violence prevention fee in an amount not to exceed \$15.

(b) The district clerk shall collect the family violence prevention fee at

the time a suit for dissolution of a marriage under Chapter 6, Family Code, is filed. The fee is in addition to any other fee collected by the district clerk. The fee shall not be collected from an individual who is a protected person subject to an order under Title 4, Family Code or Art. 17.292, Code of Criminal Procedure.

(c) The district clerk shall pay a fee collected under this section to the appropriate officer of the county in which the suit is filed for deposit in the county treasury to the credit of the family violence prevention account. The account may be used by the commissioners court of the county only to fund public or private nonprofit organizations providing shelter or services to victims of family violence including legal civil services.

(d) "Family violence" has the meaning assigned by Section 71.004, Family Code.

Amendment No. 4 was adopted without objection.

CSHB 2300, as amended, was passed to engrossment.

CSHB 400 ON SECOND READING
(by Giddings)

CSHB 400, A bill to be entitled An Act relating to establishing a pilot program to assist prospective students in enrolling in institutions of higher education.

Amendment No. 1

Representative Giddings offered the following amendment to **CSHB 400**:

Amend **CSHB 400** as follows:

- (1) On page 1, line 10, strike "regions" and substitute "areas".
- (2) On page 1, line 20, strike "region" and substitute "area".
- (3) On page 1, line 23, strike "region" and substitute "area".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Giddings offered the following amendment to **CSHB 400**:

Amend **CSHB 400** (House Committee Report) on page 1, line 11, by striking "low postsecondary enrollment rates" and substituting "the highest number of students who do not attend institutions of higher education".

Amendment No. 2 was adopted without objection.

CSHB 400, as amended, was passed to engrossment. (Howard recorded voting no)

CSHB 1066 ON SECOND READING
(by Uher)

CSHB 1066, A bill to be entitled An Act relating to health benefits coverage of grandchildren.

CSHB 1066 was passed to engrossment.

CSHB 1126 ON SECOND READING
(by Rangel)

CSHB 1126, A bill to be entitled An Act relating to the discarding of burning materials; providing a criminal penalty.

Amendment No. 1

Representative Rangel offered the following amendment to **CSHB 1126**:

Amend **CSHB 1126** as follows:

- (1) On page 1, strike lines 13 - 18 and substitute the following:
- (b) Except as provided by Subsection (c), an offense under Subsection (a) is a misdemeanor punishable by a fine not to exceed \$100.
- (c) If a fire is ignited as the result of the commission of an offense under Subsection (a) and the fire continues after ignition, an offense under Subsection (a) is a misdemeanor punishable by:
 - (1) a fine not to exceed \$500;
 - (2) confinement in jail for a term not to exceed 30 days; or
 - (3) both the fine and the confinement.
- (2) On page 1, line 19, strike "(c)" and substitute "(d)".
- (3) On page 1, line 24, strike "(d)" and substitute "(e)".

Amendment No. 1 was adopted without objection.

CSHB 1126, as amended, was passed to engrossment.

CSHB 623 ON SECOND READING
(by Hochberg and Delisi)

CSHB 623, A bill to be entitled An Act relating to the selection, distribution, and use of public school textbooks; providing a criminal penalty.

Amendment No. 1

Representative Hochberg offered the following amendment to **CSHB 623**:

Amend **CSHB 623** as follows:

- (1) On page 1, lines 9 and 10, strike "textbook, other than an electronic textbook," and substitute "textbook".
- (2) On page 1, line 13, between "day" and the period, insert "if requested to do so by the student's teacher".
- (3) On page 1, lines 14 and 15, strike "\"textbook\" and \"electronic textbook\" have the meanings" and substitute "\"textbook\" has the meaning".
- (4) On page 3, line 2, strike "are not available from the publisher" and substitute "will not be available from the depository or the publisher within the time specified by Section 31.151(a)(8)".
- (5) On page 3, line 6, between "used" and "textbooks", insert "adopted".
- (6) On page 6, between lines 2 and 3, insert the following:
 - (d) In this section, \"gift, favor, or service\" does not include:
 - (1) staff development, in-service, or teacher training; or
 - (2) instructional materials, such as maps or worksheets, that convey information to the student or otherwise contribute to the learning process.

Amendment No. 1 was adopted without objection.

CSHB 623, as amended, was passed to engrossment.

HB 131 ON SECOND READING
(by Deshotel)

HB 131, A bill to be entitled An Act relating to the use of the compensation to victims of crime fund to reimburse the reasonable costs of certain victims' medical examinations.

Amendment No. 1

Representative Hinojosa offered the following amendment to **HB 131**:

Amend **HB 131** on page 1, between "examination" and the period, by inserting "if the examination was performed by a physician or by a sexual assault examiner or sexual assault nurse examiner, as defined by Section 420.003, Government Code"

Amendment No. 1 was adopted without objection.

HB 131, as amended, was passed to engrossment.

HB 2311 ON SECOND READING
(by Bosse, Solis, et al.)

HB 2311, A bill to be entitled An Act relating to certain agreements for the payment of subcontractors.

HB 2311 was passed to engrossment.

HB 2344 ON SECOND READING
(by Oliveira)

HB 2344, A bill to be entitled An Act relating to the number of entering freshmen that may enroll at The University of Texas at Brownsville.

HB 2344 was passed to engrossment.

CSHB 3673 ON SECOND READING
(by Swinford and Miller)

CSHB 3673, A bill to be entitled An Act relating to feeding certain garbage to swine; providing a criminal penalty.

CSHB 3673 was passed to engrossment.

CSHB 2828 ON SECOND READING
(by Smithee)

CSHB 2828, A bill to be entitled An Act relating to the delegation of certain functions by a health maintenance organization; providing penalties.

CSHB 2828 was passed to engrossment.

HB 3016 ON SECOND READING
(by Haggerty)

HB 3016, A bill to be entitled An Act relating to the use of electronically readable information to comply with provisions of the Alcoholic Beverage Code.

A record vote was requested.

HB 3016 was passed to engrossment by (Record 178): 74 Yeas, 66 Nays, 3 Present, not voting.

Yeas — Alexander; Averitt; Bosse; Brimer; Capelo; Chavez; Coleman; Cook; Counts; Danburg; Davis, Y.; Deshotel; Dukes; Edwards; Ehrhardt; Eiland; Elkins; Farabee; Flores; Geren; Glaze; Goodman; Goolsby; Gray; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Hinojosa; Hochberg; Homer; Hope; Hopson; Janek; Jones, D.; Jones, E.; Junell; Keffer; King, P.; Kolkhorst; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; McCall; McReynolds; Menendez; Merritt; Morrison; Najera; Noriega; Olivo; Pickett; Pitts; Ramsay; Rangel; Raymond; Reyna, A.; Ritter; Solis; Telford; Thompson; Uher; Villarreal; Walker; West; Wilson; Wohlgemuth; Yarbrough; Zbraneck.

Nays — Allen; Bailey; Berman; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Carter; Chisum; Christian; Corte; Crabb; Craddick; Crownover; Davis, J.; Delisi; Denny; Driver; Dunnam; Dutton; Ellis; Farrar; Gallego; Garcia; Giddings; Green; Heflin; Hilderbran; Hill; Howard; Hunter; Hupp; Isett; Jones, J.; Keel; King, T.; Krusee; Madden; Marchant; Martinez Fischer; Maxey; McClendon; Miller; Moreno, J.; Mowery; Naishtat; Nixon; Puente; Reyna, E.; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solomons; Talton; Tillery; Truitt; Turner, B.; Turner, S.; Uresti; Williams; Wolens; Woolley.

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

Absent, Excused — Hilbert.

Absent — Clark; George; Kitchen; Moreno, P.; Oliveira; Wise.

STATEMENT OF VOTE

When Record No. 178 was taken, I was in the house but away from my desk. I would have voted no.

George

CSHB 2787 ON SECOND READING (by Geren)

CSHB 2787, A bill to be entitled An Act relating to requiring students of institutions of higher education to obtain a vehicle emissions inspection for certain vehicles and to notifying certain students of state vehicle registration and inspection requirements.

CSHB 2787 was passed to engrossment.

RULES SUSPENDED

Representative D. Jones moved to suspend the 5-day posting rule to allow the Committee on Redistricting to consider **HB 150** at 2 p.m. Friday, April 27 in the Capitol Extension Auditorium E1.004

The motion prevailed without objection.

REMARKS BY REPRESENTATIVE D. JONES

The speaker recognized Representative D. Jones who addressed the house regarding redistricting, speaking as follows:

We are placing in your mailboxes today our basic working plan for a state-wide redistricting of the 150 house of representatives districts.

The driving force behind this plan has been: (1) the one-person, one-vote mandate (equal population in each district); (2) the Texas constitutional restriction on a minimum cutting of county lines; (3) protection of the integrity of the people of the current districts throughout our state; (4) various court opinions that direct the process of redistricting; (5) and restrictions imposed on the process by the Federal Voting Rights Act of 1965.

The one-person, one-vote mandate established the 10 percent variance tolerance for our 150 districts. Our lowest population in this plan is 131,543, a minus 5.37 percent deviation. Our highest population is 145,423, a plus 4.61 percent deviation. This makes our total variance 9.98 percent which is just below the permissible 10 percent variance.

The minimum cutting of county lines has been achieved; Brazoria County is the only cut in the plan.

We have respected the integrity of the people of Texas by preserving major portions of 132 of the present 150 districts.

The dramatic shift in Texas population allowed us to create one totally new Hispanic district in the Valley and eight new districts in the growth areas of our state.

In addition to the new Valley district, the following areas have new districts: two districts in the suburbs of the counties adjoining Fort Worth and Dallas, three in southeast Texas and the high growth areas adjoining Harris County, three in central Texas including one in Williamson County and one in Travis County and one in the Bell County area.

We have carefully followed the requirements of the Voting Rights Act throughout this plan.

Our committee members, our legislative leadership, and myself have put in many long hours of work, anguish, and sincere respect for each of you and the people of Texas throughout this process.

Our basic goal from the start was to produce a fair and legal plan for you—the members of this house to consider and act upon. This we have done.

We have scheduled a public hearing for Wednesday at 2 p.m. for this plan. You and all interested parties are welcome to participate in this hearing by presenting recommendations that you feel could make this a better total plan.

I hope that all interested parties recognize that everyone involved in this process—myself, my committee members, our legislative leaders, and all our staff people—have kept fairness, integrity, legality, and compassion uppermost in our minds as we developed the plan revealed to you today.

REMARKS ORDERED PRINTED

Representative Uher moved to print remarks by D. Jones.

The motion prevailed without objection. (Garcia recorded voting no)

RULES SUSPENDED

Representative Hochberg moved to suspend the 5-day posting rule to allow the Committee on Public Education, Subcommittee on School Finance, to consider pending bills, 6 p.m. today in E2.036.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Public Education, Subcommittee on School Finance, 6 p.m. today, E2.036, for a public hearing, to consider pending bills.

Human Services, upon adjournment today, E2.030, for a public hearing, to consider regular business.

Public Safety, upon adjournment today, Desk 141, for a formal meeting.

Redistricting will not meet tomorrow, but will have a public hearing at 2 p.m. Wednesday, April 25.

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

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

ADJOURNMENT

Representative Farabee moved that the house adjourn until 10 a.m. tomorrow.

The motion prevailed without objection.

The house accordingly, at 5:42 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HB 3687 (By Green), Relating to the operation of the Nixon Hospital District of Gonzales and Wilson Counties, Texas, and the DeWitt Medical District.

To County Affairs.

HB 3688 (By Hilbert), Relating to the creation, administration, powers, duties, operation, and financing of the Harris County Municipal Utility District No. 388.

To Natural Resources.

HB 3689 (By Hilbert), Relating to the creation, administration, powers, duties, operation, and financing of the Harris County Municipal Utility District No. 387.

To Natural Resources.

HB 3690 (By Hilbert), Relating to the creation, administration, powers, duties, operation, and financing of the Harris County Municipal Utility District No. 386.

To Natural Resources.

HCR 253 (By Delisi), In memory of Madge Anna Stewart Keeton of Austin.

To Rules & Resolutions.

HR 799 (By Geren), In memory of Harold Richard "Rusty" Bost of Boyd.

To Rules & Resolutions.

HR 801 (By Giddings), Welcoming the students of the Academy of Travel and Tourism from Thomas Jefferson High School in Dallas to the State Capitol on April 19, 2001.

To Rules & Resolutions.

HR 802 (By Averitt), Honoring the memory of Francisca Alvarez for the assistance she rendered to Texas prisoners of war during the Texas Revolution.

To Rules & Resolutions.

HR 803 (By J. Davis, Gray, Talton, and Edwards), Honoring the 22 teachers who successfully completed the Aerospace Academy for Engineering and Teacher Education.

To Rules & Resolutions.

HR 807 (By Dukes), Honoring Ruby Mae Earls Collins of Austin for her outstanding leadership of the B. L. H. Bradshaw Mission II Women's Convention Auxiliary to the St. John Regular Baptist Association.

To Rules & Resolutions.

HR 808 (By Keffer), Honoring veterans of the Vietnam War and supporting the National Vietnam War Museum in Mineral Wells.

To Rules & Resolutions.

SB 2 to Natural Resources.

SB 8 to Insurance.

SB 12 to Economic Development.

SB 221 to State Affairs.

SB 228 to State Affairs.

SB 280 to Public Health.

- SB 281** to Public Health.
- SB 282** to Public Health.
- SB 309** to State Affairs.
- SB 333** to Public Health.
- SB 486** to Civil Practices.
- SB 593** to Pensions & Investments.
- SB 609** to Appropriations.
- SB 610** to Criminal Jurisprudence.
- SB 731** to Civil Practices.
- SB 732** to County Affairs.
- SB 790** to Pensions & Investments.
- SB 791** to Public Health.
- SB 837** to Higher Education.
- SB 840** to Corrections.
- SB 846** to Urban Affairs.
- SB 870** to County Affairs.
- SB 886** to Transportation.
- SB 905** to Environmental Regulation.
- SB 909** to Judicial Affairs.
- SB 935** to Financial Institutions.
- SB 941** to Judicial Affairs.
- SB 961** to County Affairs.
- SB 1001** to Judicial Affairs.
- SB 1046** to Public Health.
- SB 1106** to Civil Practices.
- SB 1146** to Environmental Regulation.
- SB 1155** to Higher Education.
- SB 1178** to Public Education.
- SB 1180** to Public Education.
- SB 1181** to Insurance.
- SB 1235** to Licensing & Administrative Procedures.
- SB 1236** to Licensing & Administrative Procedures.

- SB 1264** to Public Health.
SB 1355 to Business & Industry.
SB 1373 to Public Health.
SB 1376 to Human Services.
SB 1394 to Insurance.
SB 1411 to Public Health.
SB 1415 to Financial Institutions.
SB 1472 to Higher Education.
SB 1491 to Elections.
SB 1496 to State Affairs.
SB 1503 to Urban Affairs.
SB 1519 to Transportation.
SB 1533 to Ways & Means.
SB 1543 to Public Education.
SB 1570 to Criminal Jurisprudence.
SB 1588 to Public Health.
SB 1590 to Human Services.
SB 1593 to Human Services.
SB 1640 to Judicial Affairs.
SB 1667 to Licensing & Administrative Procedures.
SB 1683 to Juvenile Justice & Family Issues.
SB 1763 to Public Health.
SCR 37 to Insurance.

SIGNED BY THE SPEAKER

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

House List No. 34

HB 808, HB 1212, HB 1753

Senate List No. 14

SCR 47

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, April 23, 2001

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 27 Shapiro

Relating to the creation of an address confidentiality program to assist victims of family violence or stalking in maintaining confidential addresses.

SB 40 Zaffirini

Relating to tuition assistance for licensed vocational nursing students who agree following their licensure to practice in long-term care facilities.

SB 51 Zaffirini

Relating to the provision of Medicaid to certain persons making the transition from foster care to independent living.

SB 292 Armbrister

Relating to programs and systems administered by the Employees Retirement System of Texas.

SB 618 Van de Putte

Relating to the eligibility for appointment of a visiting associate judge in certain family law cases.

SB 704 West, Royce

Relating to standardized school district dress codes.

SB 1047 Shapiro

Relating to the expunction or clarification of certain criminal history record information.

SB 1182 Wentworth

Relating to categories of information that are presumed to be available to the public under the public information law.

SB 1185 Whitmire

Relating to the construction of certain telecommunications facilities.

SB 1202 Zaffirini

Relating to the limits on compensation paid by the state to certain victims of crime.

SB 1304 Harris

Relating to the creation of a missing persons DNA database at the University of North Texas Health Science Center at Fort Worth; creating an offense for the release of confidential information in the database and failure to destroy samples.

SB 1421 West, Royce

Relating to certain court costs imposed on a person convicted of an offense.

SB 1539 Duncan

Relating to the powers of the Lubbock Reese Redevelopment Authority.

SB 1735 Cain

Relating to special education programs and the educational rights of minors with disabilities and other minors whose disabilities are removed for general purposes.

Respectfully,

Betty King
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER

Austin, Texas

Monday, April 23, 2001 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 1019 Salinas SPONSOR: Truan

Relating to designating the state Tejano Music Hall of Fame.

HCR 219 Farabee SPONSOR: Haywood

In memory of Charles N. Prothro of Wichita Falls.

Respectfully,

Betty King
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER

Austin, Texas

Monday, April 23, 2001 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 1444 Brown, J. E. "Buster"
Relating to the general powers and authority of water districts; providing a penalty.

SB 1574 Gallegos
Relating to an exemption from ad valorem taxation of raw cocoa and green coffee that is held in Harris County.

SB 1600 Staples
Relating to the water rights permit for the proposed Lake Eastex water supply reservoir project.

SCR 49 Ratliff
Honoring Elissa Benford of Buda for her community service.

SJR 47 Gallegos
Proposing a constitutional amendment to authorize the legislature to exempt from ad valorem taxation raw cocoa and green coffee that is held in Harris County.

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

SB 831 (viva-voce vote)

Respectfully,

Betty King
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 20

Appropriations - **HB 3088, HB 3244**

Civil Practices - **SB 277**

Corrections - **HB 287, HB 1649, SB 288**

County Affairs - **SB 274**

Criminal Jurisprudence - **HB 238, HB 434, HB 991, HB 1499, HB 1554, HB 1988, HB 2098, HB 2256, HB 2288, HB 2387, HB 2561, HB 3351, HJR 56, HJR 59**

Economic Development - **HB 243, HB 931, HB 932, HB 1243, HB 1309, HB 1761, HB 2028, HB 2686, HB 3178**

Higher Education - **HB 2510, HB 2766**

House Administration - **HB 2061**

Human Services - **HB 1008, SB 361, SB 908, SB 1475**

Insurance - **HB 1982, HB 2382**

Judicial Affairs - **HB 180, HB 2270**

Juvenile Justice & Family Issues - **HB 638, SB 1589**

Land & Resource Management - **HB 2977, HB 3604, SB 1147**

Licensing & Administrative Procedures - **HB 1923**

Natural Resources - **HB 3074, HB 3670, HB 3675, HB 3676**

Pensions & Investments - **HB 1076, HB 2957**

Public Education - **HB 328**

Public Health - **HB 640, HB 761, HB 803, HB 895, HB 916, HB 1094, HB 2004, HB 2178, HB 2420, HB 2650, HB 3602**

State Affairs - **HB 609**

State, Federal & International Relations - **HCR 241, SB 911, SB 1043, SB 1140**

Transportation - **HB 893, HB 3653, SB 1089**

Urban Affairs - **HB 3449**

ENGROSSED

April 20 - **HB 100, HB 402, HB 490, HB 534, HB 535, HB 569, HB 805, HB 935, HB 940, HB 952, HB 1015, HB 1023, HB 1024, HB 1107, HB 1114, HB 1299, HB 1459, HB 1512, HB 1516, HB 1523, HB 1532, HB 1562, HB 1584, HB 1639, HB 1671, HB 1784, HB 1842, HB 1990, HB 2112, HB 2144, HB 2173, HB 2217, HB 2238, HB 2247, HB 2278, HB 2286, HB 2307, HB 2347, HB 2349, HB 2397, HB 2401, HB 2437, HB 2440, HB 2488, HB 2491, HB 2525, HB 2529, HB 2559, HB 2567, HB 2571, HB 2587, HB 2658, HB 2750, HB 2780, HB 2788, HB 2875, HB 2882, HB 2923, HB 2947, HB 2959, HB 3055, HB 3069, HB 3132, HB 3150, HB 3286, HB 3298, HB 3544, HB 3635, HB 3636**

April 22 - **HB 65, HB 66, HB 116, HB 139, HB 166, HB 171, HB 200, HB 266, HB 495, HB 521, HB 663, HB 787, HB 835, HB 1011, HB 1073, HB 1091, HB 1161, HB 1175, HB 1220, HB 1285, HB 1307, HB 1378, HB 1390, HB 1392, HB 1419, HB 1583, HB 1628, HB 1703, HB 1758, HB 1886, HB 1909, HB 1924, HB 1958, HB 2058, HB 2077, HB 2091, HB 2185, HB 2279, HB 2295, HB 2316, HB 2345, HB 2362, HB 2432, HB 2572, HB 2579, HB 2585, HB 2589, HB 2601, HB 2628, HB 2663, HB 2690, HB 2758, HB 2796, HB 2816, HB 2847, HB 2869,**

**HB 2870, HB 2873, HB 2874, HB 2912, HB 2922, HB 2994,
HB 3028, HB 3034, HB 3037, HB 3096, HB 3134, HB 3159, HB 3161,
HB 3172, HB 3174, HB 3191, HB 3229, HB 3243, HB 3315, HB 3356,
HB 3357, HB 3365, HB 3403, HB 3415, HB 3484, HB 3556, HB 3589,
HB 3591, HB 3626, HCR 38, HCR 98**

ENROLLED

April 20 - HCR 106

SENT TO THE GOVERNOR

April 20 - HCR 100, HCR 106

SIGNED BY THE GOVERNOR

**April 20 - HB 519 HB 656, HB 1747, HCR 101, HCR 129, HCR 130,
HCR 131, HCR 230, HCR 231**