

# HOUSE JOURNAL

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SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

FIFTY-NINTH DAY — WEDNESDAY, APRIL 30, 2003

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 398).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Absent, Excused — Gallego; Isett; Oliveira; Wilson; Wise.

The invocation was offered by Reverend Frankie Rivers, pastor, St. James Missionary Baptist Church, Seguin, as follows:

Heavenly Father, we are gathered here this morning with our heads bowed in reverence to you and our hearts uplifted by the awesomeness of your mercy and your grace. We are mindful of the many blessings you have already bestowed upon us and we give you thanks and praise. We are grateful that we live in a country that is governed by legislative bodies duly elected to serve the people. This body of elected men and women are here at this time and in this place to conduct the business of the state. We are grateful to each of them for the sacrifices of time and effort that they make to serve.

Father, we pray your blessings upon this assembly today and always. In these difficult times, we pray that you will guide all discussions and deliberations and that your goodness and righteousness will be the rule of the day. Humble and strengthen each person by the great power of your holy word. In the words of

Jesus, "...for without me you can do nothing." (John 15:5c) The words of the Apostle Paul, "I can do all things through Christ, which strengthens me." (Philippians 4:13)

As these representatives face the challenges of governing the great State of Texas, cause each of their decisions to be made from the backdrop of understanding, compassion, and integrity. In spite of current difficulties, financial and otherwise, we have an abiding faith and trust in the system to protect and provide for every citizen.

Father, we know that with you, all things are possible. You told us in your word, "If you abide in me and my words abide in you. You can ask what you will and it shall be done unto you." (John 15:7)

I pray all of these things with thanksgiving and believing in the name of Jesus Christ, your son and our savior. Amen.

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business:

Wilson on motion of Kuempel.

Wise on motion of J. Moreno.

The following member was granted leave of absence temporarily for today because of a death in the family:

Gallego on motion of Hochberg.

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

Isett on motion of Flynn.

### CAPITOL PHYSICIAN

The speaker recognized Representative T. Smith who presented Dr. Elizabeth Hill of Bedford as the "Doctor for the Day."

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

### HCR 36 - ADOPTED (by Bonnen)

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HCR 36**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HCR 36**, Designating September 2003 as Leukemia and Lymphoma Awareness Month in Texas.

**HCR 36** was adopted without objection.

### INTRODUCTION OF GUESTS

The speaker recognized Representative Bonnen who introduced representatives from the Leukemia and Lymphoma Society.

### 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).

(Hill in the chair)

### HR 960 - ADOPTED

(by E. Jones, Uresti, Luna, and Deshotel)

Representative E. Jones moved to suspend all necessary rules to take up and consider at this time **HR 960**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 960**, Honoring Bill Milliken, founder and president of Communities in Schools, Incorporated.

**HR 960** was adopted without objection.

### INTRODUCTION OF GUESTS

The chair recognized Representative E. Jones who introduced Bill Milliken, founder and president of Communities in Schools, Incorporated, and Nellie Reyes.

### HR 963 - ADOPTED

(by T. Smith)

Representative T. Smith moved to suspend all necessary rules to take up and consider at this time **HR 963**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 963**, Honoring the Reverend Ronald L. Richardson of First Baptist Church of Hurst on his 20th anniversary at the church.

**HR 963** was adopted without objection.

### HR 931 - ADOPTED

(by Hunter)

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HR 931**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 931**, Honoring Donna Albus of Abilene, president of Keep Texas Beautiful, for her commitment to her community and state.

**HR 931** was adopted without objection.

**INTRODUCTION OF GUEST**

The chair recognized Representative Hunter who introduced Donna Albus, president of Keep Texas Beautiful.

**INTRODUCTION OF GUEST**

The chair recognized Representative Hamric who introduced Fran Mainella, director of the National Parks Service.

**HCR 192 - ADOPTED**

**(by Uresti, Puente, Solis, and Mercer)**

Representative Uresti moved to suspend all necessary rules to take up and consider at this time **HCR 192**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HCR 192**, Welcoming Toyota Motor Corporation to Texas.

**HCR 192** was adopted without objection.

On motion of Representative Mercer, the names of all the members of the house were added to **HCR 192** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Uresti who introduced representatives from Toyota Motor Corporation.

**HR 938 - ADOPTED**

**(by B. Brown)**

Representative B. Brown moved to suspend all necessary rules to take up and consider at this time **HR 938**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 938**, Commending those involved with the Pi Sigma Alpha political science honor society at The University of Texas at Austin.

**HR 938** was adopted without objection.

**HR 943 - ADOPTED**

**(by Truitt)**

Representative Truitt moved to suspend all necessary rules to take up and consider at this time **HR 943**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 943**, Congratulating Kelly Pace Bradley of Tarrant County on her receipt of a 2003 STARS award.

**HR 943** was adopted without objection.

**HR 661 - ADOPTED**  
**(by Allen)**

Representative Allen moved to suspend all necessary rules to take up and consider at this time **HR 661**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 661**, Honoring Teri Jackson on her tenure with the Grand Prairie City Council.

**HR 661** was adopted without objection.

**HR 578 - ADOPTED**  
**(by Peña and Rodriguez)**

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 578**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 578**, Recognizing April 30, 2003, as Texas Recovery Day.

**HR 578** was adopted without objection.

On motion of Representative Chavez, the names of all the members of the house were added to **HR 578** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Peña who introduced Chilo Madrid, executive director of Aliviane, Inc.; Reverend Leslie Smith, founder and executive director of Families Under Urban & Social Attack; Patrick Clancey, executive director of The Patrician Movement; and Gina Teer, director of public relations for La Hacienda Treatment Center.

**HR 971 - ADOPTED**  
**(by Corte)**

Representative Corte moved to suspend all necessary rules to take up and consider at this time **HR 971**.

The motion prevailed without objection.

The following resolution was laid before the house:

**HR 971**, Honoring Neale and Kathy Schad of San Antonio for their contributions to the community.

**HR 971** was adopted without objection.

On motion of Representative Mercer, the names of all the members of the house were added to **HR 971** as signers thereof.

**HB 43 - HOUSE CONCURS IN SENATE AMENDMENTS  
TEXT OF SENATE AMENDMENTS**

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

**HB 43**, A bill to be entitled An Act relating to the funding of and the making of grants by the Texas Council on Environmental Technology.

On motion of Representative Chisum, the house concurred in the senate amendments to **HB 43** by (Record 399): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Morrison; Mowery; Nixon; Noriega; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Gallego; Isett; Oliveira; Wilson; Wise.

Absent — Grusendorf; Marchant; Moreno, P.; Naishtat; Olivo; Quintanilla.

**Senate Committee Substitute**

**CSHB 43**, A bill to be entitled An Act relating to the funding of and the making of grants by the Texas Council on Environmental Technology.

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

SECTION 1. Section 387.002(b), Health and Safety Code, is amended to read as follows:

(b) The Texas Council on Environmental Technology shall work to enhance the entrepreneurial and inventive spirit of Texans to assist in developing solutions to air, water, and waste problems by:

(1) identifying and evaluating new technologies and seeking the approval of the United States Environmental Protection Agency for and facilitating the deployment of those technologies; ~~and~~

(2) assisting the commission and the United States Environmental Protection Agency in the process of ensuring credit for new, innovative, and creative technological advancements;

(3) competing for and managing federal grants and funds from other sources available for carrying out the objectives of the council; and

(4) entering into public-private partnerships to facilitate development of environmental technology infrastructure in this state.

SECTION 2. Section 387.003, Health and Safety Code, is amended by adding Subsection (c) to read as follows:

(c) When making a grant under the program, the Texas Council on Environmental Technology may collect a fee from the grant recipient in an amount not to exceed five percent of the amount of the grant to be used by the council only to:

(1) monitor project progress;

(2) disseminate information about project accomplishments;

(3) track technology deployment into the marketplace; and

(4) provide estimates of the impact that commercialization of funded projects will have on the environment.

SECTION 3. Section 387.005, Health and Safety Code, is amended by adding Subsection (f) to read as follows:

(f) If a member of the Texas Council on Environmental Technology is an employee or owner of an entity that applies for a grant under this chapter, the member, before a vote on the grant, shall disclose the fact of the member's employment or ownership. The disclosure must be entered into the minutes of the meeting. The member may not vote on or otherwise participate in the awarding of the grant. If the member does not comply with this subsection, the entity is not eligible for the grant.

SECTION 4. Section 387.008(a), Health and Safety Code, is amended to read as follows:

(a) The environmental research fund is an account in the general revenue fund. The fund consists of fees collected under Section 387.003(c) and money from gifts, grants, or donations to the fund for designated or general use and from any other source designated by the legislature.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

### **LEAVE OF ABSENCE GRANTED**

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

Eiland on motion of McCall.

### **SB 104 - REQUEST OF SENATE GRANTED CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Allen, the house granted the request of the senate for the appointment of a conference committee on **SB 104**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 104**: Allen, chair; Nixon; Capelo; Pitts; and Coleman.

**MAJOR STATE CALENDAR  
SENATE BILLS  
SECOND READING**

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

**SB 421 ON SECOND READING  
(J. Davis - House Sponsor)**

**SB 421**, A bill to be entitled An Act relating to coverage of assisted living facilities under professional liability insurance and the Texas Medical Liability Insurance Underwriting Association.

**Amendment No. 1**

Representative Naishtat offered the following amendment to **SB 421**:

Amend **SB 421** (engrossed version) as follows:

(1) In SECTION 4 of the bill, in the recital (page 3, line 17), strike "Chapter 1284" and substitute "Chapters 921 and 1284".

(2) Immediately before SECTION 5 of the bill (page 4, between lines 13 and 14), insert the following:

(d) [(c)] In consultation with the Texas Department of Human Services, the commissioner shall, by rule, adopt minimum rating standards for for-profit nursing homes and for-profit assisted living facilities that must be met before a for-profit nursing home or for-profit assisted living facility may obtain coverage through the association. The standards must promote the highest practical level of care for residents of those nursing homes and assisted living facilities.

(3) Strike SECTION 14 of the bill (page 14, lines 19-21) and renumber the subsequent SECTIONS of the bill appropriately.

Amendment No. 1 was adopted without objection.

**SB 421**, as amended, was passed to third reading.

(Driver in the chair)

**SB 339 ON SECOND READING  
(Smithee - House Sponsor)**

**SB 339**, A bill to be entitled An Act relating to issuance of certain liability insurance by the Texas Medical Liability Insurance Underwriting Association.

**SB 339** was passed to third reading.

**GENERAL STATE CALENDAR  
SENATE BILLS  
THIRD READING**

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



**SB 732 ON THIRD READING**  
**(Puente - House Sponsor)**

**SB 732**, A bill to be entitled An Act relating to discounts or other forms of pricing flexibility for telecommunications services.

**SB 732** was passed.

**SB 1224 ON THIRD READING**  
**(Keel - House Sponsor)**

**SB 1224**, A bill to be entitled An Act relating to the appointment of counsel for an indigent applicant for a writ of habeas corpus in a capital case.

A record vote was requested.

**SB 1224** was passed by (Record 400): 133 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Denny; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Moreno, J.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; West; Wohlgemuth; Wong; Woolley; Zedler.

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

Absent, Excused — Eiland; Gallego; Isett; Oliveira; Wilson; Wise.

Absent — Burnam; Callegari; Delisi; Hartnett; Miller; Moreno, P.; Villarreal; Wolens.

**STATEMENT OF VOTE**

When Record No. 400 was taken, I was temporarily out of the house chamber. I would have voted yes.

Hartnett

**SB 1603 ON THIRD READING**  
**(Casteel - House Sponsor)**

**SB 1603**, A bill to be entitled An Act relating to charitable contributions by state employees to the General Land Office's Adopt-A-Map/Adopt-A-Document Program.

A record vote was requested.

**SB 1603** was passed by (Record 401): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Eiland; Gallego; Isett; Oliveira; Wilson; Wise.

Absent — Jones, E.; McCall.

**SB 718 ON THIRD READING**  
**(McReynolds - House Sponsor)**

**SB 718**, A bill to be entitled An Act relating to the practice and regulatory environment for registered nurses and licensed vocational nurses.

A record vote was requested.

**SB 718** was passed by (Record 402): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips;

Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Eiland; Gallego; Isett; Oliveira; Wilson; Wise.

Absent — Castro; Davis, Y.; Pickett.

**SB 857 ON THIRD READING**  
**(Wohlgemuth - House Sponsor)**

**SB 857**, A bill to be entitled An Act relating to certain therapeutic optometrists' participation in a managed care plan.

A record vote was requested.

**SB 857** was passed by (Record 403): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Eiland; Gallego; Isett; Oliveira; Wilson; Wise.

Absent — Noriega.

**SB 857 - STATEMENT OF LEGISLATIVE INTENT**

This bill does not, in any manner, seek to increase the scope of practice for therapeutic optometrists. This bill does not give preferential treatment to a specific provider over another. This bill does not prevent a patient in a managed care plan from seeking the care of a physician instead of an optometrist.

Capelo  
Wohlgemuth

**SB 1057 ON THIRD READING**  
**(Keel - House Sponsor)**

**SB 1057**, A bill to be entitled An Act relating to the determination of incompetency in criminal and juvenile justice cases.

**SB 1057** was passed.

**SB 7 ON THIRD READING**  
**(Chisum - House Sponsor)**

**SB 7**, A bill to be entitled An Act relating to the recognition of a same-sex marriage or a civil union.

**Amendment No. 1**

Representative Goodman offered the following amendment to **SB 7**:

Amend **SB 7** on third reading by striking Section 6.204(d), Family Code, as added by the Goodman amendment on second reading.

Amendment No. 1 was adopted without objection.

A record vote was requested.

**SB 7**, as amended, was passed by (Record 404): 118 Yeas, 9 Nays, 3 Present, not voting.

Yeas — Allen; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Canales; Capelo; Casteel; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Deshotel; Dunnam; Dutton; Eissler; Elkins; Ellis; Farabee; Farrar; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Heflin; Hegar; Hilderbran; Hill; Hochberg; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Mabry; Marchant; Martinez Fischer; McCall; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Morrison; Mowery; Nixon; Olivo; Paxton; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Nays — Bailey; Burnam; Coleman; Davis, Y.; Hodge; Lewis; Naishtat; Noriega; Rodriguez.

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

Absent, Excused — Eiland; Gallego; Isett; Oliveira; Wilson; Wise.

Absent — Alonzo; Castro; Chavez; Dukes; Flores; Hartnett; Jones, J.; Luna; Madden; McClendon; Moreno, P.; Peña; Villarreal.

**STATEMENTS OF VOTE**

When Record No. 404 was taken, I was temporarily out of the house chamber. I would have voted no.

Alonzo

I was shown voting yes on Record No. 404. I intended to vote no.

Farrar

When Record No. 404 was taken, I was in the house but away from my desk. I would have voted yes.

Hartnett

When Record No. 404 was taken, I was in the house but away from my desk. I would have voted yes.

McClendon

I was shown voting yes on Record No. 404. I intended to vote no.

J. Moreno

When Record No. 404 was taken, my vote failed to register. I would have voted no.

Villarreal

**GENERAL STATE CALENDAR  
SENATE BILLS  
SECOND READING**

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

**SB 40 ON SECOND READING  
(Capelo - House Sponsor)**

**SB 40**, A bill to be entitled An Act relating to an immunization education program established by the Texas Department of Health.

Representative Capelo moved to postpone consideration of **SB 40** until 1:00 p.m. tomorrow.

The motion prevailed without objection.

**SB 43 ON SECOND READING  
(Capelo - House Sponsor)**

**SB 43**, A bill to be entitled An Act relating to certain immunization programs.

Representative Capelo moved to postpone consideration of **SB 43** until 1:00 p.m. tomorrow.

The motion prevailed without objection.

**SB 164 ON SECOND READING**  
**(Talton - House Sponsor)**

**SB 164**, A bill to be entitled An Act relating to the recording of jury deliberations in civil and criminal proceedings.

**SB 164** was passed to third reading.

**SB 200 ON SECOND READING**  
**(Hodge - House Sponsor)**

**SB 200**, A bill to be entitled An Act relating to authorizing certain hospital districts to pledge hospital system revenues and tax revenues to the payment of combination tax and revenue bonds and other obligations if the pledge is approved at an election, and related matters.

**SB 200** was passed to third reading. (Hope recorded voting no)

**SB 324 ON SECOND READING**  
**(Marchant - House Sponsor)**

**SB 324**, A bill to be entitled An Act relating to the exemption of certain persons from regulation as a credit services organization.

**SB 324** was passed to third reading.

**SB 358 ON SECOND READING**  
**(Goodman - House Sponsor)**

**SB 358**, A bill to be entitled An Act relating to the jurisdiction of constitutional county courts over truancy cases and the appointment of magistrates to hear truancy cases in certain counties.

Representative Goodman moved to postpone consideration of **SB 358** until 11:40 a.m. today.

The motion prevailed without objection.

**CSSB 360 ON SECOND READING**  
**(Rose, Gattis, King, Capelo, Woolley, et al. - House Sponsors)**

**CSSB 360**, A bill to be entitled An Act relating to the treatment of certain local chambers of commerce as charitable organizations for certain purposes.

(Speaker in the chair)

**CSSB 360 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE Y. DAVIS: Representative Rose, you know, we had this discussion during the committee hearing, and I just want to ask you a couple of questions so that we can establish the intent in which—you're trying to do because I think it might be very well—lends itself to other issues, and I want to make sure that I have tried to address some concerns that people have had in my district. The first question relative to this bill or this amendment is that it allows chambers of commerce—tell me, who are you trying to protect, and why are we trying to provide immunity to chambers of commerce?

REPRESENTATIVE ROSE: We are just trying to protect local chambers of commerce and provide immunity to their volunteers and put a cap on liability for their employees and their organization as a whole. In many communities like yours and many rural communities like mine, those local chambers of commerce need the kind of relief from their insurance—their liability insurance—and also this provides some protections for people who might otherwise not volunteer on their boards.

Y. DAVIS: To the extent that these local chambers of commerce are involved in political entities—political activities that impact elections and in particular the one that recently happened—in investigation—so, you're telling me, your intent with this bill or this legislation is to protect them for immunity?

ROSE: No, ma'am. Two things on that: first of all, this is just a civil immunity. Second of all, on page 3, line 14 and 15 we added the amendment, to address your concern, that says the statewide trade association that represents local chambers of commerce are not affected in any way by this bill. So, the umbrella organization is not affected by this, just the local chambers.

Y. DAVIS: So, by putting that language on there, are we making sure that if chambers joined this group—and that's an indirect involvement—are we making sure that we are protecting them from liability or from just the local chambers doing community development, community involvement?

ROSE: Just the local chambers of commerce. The local chambers of commerce who are a member of TAB will be protected by this as well. But not the statewide trade association of the local chambers of commerce.

Y. DAVIS: But aren't they directly or indirectly—I think your language says directly or indirectly related? So to the extent that they buy memberships so that they are having indirect relationships, would they be covered?

ROSE: They would be covered, but could not endorse themselves locally, and they could not contribute any dollars to any pact that does.

Y. DAVIS: So, basically, what we are doing is allowing them to buy membership into an organization in order to hide their direct involvement by being involved indirectly. Is that what this bill will affect?

ROSE: No, ma'am. It changes nothing in that regard. The intent of this bill is to provide the charitable immunity liability protections to local chambers of commerce, every one of them in the State of Texas.

Y. DAVIS: I just want to be clear—to the extent someone is indirectly involved in something that is different than what you are saying, would they get immunity under this bill? Are we sure—

ROSE: That is not the intent of this bill. On page 3, lines 2 through 4—actually lines 5 through 7—if they directly or indirectly participate or intervene in political campaigns, they are not protected under this act.

Y. DAVIS: They are or are not?

ROSE: Are not.

Y. DAVIS: They are not protected.

ROSE: But every chamber of commerce in the State of Texas would be provided the immunity under this act.

Y. DAVIS: The last question I would like to ask you relative to the protection that we are providing—when a chamber is found to be involved in a campaign, do you think that this legislation provides that it does not give them immunity if, in fact, they are providing—doing political activity?

ROSE: If a local chamber of commerce endorses a local candidate or if a local chamber of commerce gives money to a pact that gives money to candidates, they would not be awarded immunity by this act.

Y. DAVIS: In your mind, that is not a membership to an organization?

ROSE: No, ma'am.

A record vote was requested.

**CSSB 360** was passed to third reading by (Record 405): 131 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Canales; Capelo; Casteel; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eissler; Elkins; Ellis; Farabee; Farrar; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Nays — Alonzo; Castro; Chavez; Davis, Y.; Villarreal.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Eiland; Gallego; Isett; Oliveira; Wilson; Wise.

Absent — Burnam; Coleman; Flores; Hodge; Laubenberg; Noriega.

#### STATEMENTS OF VOTE

I was shown voting no on Record No. 405. I intended to vote yes.

Castro



When Record No. 405 was taken, I was in the house but away from my desk. I would have voted yes.

Laubenberg

### **REMARKS ORDERED PRINTED**

Representative Y. Davis moved to print remarks between Representative Y. Davis and Representative Rose.

The motion prevailed without objection.

### **SB 378 ON SECOND READING (Kolkhorst - House Sponsor)**

**SB 378**, A bill to be entitled An Act relating to the listing of a business location of certain businesses in a telephone directory or database.

#### **Amendment No. 1 (Committee Amendment No. 1)**

Representative Solomons offered the following committee amendment to **SB 378**:

Amend **SB 378** by Armbrister as follows:

(1) On page 2, create a new subsection "(e)" to read as follows:

"This section creates no duty and imposes no obligation upon anyone other than the business that is the subject of the advertisement or listing."

Renumber subsequent sections accordingly.

Amendment No. 1 was adopted without objection.

**SB 378**, as amended, was passed to third reading.

### **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. 31).

### **POSTPONED BUSINESS**

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

### **SB 358 ON SECOND READING (Goodman - House Sponsor)**

**SB 358**, A bill to be entitled An Act relating to the jurisdiction of constitutional county courts over truancy cases and the appointment of magistrates to hear truancy cases in certain counties.

**SB 358** was read second time earlier today and was postponed until 11:40 a.m. today.

#### **Amendment No. 1**

Representative Goodman offered the following amendment to **SB 358**:

Amend **SB 358** by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . Section 26.201, Government Code, is repealed.

Amendment No. 1 was adopted without objection.

**SB 358**, as amended, was passed to third reading.

**GENERAL STATE CALENDAR  
(consideration continued)**

**SB 513 ON SECOND READING  
(Seaman and E. Jones - House Sponsors)**

**SB 513**, A bill to be entitled An Act relating to limiting the liability of certain persons giving care, assistance, or advice during a disaster.

Representative Seaman moved to postpone consideration of **SB 513** until noon today.

The motion prevailed without objection.

**SB 558 ON SECOND READING  
(Hardcastle and Chavez - House Sponsors)**

**SB 558**, A bill to be entitled An Act relating to immigration visa waivers for physicians.

**Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Castro, Representative Hardcastle offered the following committee amendment to **SB 558**:

Amend **SB 558** (engrossed version) as follows:

(1) In SECTION 1 of the bill, in proposed Section 12.0127, Health and Safety Code (page 1, line 6), between "PHYSICIANS." and "The" insert "(a)".

(2) In SECTION 1 of the bill, in proposed Section 12.0127, Health and Safety Code (page 1, between lines 14 and 15), insert a new Subsection (b) to read as follows:

(b) The department may charge a fee to cover the costs incurred by the department in administering the visa waiver program established under this section.

(3) In SECTION 2 of the bill, in amended Subsection (a), Section 155.1025, Occupations Code (page 1, line 24), strike "(2) the applicant intends to practice medicine [÷]" and substitute the following:

(2) the applicant:

(A) has requested and is eligible for an immigration visa waiver as described by Section 12.0127, Health and Safety Code; and

(B) intends to practice medicine [÷]

Amendment No. 1 was adopted without objection.

**SB 558**, as amended, was passed to third reading.

**SB 724 ON SECOND READING  
(Harper-Brown - House Sponsor)**

**SB 724**, A bill to be entitled An Act relating to the settlement of certain claims against the Texas Department of Transportation.

**SB 724** was passed to third reading.

**SB 752 ON SECOND READING**  
**(Smithee and Seaman - House Sponsors)**

**SB 752**, A bill to be entitled An Act relating to joint negotiation by physicians and health benefit plans.

**SB 752** was passed to third reading.

**SB 1111 ON SECOND READING**  
**(Hill - House Sponsor)**

**SB 1111**, A bill to be entitled An Act relating to the rate of hotel occupancy and motor vehicle rental taxes used to finance venue projects in certain counties.

**SB 1111 - POINT OF ORDER**

Representative Y. Davis raised a point of order against further consideration of **SB 1111** under Rule 8, Section 10(b) of the House Rules on the grounds that the bill is improperly limited to one or more political subdivisions by means of an artificial device.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Pensions and Investments, upon lunch recess today, Desk 14, for a formal meeting, to consider pending business.

**FIVE DAY POSTING RULE SUSPENDED**

Representative Delisi moved to suspend the five day posting rule to allow the Committee on State Health Care Expenditures, Select to consider **HB 2446**, **HB 3182**, and **HB 3531**.

The motion prevailed without objection.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

State Health Care Expenditures, Select, 8 a.m. tomorrow, E2.014, for a public hearing, to consider **HB 2446**, **HB 3182**, **HB 3531**, and **HB 3560**.

State Affairs, upon lunch recess today, Desk 17, for a formal meeting, to consider pending bills.

**FIVE DAY POSTING RULE SUSPENDED**

Representative Puente moved to suspend the five day posting rule to allow the Committee on Natural Resources to consider **HB 3623**, **HB 3625**, and **HB 3626**.

The motion prevailed without objection.

**RECESS**

Representative Seaman moved that the house recess until 1:30 p.m. today.

The motion prevailed without objection.

The house accordingly, at 12:15 p.m., recessed until 1:30 p.m. today.

**AFTERNOON SESSION**

The house met at 1:30 p.m. and was called to order by the speaker.

**MESSAGE FROM THE SENATE**

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

**SB 1111 - (pending business)**

Prior to the lunch recess, a point of order was pending on **SB 1111**.

The point of order was withdrawn.

**Amendment No. 1**

Representative Wolens offered the following amendment to **SB 1111**:

Amend **SB 1111** by adding the following appropriately numbered section to the bill and renumber subsequent sections appropriately:

"SECTION \_\_\_\_\_. Section 335.073(a), Local Government Code, is amended to read as follows:

Sec. 335.073. BONDS AND OTHER OBLIGATIONS. (a) A district in which an approved venue project is located may issue bonds, including revenue bonds and refunding bonds, or other obligations to pay the costs of the approved venue project. For a district created by two or more political subdivisions where the creating political subdivisions include a county with a population of more than 2 [~~3.3~~] million and a municipality with a population of more than 1.1 [~~1.9~~] million, the power of the district to issue bonds or other obligations is subject to the prior approval by the governing bodies of the county with a population of more than 2 million, and the municipality with a population of more than 1.1 million, and unless otherwise agreed to by the governing body of such municipality, the proceeds of such bonds or other obligations can be used only for the planning, acquisition, and construction of a covered football stadium located within 3,000 feet of a light rail station; and if required by the governing body of such municipality, a portion of the proceeds of such bonds or other obligations shall be used for public improvements in connection with a waterway located within 5,000 feet of the venue project, which public improvements may include recreational and landscape improvements."

Amendment No. 1 was withdrawn.

**Amendment No. 2**

Representative Wolens offered the following amendment to **SB 1111**:

Amend **SB 1111** as follows:

(1) Add new SECTION 5 to the bill and renumber subsequent sections appropriately:

"SECTION 5. Section 335.021, Local Government Code, is amended to read as follows:

Sec. 335.021. CREATION. A county and a municipality, two or more counties, two or more municipalities, or a combination of municipalities, counties, or municipalities and counties may create a venue district under this

chapter to plan, acquire, establish, develop, construct, or renovate one or more venue projects in the district subject to voter approval under Subchapter D. If a venue district is created by one or more political subdivisions and a county with a population of more than two million that is adjacent to a county with a population of more than one million, one of the political subdivisions creating the venue district must be the municipality containing the largest population within such county of more than two million."

Representative Hill moved to table Amendment No. 2.

A record vote was requested.

The motion to table prevailed by (Record 406): 120 Yeas, 10 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dutton; Edwards; Eissler; Elkins; Farabee; Farrar; Flores; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Hamilton; Hamric; Hardcastle; Harper-Brown; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Mercer; Merritt; Miller; Moreno, J.; Morrison; Mowery; Nixon; Noriega; Paxton; Peña; Phillips; Pitts; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Stick; Taylor; Truitt; Uresti; Van Arsdale; West; Wohlgenuth; Wong; Woolley; Zedler.

Nays — Davis, Y.; Haggerty; Hartnett; Moreno, P.; Naishtat; Solomons; Talton; Telford; Thompson; Wolens.

Present, not voting — Mr. Speaker(C); Branch; Dunnam; Laney.

Absent, Excused — Eiland; Gallego; Isett; Oliveira; Wilson; Wise.

Absent — Coleman; Ellis; Menendez; Olivo; Pickett; Puente; Swinford; Turner; Villarreal.

### **Amendment No. 3**

Representative Wolens offered the following amendment to **SB 1111**:

Amend **SB 1111** by adding the following appropriately numbered section to the bill and renumber subsequent sections appropriately:

"SECTION \_\_\_\_\_. Section 335.073(a), Local Government Code, is amended to read as follows:

Sec. 335.073. BONDS AND OTHER OBLIGATIONS. (a) A district in which an approved venue project is located may issue bonds, including revenue bonds and refunding bonds, or other obligations to pay the costs of the approved venue project. For a district created by two or more political subdivisions where

the creating political subdivisions include a county with a population of more than 2 [3.3] million and a municipality with a population of more than 1.1 [4.9] million, the power of the district to issue bonds or other obligations is subject to the prior approval by the governing bodies of the county with a population of more than 2 million, and the municipality with a population of more than 1.1 million, and unless otherwise agreed to by the governing body of such municipality, the proceeds of such bonds or other obligations can be used only for the planning, acquisition, and construction of a covered football stadium."

Representative Hill moved to table Amendment No. 3.

The motion to table prevailed. (Hartnett, Solomons, and Wolens recorded voting no)

#### **Amendment No. 4**

Representative Y. Davis offered the following amendment to **SB 1111**:

Amend **SB 1111** by adding the following appropriately numbered section to the bill and renumbering subsequent sections accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 334, Local Government Code, is amended by adding Section 334.026 to read as follows:

Sec. 334.026. LOCATION OF CERTAIN VENUE PROJECTS IN CERTAIN POPULOUS COUNTIES. (a) This section applies only to a county with a population of more than two million that is adjacent to a county with a population of more than one million.

(b) A county may use revenue from a tax increase adopted under Section 334.1041 or 334.255 to finance a venue project only if the venue project is located wholly within the boundaries of the most populous municipality in the county.

(Delisi in the chair)

Representative Hill moved to table Amendment No. 4.

(Speaker in the chair)

A record vote was requested.

The motion to table prevailed by (Record 407): 112 Yeas, 18 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dutton; Eissler; Elkins; Farabee; Flores; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Hamilton; Hamric; Hardcastle; Harper-Brown; Heflin; Hegar; Hilderbran; Hill; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Laubenberg; Lewis; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Morrison; Mowery; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts;

Quintanilla; Raymond; Reyna; Riddle; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Solomons; Stick; Swinford; Taylor; Turner; Van Arsdale; Villarreal; West; Wong; Woolley; Zedler.

Nays — Burnam; Coleman; Davis, Y.; Edwards; Ellis; Farrar; Hartnett; Jones, J.; Laney; Luna; Moreno, J.; Naishtat; Puente; Ritter; Telford; Thompson; Truitt; Wolens.

Present, not voting — Mr. Speaker(C); Branch; Dunnam; Mabry.

Absent, Excused — Eiland; Gallego; Isett; Oliveira; Wilson; Wise.

Absent — Haggerty; Hochberg; Kuempel; Moreno, P.; Smithee; Solis; Talton; Uresti; Wohlgemuth.

### **Amendment No. 5**

Representative Y. Davis offered the following amendment to **SB 1111**:

Amend **SB 1111** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Section 335.023, Local Government Code, is amended by adding Subsection (c) to read as follows:

(c) A district's books, records, and papers relating to an approved venue project and the revenue used to finance the project are public information and subject to disclosure under Chapter 552, Government Code.

SECTION \_\_\_\_\_. The heading to Section 335.023, Local Government Code, is amended to read as follows:

Sec. 335.023. POLITICAL SUBDIVISION; RECORDS AND OPEN MEETINGS.

Amendment No. 5 was adopted without objection.

### **Amendment No. 6**

Representative Y. Davis offered the following amendment to **SB 1111**:

Amend **SB 1111** by adding the following appropriately numbered section to the bill and renumbering subsequent sections accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 335, Local Government Code, is amended by adding Section 335.036 to read as follows:

Sec. 335.036. ADDITIONAL REQUIREMENTS FOR BOARDS OF DISTRICTS CREATED IN CERTAIN POPULOUS COUNTIES. (a) This section applies only to the board of a district located wholly within a county with a population of more than two million that is adjacent to a county with a population of more than one million.

(b) The board of a district described by Subsection (a) is composed of nine directors appointed in accordance with this section and Section 335.031.

(c) The mayor of the most populous municipality in the county and the county judge of that county shall jointly appoint one director.

(d) Each county commissioner shall appoint one director.

(e) The members of the governing body of the most populous municipality in the county shall jointly appoint four directors.

(f) Appointments to the board under this section must reflect the geographic and ethnic diversity of the county in which the district is located.

Representative Hill moved to table Amendment No. 6.

A record vote was requested.

The motion to table prevailed by (Record 408): 112 Yeas, 13 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Baxter; Berman; Bohac; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Chavez; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Deshotel; Driver; Dutton; Eissler; Elkins; Ellis; Farabee; Flores; Flynn; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Heflin; Hegar; Hilderbran; Hill; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Laney; Laubenberg; Lewis; Madden; Marchant; Martinez Fischer; McReynolds; Menendez; Mercer; Merritt; Miller; Morrison; Mowery; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Solis; Solomons; Stick; Swinford; Taylor; Truitt; Turner; Uresti; Van Arsdale; West; Wohlgemuth; Wong; Woolley; Zedler.

Nays — Castro; Davis, Y.; Edwards; Farrar; Hartnett; Jones, J.; Mabry; McClendon; Moreno, J.; Puente; Talton; Telford; Thompson.

Present, not voting — Mr. Speaker(C); Branch; Dunnam; Wolens.

Absent, Excused — Eiland; Gallego; Isett; Oliveira; Wilson; Wise.

Absent — Bailey; Coleman; Davis, J.; Dukes; Garza; Grusendorf; Hochberg; Kuempel; Luna; McCall; Moreno, P.; Naishtat; Smithee; Villarreal.

#### **Amendment No. 7**

Representative Y. Davis offered the following amendment to **SB 1111**:

Amend **SB 1111** by adding the following appropriately numbered section to the bill and renumbering subsequent sections accordingly:

SECTION \_\_\_\_\_. Section 311.0101, Tax Code, is amended by adding Subsection (e) to read as follows:

(e) This section applies to any zone designated under Section 311.005 if any part of the zone is located within the boundaries of a venue district created under Chapter 335, Local Government Code.

Amendment No. 7 was withdrawn.

#### **Amendment No. 8**

Representative Y. Davis offered the following amendment to **SB 1111**:

Amend **SB 1111** by adding the following appropriately numbered section to the bill and renumbering subsequent sections accordingly:



SECTION \_\_\_\_\_. Subchapter E, Chapter 335, Local Government Code, is amended by adding Section 335.076 to read as follows:

Sec. 335.076. CONTRACTS WITH HISTORICALLY UNDERUTILIZED BUSINESSES. (a) This section applies only in relation to an approved venue project constructed and operated under the authority of a district in a county with a population of more than two million that is adjacent to a county with a population of more than one million.

(b) In this section, "historically underutilized business" has the meaning assigned by Section 2161.001, Government Code.

(c) A district shall make a good faith effort to increase the contracts the district awards to historically underutilized businesses for the construction of a venue project. The district shall make the good faith effort in the same manner, based on the same rules, and under the same conditions as a state agency under Section 2161.182, Government Code.

(d) A district shall make a good faith effort to increase the contracts the district awards to historically underutilized businesses for the purchase of goods and services relating to the construction or operation of a venue project. The district shall make the good faith effort in the same manner, based on the same rules, and under the same conditions as a state agency under Section 2161.181, Government Code.

Amendment No. 8 was adopted without objection.

**SB 1111**, as amended, was passed to third reading. (Gutierrez recorded voting yes; Berman, Flynn, Hupp, McCall, Nixon, Reyna, Solomons, Talton, Telford, and Wolens recorded voting no)

### **POSTPONED BUSINESS**

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

#### **SB 513 ON SECOND READING (Seaman and E. Jones - House Sponsors)**

**SB 513**, A bill to be entitled An Act relating to limiting the liability of certain persons giving care, assistance, or advice during a disaster.

**SB 513** was read second time earlier today and was postponed until noon today.

**SB 513** was passed to third reading.

### **RESOLUTIONS CALENDAR**

The following resolutions were laid before the house on committee report:

#### **SCR 6 (Hopson - House Sponsor)**

**SCR 6**, Memorializing Congress to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds not apply to bonds for water and wastewater facilities.

**SCR 6** was adopted.

**LEAVE OF ABSENCE GRANTED**

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

Stick on motion of Pitts.

**POSTPONED BUSINESS**

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

**SB 640 ON SECOND READING  
(Nixon - House Sponsor)**

**SB 640**, A bill to be entitled An Act relating to notice to the State of Texas of a claim against the School Land Board.

**SB 640** was considered in lieu of **HB 1283**.

**SB 640** was read second time.

**Amendment No. 1**

Representative Nixon offered the following amendment to **SB 640**:

Amend **SB 640** as follows:

On page 1, line 9, delete "incident" and replace it with "action of the board".

Amendment No. 1 was adopted without objection.

**SB 640**, as amended, was passed to third reading.

**HB 1283 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Nixon moved to lay **HB 1283** on the table subject to call.

The motion prevailed without objection.

**SB 1060 ON SECOND READING  
(Marchant - House Sponsor)**

**SB 1060**, A bill to be entitled An Act relating to enforcement of conduct and other matters concerning a security; providing a penalty.

**SB 1060** was considered in lieu of **HB 2042**.

**SB 1060** was read second time and was passed to third reading.

**HB 2042 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Marchant moved to lay **HB 2042** on the table subject to call.

The motion prevailed without objection.

**CSHB 2130 ON SECOND READING  
(by Kuempel)**

**CSHB 2130**, A bill to be entitled An Act relating to the exemptions from requirements applicable to local permits.

**CSHB 2130** was read second time on April 29 and was postponed until 11 a.m. today.

**CSHB 2130** was passed to engrossment. (Laubenberg, Madden, and McCall recorded voting no)

**CSHB 524 ON SECOND READING**  
**(by Eiland)**

**CSHB 524**, A bill to be entitled An Act relating to the use of the Galveston-Port Bolivar ferry operated by the Texas Department of Transportation.

**CSHB 524** was read second time on April 29 and was postponed until 11 a.m. today.

Representative Driver moved to postpone consideration of **CSHB 524** until 4 p.m. today.

The motion prevailed without objection.

**CSHB 2240 ON SECOND READING**  
**(by Paxton)**

**CSHB 2240**, A bill to be entitled An Act relating to the management of certain trusts and the adoption of the Uniform Prudent Investor Act.

**CSHB 2240** was read second time on April 29, postponed until the end of the calendar on April 29, and was again postponed until 11 a.m. today.

Representative Paxton moved to postpone consideration of **CSHB 2240** until 4:30 p.m. today.

The motion prevailed without objection.

**CSHB 2224 ON SECOND READING**  
**(by Dutton)**

**CSHB 2224**, A bill to be entitled An Act relating to open-enrollment charter schools.

**CSHB 2224** was read second time on April 29 and was postponed until 1:00 p.m. today.

**Amendment No. 1**

Representative Dutton offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Article 1396-2.23A(E), Vernon's Texas Civil Statutes, is amended to read as follows:

E. This article does not apply to:

- (1) a corporation that solicits funds only from its members;
- (2) a corporation which does not intend to solicit and receive and does not actually raise or receive contributions from sources other than its own membership in excess of \$10,000 during a fiscal year;

(3) a proprietary school that has received a certificate of approval from the State Commissioner of Education, a public institution of higher education and foundations chartered for the benefit of such institutions or any component part thereof, a private institution of higher education with a certificate of authority to grant a degree issued by the Coordinating Board, Texas College and University System, or an elementary or secondary school, except that the article does apply to an open-enrollment charter school;

(4) religious institutions which shall be limited to churches, ecclesiastical or denominational organizations, or other established physical places for worship at which religious services are the primary activity and such activities are regularly conducted;

(5) a trade association or professional society whose income is principally derived from membership dues and assessments, sales, or services;

(6) any insurer licensed and regulated by the State Board of Insurance;

(7) an organization whose charitable activities relate to public concern in the conservation and protection of wildlife, fisheries, and allied natural resources;

(8) an alumni association of a public or private institution of higher education in this state, provided that such association is recognized and acknowledged by the institution as its official alumni association.

Amendment No. 1 was adopted without objection.

#### **Amendment No. 2**

Representative Dutton offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** on page 7, line 5, by striking "or" and substituting "and".

Amendment No. 2 was adopted without objection.

#### **Amendment No. 3**

Representative Dutton offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** on page 7, by striking lines 17-22 and substituting the following:

- (1) the name, address, and telephone number of each:
  - (A) [officer and] member of the governing body of the open-enrollment charter school; [and]
  - (B) principal, director, or other chief operating officer of the school;
  - (C) assistant principal or assistant director of the school; and
  - (D) person charged with managing the finances of the school; and
- (2) the amount of annual compensation the open-enrollment charter school pays to each:
  - (A) [officer and] member of the governing body;
  - (B) principal, director, or other chief operating officer;
  - (C) assistant principal or assistant director; and
  - (D) person charged with managing the finances of the school.

Amendment No. 3 was adopted without objection.

**Amendment No. 4**

Representative J. Jones offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** as follows:

(1) On page 6, strike lines 5 and 6 and substitute the following:

SECTION 7. The heading of Section 12.116, Education Code, is amended to read as follows:

Sec. 12.116. PROCEDURE FOR CLOSURE, MODIFICATION, PLACEMENT ON PROBATION, REVOCATION, OR DENIAL OF RENEWAL

SECTION 8. Sections 12.116(a) and (c), Education Code, are amended to read as follows:

(a) The commissioner shall adopt a procedure to be used for closing an open-enrollment charter school or modifying, placing on probation, revoking, or denying renewal of the charter of an open-enrollment charter school.

(2) Renumber the sections of the bill accordingly.

Amendment No. 4 was adopted without objection.

(Goodman in the chair)

**Amendment No. 5**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking the enacting clause.

(Gallego now present)

Representative Dutton moved to table Amendment No. 5.

The motion to table prevailed.

**Amendment No. 6**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 1 of the bill and renumbering subsequent SECTIONS appropriately.

Representative Dutton moved to table Amendment No. 6.

A record vote was requested.

The motion to table prevailed by (Record 409): 68 Yeas, 58 Nays, 3 Present, not voting.

Yeas — Allen; Baxter; Berman; Bohac; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Christian; Corte; Crabb; Crownover; Davis, J.; Denny; Deshotel; Driver; Dutton; Edwards; Eissler; Elkins; Flynn; Gattis; Grusendorf; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laubenberg; Lewis; Madden; Marchant; McCall; Mercer; Morrison; Mowery; Nixon; Paxton; Quintanilla; Reyna; Riddle; Seaman; Smith, T.; Smithee; Talton; Taylor; Truitt; Van Arsdale; Wong; Woolley; Zedler.

Nays — Bailey; Bonnen; Burnam; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Dawson; Delisi; Dukes; Dunnam; Ellis; Farabee; Farrar; Flores; Geren; Goolsby; Griggs; Guillen; Gutierrez; Hamilton; Hardcastle; Hodge; Homer; Hopson; Jones, D.; Laney; Mabry; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Moreno, J.; Naishtat; Noriega; Olivo; Peña; Pickett; Pitts; Puente; Raymond; Ritter; Rodriguez; Rose; Smith, W.; Solis; Solomons; Telford; Uresti; Villarreal; West; Wolens.

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

Absent, Excused — Eiland; Isett; Oliveira; Stick; Wilson; Wise.

Absent — Alonzo; Davis, Y.; Gallego; Garza; Giddings; Haggerty; Hochberg; Luna; Miller; Moreno, P.; Phillips; Swinford; Thompson; Wohlgemuth.

### **Amendment No. 7**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 2 of the bill and renumbering subsequent SECTIONS appropriately.

Representative Dutton moved to table Amendment No. 7.

A record vote was requested.

The motion to table was lost by (Record 410): 63 Yeas, 69 Nays, 3 Present, not voting.

Yeas — Allen; Baxter; Berman; Bohac; Branch; Campbell; Christian; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Denny; Driver; Dutton; Edwards; Eissler; Elkins; Flynn; Gattis; Grusendorf; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laubenberg; Lewis; Madden; Marchant; McCall; Mercer; Morrison; Mowery; Nixon; Paxton; Quintanilla; Reyna; Riddle; Seaman; Talton; Taylor; Van Arsdale; Wohlgemuth; Wong; Woolley; Zedler.

Nays — Bailey; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Canales; Capelo; Casteel; Castro; Chavez; Coleman; Cook, R.; Dawson; Delisi; Deshotel; Dukes; Dunnam; Ellis; Farabee; Farrar; Flores; Gallego; Geren; Giddings; Goolsby; Griggs; Guillen; Gutierrez; Hamilton; Hardcastle; Hochberg; Hodge; Homer; Hopson; Jones, D.; Mabry; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Naishtat; Noriega; Olivo; Peña; Phillips; Pickett; Pitts; Puente; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Swinford; Telford; Thompson; Truitt; Uresti; Villarreal; West; Wolens.

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

Absent, Excused — Eiland; Isett; Oliveira; Stick; Wilson; Wise.

Absent — Alonzo; Chisum; Davis, Y.; Garza; Haggerty; Laney; Luna; Miller.

A record vote was requested.

Amendment No. 7 was adopted by (Record 411): 79 Yeas, 47 Nays, 3 Present, not voting.

Yeas — Bailey; Bonnen; Burnam; Callegari; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Crownover; Dawson; Delisi; Deshotel; Driver; Dunnam; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Geren; Giddings; Goolsby; Griggs; Guillen; Gutierrez; Haggerty; Hamilton; Hardcastle; Hegar; Hochberg; Hodge; Homer; Hopson; Hughes; Jones, D.; Keffer, B.; Keffer, J.; Kolkhorst; Laney; Mabry; Marchant; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Naishtat; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Solis; Solomons; Swinford; Telford; Truitt; Uresti; Van Arsdale; Villarreal; West; Wolens.

Nays — Allen; Baxter; Berman; Bohac; Branch; Brown, B.; Brown, F.; Christian; Corte; Crabb; Davis, J.; Denny; Dutton; Eissler; Grusendorf; Hamric; Harper-Brown; Hartnett; Heflin; Hilderbran; Hill; Hope; Howard; Hunter; Hupp; Jones, E.; Jones, J.; Keel; King; Krusee; Kuempel; Laubenberg; Lewis; Madden; Mercer; Morrison; Mowery; Nixon; Quintanilla; Reyna; Riddle; Seaman; Smith, W.; Talton; Wong; Woolley; Zedler.

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

Absent, Excused — Eiland; Isett; Oliveira; Stick; Wilson; Wise.

Absent — Alonzo; Canales; Davis, Y.; Dukes; Edwards; Garza; Gattis; Luna; McCall; Miller; Smithee; Taylor; Thompson; Wohlgenuth.

#### STATEMENT OF VOTE

When Record No. 411 was taken, I was in the house but away from my desk. I would have voted no.

McCall

#### Amendment No. 8

On behalf of Representative Dunnam, Representative Dutton offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 4 of the bill and renumbering subsequent SECTIONS appropriately.

Amendment No. 8 was adopted without objection.

#### Amendment No. 9

On behalf of Representative Dunnam, Representative Dutton offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 5 of the bill and renumbering subsequent SECTIONS appropriately.

Amendment No. 9 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 2224 - (consideration continued)

#### Amendment No. 10

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 7 of the bill and renumbering subsequent SECTIONS appropriately.

Representative Dutton moved to table Amendment No. 10.

A record vote was requested.

The motion to table was lost by (Record 412): 61 Yeas, 70 Nays, 3 Present, not voting.

Yeas — Allen; Baxter; Berman; Bohac; Branch; Brown, B.; Callegari; Campbell; Christian; Corte; Crabb; Crownover; Davis, J.; Denny; Driver; Dutton; Edwards; Eissler; Elkins; Flynn; Grusendorf; Hamilton; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hupp; Jones, E.; Jones, J.; Keel; Keffer, B.; King; Kolkhorst; Krusee; Kuempel; Laubenberg; Lewis; Madden; Marchant; McCall; Mercer; Morrison; Mowery; Nixon; Paxton; Phillips; Quintanilla; Reyna; Seaman; Talton; Taylor; Van Arsdale; Wong; Woolley; Zedler.

Nays — Bailey; Bonnen; Brown, F.; Burnam; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Davis, Y.; Dawson; Delisi; Deshotel; Dukes; Dunnam; Ellis; Farabee; Farrar; Flores; Gattis; Geren; Giddings; Griggs; Guillen; Gutierrez; Haggerty; Hardcastle; Hochberg; Hodge; Homer; Hopson; Hunter; Jones, D.; Keffer, J.; Laney; Luna; Mabry; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Naishtat; Noriega; Olivo; Peña; Pickett; Pitts; Puente; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Solis; Solomons; Swinford; Telford; Truitt; Uresti; Villarreal; West; Wolens.

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

Absent, Excused — Eiland; Isett; Oliveira; Stick; Wilson; Wise.

Absent — Alonzo; Gallego; Garza; Goolsby; Miller; Riddle; Smithee; Thompson; Wohlgemuth.

A record vote was requested.

Amendment No. 10 failed of adoption by (Record 413): 63 Yeas, 67 Nays, 3 Present, not voting.



Yeas — Bailey; Bonnen; Burnam; Callegari; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Coleman; Cook, R.; Dawson; Delisi; Deshotel; Dukes; Dunnam; Ellis; Farabee; Farrar; Gallego; Geren; Giddings; Griggs; Guillen; Gutierrez; Haggerty; Hardcastle; Hochberg; Hodge; Homer; Hopson; Jones, D.; Keffer, J.; Laney; Mabry; Martinez Fischer; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Naishtat; Olivo; Peña; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Solis; Solomons; Swinford; Telford; Truitt; Uresti; West; Wolens.

Nays — Allen; Baxter; Berman; Bohac; Branch; Brown, B.; Brown, F.; Campbell; Christian; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Denny; Driver; Dutton; Edwards; Eissler; Elkins; Flynn; Grusendorf; Hamilton; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Jones, E.; Jones, J.; Keel; Keffer, B.; King; Kolkhorst; Kruse; Kuempel; Laubenberg; Lewis; Luna; Madden; Marchant; McCall; McClendon; Mercer; Morrison; Mowery; Nixon; Paxton; Phillips; Reyna; Seaman; Talton; Taylor; Thompson; Villarreal; Wohlgemuth; Wong; Woolley; Zedler.

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

Absent, Excused — Eiland; Isett; Oliveira; Stick; Wilson; Wise.

Absent — Alonzo; Flores; Garza; Gattis; Goolsby; Miller; Noriega; Riddle; Smithee; Van Arsdale.

#### **Amendment No. 11**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 10 of the bill and renumbering subsequent SECTIONS appropriately.

Amendment No. 11 was adopted without objection.

#### **Amendment No. 12**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 12 of the bill and renumbering subsequent SECTIONS appropriately.

Amendment No. 12 was withdrawn.

### **FIVE DAY POSTING RULE SUSPENDED**

Representative Puente moved to suspend the five day posting rule to allow the Committee on Natural Resources to consider **HB 3606**, **HB 3608**, and **HB 3610**.

The motion prevailed without objection.

Representative Hill moved to suspend the five day posting rule to allow the Committee on Local Government Ways and Means to consider **HB 2206** and **HB 3607**.

The motion prevailed without objection.

**CSHB 2224 - (consideration continued)****Amendment No. 13**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 13 of the bill and renumbering subsequent SECTIONS appropriately.

Amendment No. 13 was withdrawn.

**Amendment No. 14**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** on page 6, between lines 4 and 5, by inserting the following:

(d) Subsections (b) and (c) do not apply to a revision of a charter of an open-enrollment charter school that relates to adding an additional campus or increasing the enrollment of the school.

Amendment No. 14 was adopted without objection.

**Amendment No. 15**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 14 of the bill and renumbering subsequent SECTIONS appropriately.

Amendment No. 15 was adopted without objection.

**Amendment No. 16**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 11 of the bill and renumbering subsequent SECTIONS appropriately.

Representative Dutton moved to table Amendment No. 16.

A record vote was requested.

The motion to table was lost by (Record 414): 66 Yeas, 69 Nays, 3 Present, not voting.

Yeas — Allen; Baxter; Berman; Bohac; Branch; Brown, B.; Brown, F.; Campbell; Christian; Cook, B.; Crabb; Crownover; Denny; Driver; Dutton; Edwards; Eissler; Elkins; Flynn; Gattis; Giddings; Grusendorf; Hamilton; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, J.; Keel; Keffer, B.; King; Kolkhorst; Krusee; Kuempel; Laubenberg; Lewis; Madden; Marchant; McCall; Mercer; Morrison; Mowery; Nixon; Paxton; Reyna; Riddle; Seaman; Smithee; Swinford; Talton; Taylor; Truitt; Van Arsdale; Wohlgemuth; Wong; Woolley; Zedler.

Nays — Alonzo; Bailey; Bonnen; Burnam; Callegari; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Coleman; Cook, R.; Corte; Davis, Y.; Dawson; Delisi; Deshotel; Dukes; Dunnam; Ellis; Farabee; Farrar; Flores; Gallego; Garza; Geren; Griggs; Guillen; Gutierrez; Haggerty; Hardcastle; Hochberg; Hodge;

Homer; Hopson; Jones, E.; Keffer, J.; Laney; Luna; Mabry; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Naishtat; Noriega; Olivo; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Solis; Solomons; Telford; Uresti; Villarreal; West.

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

Absent, Excused — Eiland; Isett; Oliveira; Stick; Wilson; Wise.

Absent — Davis, J.; Goolsby; Miller; Thompson; Wolens.

Amendment No. 16 was adopted without objection.

#### **Amendment No. 17**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** by striking SECTION 8 of the bill and renumbering subsequent SECTIONS appropriately.

Representative Dutton moved to table Amendment No. 17.

A record vote was requested.

The motion to table prevailed by (Record 415): 77 Yeas, 58 Nays, 3 Present, not voting.

Yeas — Allen; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Campbell; Christian; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Denny; Driver; Dutton; Edwards; Eissler; Elkins; Farabee; Flynn; Gallego; Gattis; Giddings; Grusendorf; Hamilton; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Homer; Hope; Howard; Hughes; Hunter; Hupp; Jones, E.; Jones, J.; Keel; Keffer, B.; King; Kolkhorst; Krusee; Laubenberg; Lewis; Madden; Marchant; McCall; Mercer; Merritt; Morrison; Mowery; Nixon; Paxton; Phillips; Reyna; Riddle; Seaman; Smith, T.; Smithee; Solomons; Talton; Taylor; Truitt; Uresti; Van Arsdale; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Nays — Alonzo; Bailey; Burnam; Callegari; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Coleman; Cook, R.; Davis, Y.; Dawson; Delisi; Deshotel; Dukes; Dunnam; Ellis; Farrar; Flores; Garza; Geren; Griggs; Guillen; Gutierrez; Haggerty; Hardcastle; Hodge; Hopson; Jones, D.; Keffer, J.; Laney; Luna; Mabry; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Olivo; Peña; Pickett; Pitts; Puente; Raymond; Ritter; Rodriguez; Rose; Smith, W.; Solis; Swinford; Telford; Thompson; Villarreal; West.

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

Absent, Excused — Eiland; Isett; Oliveira; Stick; Wilson; Wise.

Absent — Goolsby; Kuempel; Miller; Noriega; Quintanilla.

#### **Amendment No. 18**

Representative Dunnam offered the following amendment to **CSHB 2224**:

Amend **CSHB 2224** as follows:

(1) On page 9, line 11, strike "A" and substitute "The initial".

(2) On page 9, strike lines 16 and 17 and substitute:

an open-enrollment charter school to prohibit [7] or deny renewal, suspension, or revocation of [7, suspend, or revoke] a

(3) On page 9, line 23, strike "the [any open enrollment]" and substitute "any open enrollment".

(4) On page 9, strike line 24 and substitute:

in this state or to any other similar school in another state;

(5) On page 9, line 27, strike "or".

(6) On page 10, strike lines 1 and 2 and substitute:

(3) violated this subchapter or a rule adopted under this subchapter; or

(7) On page 10, line 3, strike "[4]" and substitute "(4)".

Amendment No. 18 was adopted without objection.

**CSHB 2224**, as amended, was passed to engrossment. (Telford recorded voting no)

### **CSHB 2240 ON SECOND READING**

(by Paxton)

**CSHB 2240**, A bill to be entitled An Act relating to the management of certain trusts and the adoption of the Uniform Prudent Investor Act.

**CSHB 2240** was read second time on April 29, postponed until the end of the calendar on April 29, postponed until 11 a.m. today, and was again postponed until 4:30 p.m. today.

#### **Amendment No. 1**

Representative Hartnett offered the following amendment to **CSHB 2240**:

Amend **CSHB 2240** on page 5, line 1, between "delegated" and the period, by inserting the following:

", unless:

(1) the agent is an affiliate of the trustee; or

(2) under the terms of the delegation:

(A) the trustee or a beneficiary of the trust is required to arbitrate disputes with the agent; or

(B) the period for bringing an action by the trustee or a beneficiary of the trust with respect to an agent's actions is shortened from that which is applicable to trustees under the law of this state"

Amendment No. 1 was adopted without objection.

(Stick now present)

#### **Amendment No. 2**

Representative Mabry offered the following amendment to **CSHB 2240**:

Amend **CSHB 2240** on page 14 by striking lines 16-19 and substituting "applies only to a trust created after that date."

Amendment No. 2 was adopted without objection.

**CSHB 2240**, as amended, was passed to engrossment.

**CSHB 2083 ON SECOND READING**  
**(by Campbell)**

**CSHB 2083**, A bill to be entitled An Act relating to the qualifications of a municipal judge.

**CSHB 2083** was read second time on April 29 and was postponed until 2 p.m. today.

**Amendment No. 1**

Representative Campbell offered the following amendment to **CSHB 2083**:

Amend **CSHB 2083** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 30.00006, Government Code, is amended by amending Subsection (c) and adding Subsection (c-1) to read as follows:

(c) Except as provided by Subsection (c-1), a [A] municipal judge must:

- (1) be a resident of this state;
- (2) be a citizen of the United States;
- (3) be a licensed attorney in good standing; and
- (4) have two or more years of experience in the practice of law in this

state.

(c-1) In a municipality with a population of 200,000 or less, a municipal judge must be:

- (1) a resident of this state;
- (2) a citizen of the United States; and
- (3) either:

(A) a licensed attorney in good standing who has two or more years of experience in the practice of law in this state; or

(B) a person who has served as a judge in this state for four or more years preceding appointment as a municipal judge.

SECTION 2. This Act takes effect September 1, 2003.

Amendment No. 1 was adopted without objection.

**Amendment No. 2**

Representative Smithee offered the following amendment to **CSHB 2083**:

Amend **CSHB 2083** on page 1, between lines 16 and 17, by inserting the following SECTION immediately following SECTION 1 of the bill and renumbering the subsequent SECTIONS appropriately:

SECTION 2. Section 30.00934(a), Government Code, is amended to read as follows:

(a) A municipal judge need not be a resident of the city at the time of appointment but must, in addition to satisfying the requirements of Section 30.00006(c), maintain residence in the city during the term of office. The judge shall devote full time to the duties of that office and may not engage in the private

practice of law while in office. The residency requirement and private practice restriction under this section do not apply to a part time municipal judge appointed on or after February 1, 2003.

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. 4).

### CSHB 2083 - (consideration continued)

**CSHB 2083**, as amended, was passed to engrossment. (Keel recorded voting no)

### CSHB 1254 ON SECOND READING (by Crownover)

**CSHB 1254**, A bill to be entitled An Act relating to good cause for termination of a public school teacher's employment contract.

**CSHB 1254** was read second time on April 29 and was postponed until 2 p.m. today.

### CSHB 1254 - POINT OF ORDER

Representative Dunnam raised a point of order against further consideration of **CSHB 1254** under Rule 4, Section 20(b) and Rule 4, Section 32(b)(10) of the House Rules on the grounds that a sworn statement of a witness is inaccurate and the witness list in the committee report is incorrect.

(Speaker in the chair)

The speaker sustained the point of order, speaking as follows:

Mr. Dunnam raises a point of order against further consideration of **CSHB 1254** under Rule 4, Sections 20(b) and 32(b)(10), in that a sworn statement of a witness is inaccurate and the witness list in the committee report is incorrect.

A review of the records of the house shows that the witness affirmation form signed by the subcommittee chair indicates that the witness did testify and that the witness is included in both the witness list filed with the minutes and attached to the committee report. However, the electronic recording of the meeting clearly indicates that the witness did not testify, and that the chair announced that the witness did not testify.

Previous presiding officers have consistently declined to use electronic recordings as a basis for a point of order, deferring instead to the printed records of the house. The chair is unable to find any precedent in which a presiding officer relied on an electronic recording for this purpose.

However, the video is clear. Accordingly, the point of order is sustained.

The ruling precluded further consideration of **CSHB 1254**.

**CSHB 524 ON SECOND READING**  
(by Eiland)

**CSHB 524**, A bill to be entitled An Act relating to the use of the Galveston-Port Bolivar ferry operated by the Texas Department of Transportation.

**CSHB 524** was read second time on April 29, postponed until 11 a.m. today, and was again postponed until 4 p.m. today.

Representative Dutton moved to postpone consideration of **CSHB 524** until 11 a.m. tomorrow.

The motion prevailed without objection.

**CSHB 2703 ON SECOND READING**  
(by Bailey, Paxton, Dutton, Keel, and Flynn)

**CSHB 2703**, A bill to be entitled An Act relating to admissibility of evidence examined and tested by a crime laboratory.

**CSHB 2703** was read second time on April 29 and was postponed until 2 p.m. today.

**Amendment No. 1**

Representative Talton offered the following amendment to **CSHB 2703**:

Amend **CSHB 2703** as follows:

- (1) On page 1, line 2, strike "and" and substitute "or".
- (2) On page 1, line 11, strike "and" and substitute "or [and]".
- (3) On page 1, at the end of line 14, add the following:

"The term does not include:

(A) latent print examination;

(B) a test of a specimen of breath under Chapter 724, Transportation Code; or

(C) an examination or test excluded by rule under Section 411.0205(c), Government Code."

(4) On page 2, line 1, strike "admissible" and substitute "not inadmissible".

(5) On page 2, line 2, strike "regardless of" and substitute "based solely on".

(6) On page 2, lines 9 and 10, strike "September 1, 2005" and substitute "January 1, 2004".

(7) On page 2, lines 11 through 20, strike SECTION 4 and substitute the following:

SECTION 4. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.0205 to read as follows:

Sec. 411.0205. CRIME LABORATORY ACCREDITATION PROCESS.

(a) In this section, "forensic analysis" and "physical evidence" have the meanings assigned by Article 38.35, Code of Criminal Procedure, and "DNA laboratory" has the meaning assigned by Section 411.141.

(b) The director by rule shall establish an accreditation process for crime laboratories, including DNA laboratories, and other entities conducting forensic analyses of physical evidence for use in criminal proceedings.

(c) The director by rule may exempt from the accreditation process established under Subsection (b) a crime laboratory or other entity conducting a forensic analysis of physical evidence for use in criminal proceedings if the director determines that:

(1) independent accreditation is unavailable or inappropriate for the laboratory or entity or the type of examination or test performed by the laboratory or entity;

(2) the type of examination or test performed by the laboratory or entity is admissible under a well-established rule of evidence or a statute other than Article 38.35, Code of Criminal Procedure; and

(3) the type of examination or test performed by the laboratory or entity is routinely conducted outside of a crime laboratory or other applicable entity by a person other than an employee of the crime laboratory or other applicable entity.

### **Amendment No. 2**

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

Amend amendment No. 1 by Talton to **CSHB 2703** as follows:

(1) On page 1 of the amendment, strike lines 16 and 17.

(2) On page 1 of the amendment, line 21, strike "Section 411.0205" and substitute "Sections 411.0205 and 411.0206".

(3) On page 2 of the amendment, insert the following at the end of line 14:

Sec. 411.0206. REGULATION OF DNA TESTING. The public safety director shall by rule regulate DNA testing, including regulation of DNA laboratories.

(Smithee in the chair)

Amendment No. 2 was adopted without objection.

### **Amendment No. 3**

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

Amend the amendment by Talton to **CSHB 2703** as follows:

(1) On page 1 of the amendment, line 21, strike "Section 411.0205" and substitute "Sections 411.0205 and 411.0207".

(2) On page 2 of the amendment, insert the following at the end of line 14:

Sec. 411.0207. ACCURACY OF DNA EXAMINATION OR TEST. (a) The public safety director may order a crime laboratory to conduct an additional DNA examination or test of physical evidence if:

(1) the director receives a complaint alleging that the results of the preceding DNA examination or test are inaccurate; and

(2) the complaint is accompanied by an audit that confirms that the results of the examination or test may be inaccurate.



(b) The public safety director may require a crime laboratory that is the subject of an order under Subsection (a) to remit a fee sufficient to pay the cost of administering the order.

Amendment No. 3 was adopted without objection.

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

#### **Amendment No. 4**

Representative McClendon offered the following amendment to **CSHB 2703**:

Amend **CSHB 2703** by adding appropriately numbered SECTIONS to read as follows and by renumbering existing SECTIONS accordingly:

SECTION \_\_\_\_\_. Chapter 64, Code of Criminal Procedure, is amended by adding Article 64.06 to read as follows:

Art. 64.06. MANDATORY RETESTING. Notwithstanding any other provision of this chapter, and regardless of whether a person previously has filed a motion for forensic DNA testing under this chapter, the convicting court shall order forensic DNA retesting of evidence in the person's case that contains biological material previously tested in a laboratory that was not accredited by the Department of Public Safety under Section 411.0205, Government Code. The convicting court shall order the forensic DNA retesting to be performed at an accredited laboratory.

SECTION \_\_\_\_\_. Chapter 11, Code of Criminal Procedure, is amended by adding Article 11.073 to read as follows:

Art. 11.073. SUBSEQUENT APPLICATIONS. For the purposes of Section 4, Article 11.07, and Section 5, Article 11.071, an application that alleges specific facts establishing that forensic evidence in the applicant's criminal case was tested in a laboratory that was not accredited by the Department of Public Safety under Section 411.0205, Government Code, establishes a claim or issue that has not been and could not have been presented previously in a timely initial application or in a previously considered application.

Amendment No. 4 was withdrawn.

**CSHB 2703**, as amended, was passed to engrossment.

#### **CSHB 3128 ON SECOND READING (by Truitt)**

**CSHB 3128**, A bill to be entitled An Act relating to write-in voting for the offices of county chair and precinct chair.

**CSHB 3128** was read second time on April 29 and was postponed until 2 p.m. today.

#### **Amendment No. 1**

Representative Chavez offered the following amendment to **CSHB 3128**:

Amend **CSHB 3128** as follows:

(1) On page 1, strike lines 9-10 and substitute the following:

SECTION 2. Section 171.0231, Election Code, is amended by amending Subsections (a), (d), and (e) and adding Subsection (h) to read as follows:

(2) On page 2, between lines 2 and 3, add the following:

(h) A precinct chair may not serve as a precinct judge in the same precinct and for the same election where the name of the precinct chair appears on the ballot in a contested race.

(Speaker pro tempore in the chair)

Amendment No. 1 was withdrawn.

**CSHB 3128** was passed to engrossment.

**MAJOR STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

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

**HB 15 ON THIRD READING  
(by Corte, Wohlgemuth, Laubenberg, Solis, et al.)**

**HB 15**, A bill to be entitled An Act relating to regulation of abortion; creating an offense.

**HB 15** was passed. (Coleman and Farrar recorded voting no)

**HB 5 ON THIRD READING  
(by Grusendorf, Marchant, Wilson, Hill, Heflin, et al.)**

**HB 5**, A bill to be entitled An Act relating to public school finance.

**Amendment No. 1**

Representative Haggerty offered the following amendment to **HB 5**:

Amend **HB 5** on third reading by adding the following appropriately numbered SECTION and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Effective September 30, 2005:

(1) notwithstanding any provision of Chapters 151-160, Tax Code, tax revenue collected under Chapters 151-160, Tax Code, may not be deposited to the credit of the available school fund, and a reference in Chapters 151-160, Tax Code, to the available school fund means the general revenue fund; and

(2) notwithstanding Sections 403.093(d) and (e), Government Code, the comptroller may not transfer money from the general revenue fund to the available school fund or the foundation school fund.

Amendment No. 1 failed of adoption.

**Amendment No. 2**

Representative Bohac offered the following amendment to **HB 5**:

Amend **HB 5** on third reading as follows:

(1) Insert the following new sections, appropriately numbered:

SECTION \_\_\_\_\_. Subchapter I, Chapter 21, Education Code, is amended by adding Section 21.413 to read as follows:

Sec. 21.413. CLASSROOM SUPPLY REIMBURSEMENT PROGRAM.

(a) The commissioner shall establish a reimbursement program under which the commissioner provides funds to a school district for the purpose of reimbursing classroom teachers in the district who expend personal funds on classroom supplies. A school district must match any funds provided to the district under the reimbursement program with local funds to be used for the same purpose.

(b) The commissioner shall adopt rules for the local allocation of funds provided to a school district under the reimbursement program. A school district shall allow each classroom teacher in the district who is reimbursed under the reimbursement program to use the funds in the teacher's discretion, except that the funds must be used for the benefit of the district's students. A school district may not use funds received under the reimbursement program to replace local funds used by the district for the same purpose.

(c) The commissioner shall identify state and federal funds available for use under the reimbursement program, including funds subject to the Education Flexibility Partnership Act of 1999 (20 U.S.C. Section 5891a et seq.), and its subsequent amendments, as well as consolidated administrative funds.

(d) The commissioner shall establish the reimbursement program for implementation beginning not later than the 2005-2006 school year. The commissioner may implement the reimbursement program only if funds are specifically appropriated by the legislature for the program or if the commissioner identifies available funds, other than general revenue funds, that may be used for the program.

SECTION \_\_\_\_\_. The commissioner of education shall adopt rules and establish the classroom supply reimbursement program as required by Section 21.413, Education Code, as added by this Act, not later than August 1, 2005.

(2) Renumber the sections of the bill and correct the cross-references on the following pages and lines accordingly:

- (A) page 3, line 19;
- (B) page 4, lines 2 and 15; and
- (C) page 5, line 8.

Amendment No. 2 was adopted.

A record vote was requested.

**HB 5**, as amended, was passed by (Record 416): 109 Yeas, 31 Nays, 2 Present, not voting.

Yeas — Allen; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Capelo; Casteel; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Eissler; Elkins; Ellis; Farabee; Flynn; Gallego; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Gutierrez; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, E.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laubenberg;

Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Mercer; Merritt; Miller; Morrison; Mowery; Nixon; Noriega; Paxton; Phillips; Pitts; Reyna; Riddle; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; West; Wohlgemuth; Wong; Woolley; Zedler.

Nays — Alonzo; Burnam; Canales; Castro; Chavez; Coleman; Davis, Y.; Edwards; Farrar; Flores; Garza; Guillen; Haggerty; Hodge; Jones, J.; Laney; Menendez; Moreno, J.; Moreno, P.; Naishtat; Olivo; Peña; Pickett; Puente; Quintanilla; Raymond; Rodriguez; Telford; Uresti; Villarreal; Wolens.

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

Absent, Excused — Eiland; Isett; Oliveira; Wilson; Wise.

Absent — Dutton; Jones, D.

### STATEMENTS OF VOTE

When Record No. 416 was taken, my vote failed to register. I would have voted no.

D. Jones

I was shown voting yes on Record No. 416. I intended to vote no.

Noriega

### HB 2922 ON THIRD READING (by Marchant)

**HB 2922**, A bill to be entitled An Act relating to a nonsubstantive revision of statutes relating to the Texas Department of Insurance, the business of insurance, and certain related businesses, including conforming amendments, repeals, and penalties.

**HB 2922** was passed.

### HB 3506 ON THIRD READING (by Marchant)

**HB 3506**, A bill to be entitled An Act relating to renumbering or relettering certain provisions of enacted codes.

**HB 3506** was passed.

### HB 3507 ON THIRD READING (by Marchant)

**HB 3507**, A bill to be entitled An Act relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 77th Legislature to other Acts of that legislature.

**HB 3507** was passed.

**HB 3508 ON THIRD READING**  
**(by Marchant)**

**HB 3508**, A bill to be entitled An Act relating to the adoption of a nonsubstantive revision of local laws concerning special districts, including conforming amendments.

**HB 3508** was passed.

**HB 1614 ON THIRD READING**  
**(by Truitt, Capelo, Zedler, et al.)**

**HB 1614**, A bill to be entitled An Act relating to the reporting of medical errors and the establishment of a patient safety program in hospitals, ambulatory surgical centers, and mental hospitals.

A record vote was requested.

**HB 1614** was passed by (Record 417): 134 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Edwards; Eissler; Elkins; Ellis; Farabee; Flores; Flynn; Gallego; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; West; Wohlgemuth; Wong; Woolley; Zedler.

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

Absent, Excused — Eiland; Isett; Oliveira; Wilson; Wise.

Absent — Davis, J.; Dutton; Farrar; Garza; Hupp; Nixon; Villarreal; Wolens.

**STATEMENT OF VOTE**

When Record No. 417 was taken, I was in the house but away from my desk. I would have voted yes.

Hupp

(Eiland now present)

(Speaker in the chair)

**HB 1606 - POSTPONED**

Representative Wolens moved to postpone consideration of **HB 1606** from tomorrow's calendar until 10 a.m. Monday, May 5.

The motion prevailed.

(Speaker pro tempore in the chair)

**MAJOR STATE CALENDAR  
(consideration continued)****HB 2985 ON THIRD READING  
(by Capelo, Allen, Pitts, and Nixon)**

**HB 2985**, A bill to be entitled An Act relating to the establishment of an office of patient protection within the Health Professions Council.

**Amendment No. 1**

Representative Capelo offered the following amendment to **HB 2985**:

Amend **HB 2985** on third reading as follows:

On page 1, strike line 9-10 and substitute with the following:

"(1) "Consumers as a class" means five or more individuals whose complaints are of the same or similar regulatory and factual circumstances and issues."

Amendment No. 1 was adopted without objection.

**HB 2985**, as amended, was passed.

**HB 1744 ON THIRD READING  
(by Delisi, Menendez, and Harper-Brown)**

**HB 1744**, A bill to be entitled An Act relating to prescription drug benefits under the group health benefit programs for certain governmental employees and retired employees.

**HB 1744** was passed.

**HB 1840 ON THIRD READING  
(by Solomons, Raymond, et al.)**

**HB 1840**, A bill to be entitled An Act relating to a fee established and set by the State Securities Board.

A record vote was requested.

**HB 1840** was passed by (Record 418): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs;

Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Moreno, J.; Morrison; Mowery; Naishtat; Nixon; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Callegari; Davis, J.; Miller; Moreno, P.; Noriega; Quintanilla.

### **HB 3015 ON THIRD READING** **(by Morrison and F. Brown)**

**HB 3015**, A bill to be entitled An Act relating to the tuition charged to students of institutions of higher education and to student financial assistance funded by tuition.

#### **Amendment No. 1**

Representative Bonnen offered the following amendment to **HB 3015**:

Amend **HB 3015** (2nd Reading Engrossment) by striking page 3, line 25, through page 4, line 15, and substituting the following:

(f) Notwithstanding the other provisions of this section, the governing board of an institution of higher education may not increase the rate of tuition charged to a resident student under this section from the applicable rate for the preceding academic year by a greater percentage than the percentage of any increase in the rate of tuition charged to a similarly situated nonresident student under this section from the applicable rate for the preceding academic year. For purposes of this subsection, a resident student is similarly situated to a nonresident student if the factors affecting the tuition that would be charged to those students, other than Texas residency status, are the same, including the degree program in which the students are enrolled, whether the students are enrolled in a regular semester or summer term, and the course load for which the students are enrolled.

Amendment No. 1 was adopted without objection.

A record vote was requested.

**HB 3015**, as amended, was passed by (Record 419): 87 Yeas, 54 Nays, 2 Present, not voting.

Yeas — Allen; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Capelo; Casteel; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Edwards; Eiland; Eissler; Elkins; Ellis; Flynn; Gattis; Geren; Goodman; Goolsby; Griggs;

Grusendorf; Hamilton; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Laubenberg; Madden; Marchant; McCall; Menendez; Mercer; Merritt; Miller; Morrison; Mowery; Nixon; Pitts; Quintanilla; Ritter; Rose; Seaman; Smith, W.; Smithee; Stick; Swinford; Talton; Taylor; Truitt; Van Arsdale; Villarreal; West; Wohlgemuth; Wong; Woolley; Zedler.

Nays — Alonzo; Burnam; Canales; Castro; Chavez; Christian; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Farabee; Farrar; Flores; Gallego; Garza; Giddings; Guillen; Gutierrez; Haggerty; Hardcastle; Hochberg; Hodge; Homer; Hopson; Jones, D.; Laney; Lewis; Luna; Mabry; Martinez Fischer; McClendon; McReynolds; Moreno, J.; Moreno, P.; Naishtat; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Puente; Raymond; Reyna; Riddle; Rodriguez; Smith, T.; Solis; Solomons; Telford; Thompson; Uresti.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Kuempel; Wolens.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 419. I intended to vote no.

Hilderbran

I was shown voting yes on Record No. 419. I intended to vote no.

Hughes

I was shown voting present, not voting on Record No. 419. I intended to vote no.

Turner

#### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

#### HB 1529 ON THIRD READING (by R. Cook)

**HB 1529**, A bill to be entitled An Act relating to the inspection of wildlife resources and devices used to catch or hunt wildlife resources; providing a criminal penalty.

A record vote was requested.

**HB 1529** was passed by (Record 420): 72 Yeas, 61 Nays, 2 Present, not voting.

Yeas — Allen; Bailey; Baxter; Berman; Branch; Brown, B.; Brown, F.; Campbell; Castro; Chavez; Chisum; Cook, B.; Cook, R.; Crownover; Davis, Y.; Deshotel; Driver; Ellis; Farabee; Flynn; Gallego; Geren; Goodman; Goolsby; Grusendorf; Guillen; Gutierrez; Hamric; Hartnett; Hill; Hochberg; Hodge; Homer; Hopson; Howard; Hunter; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, J.;



King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Martinez Fischer; McReynolds; Menendez; Merritt; Moreno, P.; Morrison; Mowery; Nixon; Olivo; Phillips; Pickett; Pitts; Puente; Raymond; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Swinford; Telford; Villarreal; West; Wohlgemuth.

Nays — Alonzo; Bohac; Bonnen; Burnam; Callegari; Canales; Casteel; Christian; Coleman; Corte; Crabb; Davis, J.; Dawson; Delisi; Denny; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Farrar; Garza; Gattis; Giddings; Griggs; Haggerty; Hamilton; Hardcastle; Harper-Brown; Heflin; Hegar; Hope; Hughes; Hupp; Luna; Mabry; Madden; McCall; McClendon; Mercer; Moreno, J.; Naishtat; Noriega; Peña; Quintanilla; Reyna; Riddle; Rodriguez; Solis; Solomons; Stick; Talton; Taylor; Thompson; Truitt; Uresti; Van Arsdale; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Capelo; Dukes; Flores; Hilderbran; Keffer, B.; Lewis; Marchant; Miller; Paxton; Wolens.

### HB 329 ON THIRD READING

(by Naishtat, Seaman, Raymond, Madden, Menendez, et al.)

**HB 329**, A bill to be entitled An Act relating to the regulation of mold assessors and remediators, civil liability for mold remediation, and insurance coverage on mold claims; providing civil and administrative penalties.

#### Amendment No. 1

Representative Naishtat offered the following amendment to **HB 329**:

Amend **HB 329** on third reading by striking the language of added Section 1958.102(f) on page 6, lines 1 through 13 (second reading engrossment).

Amendment No. 1 was adopted without objection.

#### Amendment No. 2

Representative Naishtat offered the following amendment to **HB 329**:

Amend **HB 329** (2nd reading engrossment) as follows:

(1) On page 9, line 14, after "INTEREST" and before the period, insert "DISCLOSURE REQUIRED".

(2) On page 9, between lines 19 and 20, insert the following:

(c) A license holder who is not an individual shall disclose to the department the name, address, and occupation of each person that has an ownership interest in the license holder. The license holder shall report any changes in ownership to the department. The board shall adopt rules to implement this section, including rules regarding the form of the disclosure and the time required to make disclosures or to report a change in ownership.

Sec. 1958.155. CODE OF ETHICS. The board by rule shall adopt a code of ethics for license holders that promotes the education of mold assessors and mold remediators concerning the ethical, legal, and business principles that should govern their conduct.

(3) Renumber the remaining sections of Subchapter D, Chapter 1958, Occupations Code, as added by the bill, accordingly.

Amendment No. 2 was adopted without objection.

**Amendment No. 3**

Representative Naishtat offered the following amendment to **HB 329**:

Amend **HB 329** (2nd reading engrossment) on page 15, by striking lines 21-26 and substituting:

property that is the subject of the claim; and

(3) the property was:

(A) remediated, as evidenced by a certificate of mold remediation issued to the property owner under Section 1958.153 that establishes that the underlying cause of the mold at the property has been remediated; or

(B) inspected by an independent

Amendment No. 3 was adopted without objection.

**HB 329**, as amended, was passed.

**HB 471 ON THIRD READING**

**(by Pickett, Hamric, Krusee, Raymond, Gutierrez, et al.)**

**HB 471**, A bill to be entitled An Act relating to the borrowing of money by the Texas Department of Transportation.

**HB 471** was passed.

The speaker stated that **HB 471** was passed subject to Article III, Section 49(a) of the Texas Constitution.

**HB 565 ON THIRD READING**

**(by Haggerty)**

**HB 565**, A bill to be entitled An Act relating to the punishments for the offenses of assault and aggravated assault committed against a security officer.

**HB 565** was passed.

**HB 614 ON THIRD READING**

**(by Keel, Gallego, Ellis, Talton, Gattis, et al.)**

**HB 614**, 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.

**HB 614** was passed.

**HB 1297 ON THIRD READING**

**(by Allen)**

**HB 1297**, A bill to be entitled An Act relating to limits on indemnification of state employees and officials.

A record vote was requested.

**HB 1297** was passed by (Record 421): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Chavez; Corte; Jones, D.; Luna; Merritt.

### **HB 1391 ON THIRD READING**

**(by Hamric)**

**HB 1391**, A bill to be entitled An Act relating to the confidentiality of pleadings and protective order applications in certain proceedings in the Family Code.

**HB 1391** was passed.

### **HB 1406 ON THIRD READING**

**(by B. Brown, Hupp, Grusendorf, et al.)**

**HB 1406**, A bill to be entitled An Act relating to a recommendation by a school district employee concerning a use of a psychotropic drug by a student or psychiatric evaluation or examination of a student and to refusal by a parent or certain other person to consent to administration of a psychotropic drug to a student or to psychiatric evaluation or examination of a student.

A record vote was requested.

**HB 1406** was passed by (Record 422): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby;

Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Canales.

### **FIVE DAY POSTING RULE SUSPENDED**

Representative Smithee moved to suspend the five day posting rule to allow the Committee on Insurance to consider **SB 14**.

The motion prevailed without objection.

### **COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Insurance, 8:30 a.m. tomorrow, JHR 120, for a public hearing, to consider **SB 14**.

Calendars, upon adjournment today, speakers committee room, for a formal meeting.

### **HB 1634 ON THIRD READING (by Hilderbran and Denny)**

**HB 1634**, A bill to be entitled An Act relating to the ability of a court to maintain jurisdiction over a person placed on community supervision who absconds.

A record vote was requested.

**HB 1634** was passed by (Record 423): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Capelo; Casteel; Castro; Chavez; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.;

Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Talton; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Canales; Chisum; Kolkhorst; Swinford; Taylor.

**HB 1670 ON THIRD READING**  
**(by Allen)**

**HB 1670**, A bill to be entitled An Act relating to medically recommended intensive supervision of certain inmates of the Texas Department of Criminal Justice.

**HB 1670** was passed.

**HB 1691 ON THIRD READING**  
**(by Phillips)**

**HB 1691**, A bill to be entitled An Act relating to use of the compensatory education allotment to fund certain programs for students who have dyslexia or a related disorder.

A record vote was requested.

**HB 1691** was passed by (Record 424): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Allen; Alonzo; Bailey; Callegari; Edwards; Ritter; Wolens.

**HB 1723 ON THIRD READING**  
**(by Geren and Zedler)**

**HB 1723**, A bill to be entitled An Act relating to the performance of asbestos surveys.

**HB 1723** was passed.

**HB 1736 ON THIRD READING**  
**(by Turner and Naishtat)**

**HB 1736**, A bill to be entitled An Act relating to the review of the reimbursement methodology for and resource needs of nursing facilities.

**HB 1736** was passed.

**HB 1749 ON THIRD READING**  
**(by Hupp)**

**HB 1749**, A bill to be entitled An Act relating to the security provided for revenue bonds issued by the Veterans' Land Board.

**HB 1749** was passed.

**HB 2261 ON THIRD READING**  
**(by West)**

**HB 2261**, A bill to be entitled An Act relating to the composition of the Eighth and Eleventh courts of appeals districts.

**HB 2261** was passed.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Human Services, upon adjournment today, Desk 114, for a formal meeting, to consider pending business.

Business and Industry, upon adjournment today, Desk 103, for a formal meeting, to consider pending bills.

Transportation, upon adjournment today, Desk 46, for a formal meeting, to consider legislation before the committee.

Higher Education, upon adjournment today, Desk 86, for a formal meeting, to consider **SCR 12** and pending business.

Border and International Affairs, upon adjournment today, Desk 75, for a formal meeting, to consider committee business.

Government Reform, 30 minutes after adjournment today, E1.026, for a public hearing, to continue the hearing from this morning on **HB 2**.

Environmental Regulation, upon adjournment today, Desk 3, for a formal meeting, to consider pending business.

Urban Affairs, will not meet tonight.

### **FIVE DAY POSTING RULE SUSPENDED**

Representative Talton moved to suspend the five day posting rule to allow the Committee on Urban Affairs to consider **HB 1639, HB 1642, HB 1774, HB 1906, HB 2369, HB 3067, HB 3352, HB 3353, HB 3585, and SB 1726.**

The motion prevailed without objection.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Urban Affairs, 8 a.m. tomorrow, E1.010, for a public hearing, to consider those bills for which the posting rule was suspended.

### **HB 2328 ON THIRD READING**

**(by McReynolds, Christian, Homer, Hughes, Hardcastle, et al.)**

**HB 2328**, A bill to be entitled An Act relating to the registration of persons engaged in certain fowl operations; providing a criminal penalty.

A record vote was requested.

**HB 2328** was passed by (Record 425): 135 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Campbell; Corte; Dukes; Garza; Hardcastle; Jones, D.; Luna; Mabry.

**HB 1808 ON THIRD READING**  
**(by Hill)**

**HB 1808**, A bill to be entitled An Act relating to the regulation of tow trucks and to the authority of a political subdivision of this state to regulate tow trucks; providing penalties.

**Amendment No. 1**

Representative Hill offered the following amendment to **HB 1808**:

Amend **HB 1808** on third reading by striking SECTION 4 of the bill and substituting the following:

SECTION 4. Section 643.061(b), Transportation Code, is amended to read as follows:

(b) A motor carrier applying for registration under this section must pay:

(1) a \$20 fee for each vehicle registered other than a tow truck or a fee of \$50 for each tow truck under Subsection (a)(1);

(2) a \$10 fee for each vehicle registered other than a tow truck or a fee of \$25 for each tow truck under Subsection (a)(2); and

(3) application and insurance filing fees the department by rule adopts in an amount not to exceed \$100 each.

Amendment No. 1 was adopted without objection.

**HB 1808**, as amended, was passed.

**HB 1877 ON THIRD READING**  
**(by Hardcastle, Christian, and Hughes)**

**HB 1877**, A bill to be entitled An Act relating to creating the rural physician relief program.

**HB 1877** was passed.

**HB 1878 ON THIRD READING**  
**(by Dutton, Hodge, and Chavez)**

**HB 1878**, A bill to be entitled An Act relating to the establishment of paternity and the establishment and enforcement of child support and medical support for a child.

**HB 1878** was passed.

**HB 1910 ON THIRD READING**  
**(by Talton)**

**HB 1910**, A bill to be entitled An Act relating to the exemption from ad valorem taxation of property owned by a religious organization.

A record vote was requested.

**HB 1910** was passed by (Record 426): 139 Yeas, 0 Nays, 2 Present, not voting.



Yeas — Allen; Alonzo; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgenuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Bailey; Canales; Dawson; Paxton.

**HB 2002 ON THIRD READING**  
**(by Dutton and Chavez)**

**HB 2002**, A bill to be entitled An Act relating to unexpended proceeds from the sale or license of treatment programs developed by the Texas Youth Commission.

A record vote was requested.

**HB 2002** was passed by (Record 427): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter;

Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Van Arsdale.

**HB 2073 ON THIRD READING**  
**(by Hilderbran)**

**HB 2073**, A bill to be entitled An Act relating to the ad valorem tax rate of a hospital district created under general or special law.

A record vote was requested.

**HB 2073** was passed by (Record 428): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Canales.

**HB 2241 ON THIRD READING**  
**(by Paxton)**

**HB 2241**, A bill to be entitled An Act relating to adoption of the Uniform Principal and Income Act.

**HB 2241** was passed.

**HB 2654 ON THIRD READING**  
**(by Farabee)**

**HB 2654**, A bill to be entitled An Act relating to clarification of certain exemptions from requirements of pipeline assessment and testing.

A record vote was requested.

**HB 2654** was passed by (Record 429): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flynn; Gallego; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Driver; Dukes; Flores; Garza.

**HB 2888 ON THIRD READING**  
**(by R. Cook)**

**HB 2888**, A bill to be entitled An Act relating to removing exemptions for certain wells and impounded water.

A record vote was requested.

**HB 2888** was passed by (Record 430): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope;

Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Callegari; Canales; Haggerty.

**HB 1544 ON THIRD READING**  
**(by Bonnen, Flores, Mercer, and Hope)**

**HB 1544**, A bill to be entitled An Act relating to a pilot project to allow select public junior colleges to offer certain baccalaureate degrees.

A record vote was requested.

**HB 1544** was passed by (Record 431): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Callegari; Canales; Swinford.

**HB 104 ON THIRD READING****(by Chavez, Quintanilla, Mowery, Castro, Hill, et al.)**

**HB 104**, A bill to be entitled An Act relating to the exemption from ad valorem taxation of tangible personal property held temporarily at a location in this state for assembling, storing, manufacturing, processing, or fabricating purposes.

**HB 104** was passed.

**HB 311 ON THIRD READING****(by Villarreal)**

**HB 311**, A bill to be entitled An Act relating to the regulation of licensed vocational nurses.

A record vote was requested.

**HB 311** was passed by (Record 432): 139 Yeas, 1 Nay, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Nays — Solis.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Bonnen; Coleman; Jones, J.

**STATEMENT OF VOTE**

I was shown voting no on Record No. 432. I intended to vote yes.

Solis

**HB 424 ON THIRD READING**  
**(by Christian)**

**HB 424**, A bill to be entitled An Act relating to the appointment of a tenant representative as a commissioner of a municipal housing authority.

**Amendment No. 1**

Representative Rodriguez offered the following amendment to **HB 424**:

Amend **HB 424** on third reading by adding a new SECTION 2 and renumbering the following SECTIONS of the bill as appropriate;

SECTION 2. Section 392.038, Local Government Code, is amended to read as follows:

§392.038. OTHER OFFICERS AND EMPLOYEES OF A MUNICIPAL OR COUNTY HOUSING AUTHORITY. (a) A municipal or county housing authority may employ a secretary, who shall serve as executive director, and may employ technical experts and other officers, agents, and employees, permanent or temporary, the authority considers necessary, except as prohibited in subsection (b). The authority shall determine the qualifications, duties, and compensation of the persons employed.

(b) A housing authority may not use any money under the control of the authority to pay:

(1) lobbying expenses incurred by the authority;

(2) a person that is required to register with the Texas Ethics Commission under Chapter 305, Government Code;

(3) any partner, employee, employer, relative, contractor, consultant, or related entity of a person described by Subdivision (2); or

(4) a person that has been hired to represent associations or other entities for the purpose of affecting the outcome of legislation, agency rules, ordinances, or other government policies.

(c) A person who violates Subsection (a) commits an offense. An offense under this section is a Class A misdemeanor.

(d) Section 305.026, Government Code, does not apply to a housing authority.

(e) The restriction imposed by this section is in addition to the restriction imposed by Section 556.0055, Government Code.

Amendment No. 1 was adopted without objection.

**HB 424**, as amended, was passed.

**HB 1112 ON THIRD READING**  
**(by Crownover, et al.)**

**HB 1112**, A bill to be entitled An Act relating to returning a public school teacher to probationary contract status.

A record vote was requested.

**HB 1112** was passed by (Record 433): 71 Yeas, 66 Nays, 1 Present, not voting.

Yeas — Allen; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Callegari; Campbell; Chisum; Christian; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Flynn; Gattis; Geren; Goodman; Goolsby; Griggs; Grusendorf; Hamilton; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hill; Howard; Hughes; Hupp; Jones, E.; Keffer, B.; Keffer, J.; King; Krusee; Kuempel; Laubenberg; Madden; Marchant; Mercer; Merritt; Morrison; Mowery; Nixon; Paxton; Pitts; Reyna; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Stick; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wohlgemuth; Wong; Woolley; Zedler.

Nays — Alonzo; Bailey; Brown, F.; Burnam; Canales; Capelo; Casteel; Castro; Chavez; Coleman; Cook, B.; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Ellis; Farabee; Farrar; Flores; Gallego; Garza; Giddings; Guillen; Gutierrez; Hardcastle; Hochberg; Hodge; Homer; Hopson; Hunter; Jones, D.; Keel; Kolkhorst; Laney; Lewis; Luna; Mabry; Martinez Fischer; McClendon; McReynolds; Menendez; Moreno, J.; Moreno, P.; Naishtat; Noriega; Olivo; Peña; Phillips; Pickett; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Solis; Telford; Thompson; Turner(C); Uresti; Villarreal.

Present, not voting — Mr. Speaker.

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Haggerty; Hilderbran; Hope; Jones, J.; McCall; Miller; Wolens.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 433. I intended to vote no.

Bohac

When Record No. 433 was taken, I was temporarily out of the house chamber. I would have voted no.

Hilderbran

I was shown voting yes on Record No. 433. I intended to vote no.

J. Keffer

#### **HB 1247 ON THIRD READING (by Ritter, Menendez, Mercer, Capelo, and Chavez)**

**HB 1247**, A bill to be entitled An Act relating to the creation, funding, and operation of a fire fighter and police officer home loan program.

A record vote was requested.

**HB 1247** was passed by (Record 434): 136 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego;

Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Martinez Fischer; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Canales; Corte; Haggerty; Marchant; McCall; McClendon.

**HB 1444 ON THIRD READING**  
**(by Krusee and Zedler)**

**HB 1444**, A bill to be entitled An Act relating to the exemption from ad valorem taxation of motor vehicles leased for noncommercial use.

A record vote was requested.

**HB 1444** was passed by (Record 435): 135 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laubenberg; Lewis; Luna; Mabry; Madden; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; West; Wohlgemuth; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.



Absent — Coleman; Haggerty; Laney; Marchant; Merritt; Talton; Villarreal; Wolens.

**HB 1537 ON THIRD READING**  
**(by Dukes, Thompson, Chavez, Morrison, and Peña)**

**HB 1537**, A bill to be entitled An Act relating to a fee for statues of Barbara Jordan and Cesar Chavez and related scholarships at The University of Texas at Austin.

A record vote was requested.

**HB 1537** was passed by (Record 436): 107 Yeas, 28 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Bonnen; Branch; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Davis, J.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Geren; Giddings; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Hamric; Harper-Brown; Heflin; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Hughes; Hunter; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Naishtat; Nixon; Noriega; Olivo; Peña; Phillips; Pickett; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smithee; Solis; Solomons; Taylor; Telford; Thompson; Truitt; Uresti; Villarreal; Wong.

Nays — Berman; Bohac; Brown, B.; Chisum; Christian; Crossover; Dawson; Denny; Driver; Gattis; Hamilton; Hardcastle; Hartnett; Hegar; Hilderbran; Howard; Hupp; Laubenberg; Mowery; Paxton; Reyna; Seaman; Smith, W.; Stick; Talton; Van Arsdale; West; Wohlgemuth.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Delisi; Goodman; Haggerty; Pitts; Swinford; Wolens; Woolley; Zedler.

**STATEMENTS OF VOTE**

I was shown voting no on Record No. 436. I intended to vote yes.

Bohac

I was shown voting no on Record No. 436. I intended to vote yes.

Hegar

I was shown voting no on Record No. 436. I intended to vote yes.

Hilderbran

I was shown voting yes on Record No. 436. I intended to vote no.

B. Keffer

I was shown voting no on Record No. 436. I intended to vote yes.

Stick

I was shown voting yes on Record No. 436. I intended to vote no.

Wong

**HB 1609 ON THIRD READING**  
(by Riddle)

**HB 1609**, A bill to be entitled An Act relating to administration of certain oaths by an employee of a personal bond office.

A record vote was requested.

**HB 1609** was passed by (Record 437): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Coleman; Davis, J.; Haggerty; Hochberg; Marchant; Wolens.

**HB 1817 ON THIRD READING**  
(by Ritter)

**HB 1817**, A bill to be entitled An Act relating to student fees at institutions in the Texas State University System.

A record vote was requested.

**HB 1817** was passed by (Record 438): 122 Yeas, 6 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Branch; Brown, B.; Brown, F.; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Garza; Gattis; Geren; Giddings;

Goodman; Goolsby; Griggs; Guillen; Gutierrez; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Moreno, P.; Morrison; Mowery; Nixon; Noriega; Olivo; Paxton; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rose; Seaman; Smith, T.; Smithee; Solis; Solomons; Stick; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; West; Wohlgemuth; Wong; Zedler.

Nays — Callegari; Gallego; Miller; Naishtat; Peña; Rodriguez.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Bonnen; Burnam; Chisum; Coleman; Grusendorf; Haggerty; Hochberg; Marchant; Moreno, J.; Smith, W.; Swinford; Villarreal; Wolens; Woolley.

### **HB 2038 ON THIRD READING**

**(by Lewis)**

**HB 2038**, A bill to be entitled An Act relating to entrance examinations for beginning positions in the fire and police departments of certain municipalities.

**HB 2038** was passed.

### **HB 2053 ON THIRD READING**

**(by W. Smith)**

**HB 2053**, A bill to be entitled An Act relating to group health and related benefits provided by populous counties.

**HB 2053** was passed.

### **HB 2361 ON THIRD READING**

**(by Bailey)**

**HB 2361**, A bill to be entitled An Act relating to the investigation of a firefighter or police officer in certain municipalities.

#### **Amendment No. 1**

Representative Talton offered the following amendment to **HB 2361**:

Amend **HB 2361** on third reading as follows:

(1) on page 1, line 18, insert the following after "officer" and before "concerning": ", if known,".

Amendment No. 1 was adopted without objection.

**HB 2361**, as amended, was passed.

**HB 2613 ON THIRD READING**  
(by **B. Keffer**)

**HB 2613**, A bill to be entitled An Act relating to liens on stored hydrocarbons at sites and facilities that have not been timely cleaned up.

**HB 2613** was passed.

**HB 2795 ON THIRD READING**  
(by **Riddle**)

**HB 2795**, A bill to be entitled An Act relating to the release on bond of certain persons arrested without a warrant.

A record vote was requested.

**HB 2795** was passed by (Record 439): 134 Yeas, 1 Nay, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Martinez Fischer; McCall; McClendon; McReynolds; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; West; Wohlgenuth; Wong; Woolley; Zedler.

Nays — Talton.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Canales; Crownover; Gallego; Grusendorf; Marchant; Menendez; Villarreal; Wolens.

**STATEMENTS OF VOTE**

When Record No. 439 was taken, I was in the house but away from my desk. I would have voted yes.

Gallego

I was shown voting yes on Record No. 439. I intended to vote no.

Thompson

**HB 2899 ON THIRD READING**  
**(by Phillips)**

**HB 2899**, A bill to be entitled An Act relating to the authority of the Texas Department of Transportation to contract for the erection and maintenance of specific information logo signs, major shopping area guide signs, and major agricultural interest signs.

A record vote was requested.

**HB 2899** was passed by (Record 440): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgenuth; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Canales; Coleman; Grusendorf; Marchant; Moreno, J.; Wolens.

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Civil Practices, will not meet tonight.

Energy Resources, upon adjournment today, Desk 106, for a formal meeting, to reconsider the vote on **CSHB 1843**.

**HB 172 ON THIRD READING**  
**(by Keel)**

**HB 172**, A bill to be entitled An Act relating to securing the appearance of certain persons who have been released on bail; providing a criminal penalty.

**HB 172** was passed.

**HB 182 ON THIRD READING****(by Callegari)**

**HB 182**, A bill to be entitled An Act relating to the statute of limitations for the offense of arson.

**HB 182** was passed.

**HB 217 ON THIRD READING****(by Hamric, Wohlgemuth, Menendez, Bohac, et al.)**

**HB 217**, A bill to be entitled An Act relating to limiting the amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.

**HB 217** was passed.

**HB 275 ON THIRD READING****(by Keel)**

**HB 275**, A bill to be entitled An Act relating to the prosecution of theft of service.

**HB 275** was passed.

**HB 457 ON THIRD READING****(by Hope)**

**HB 457**, A bill to be entitled An Act relating to the operation of a watercraft while intoxicated.

**HB 457** was passed.

**HB 529 ON THIRD READING****(by B. Brown)**

**HB 529**, A bill to be entitled An Act relating to the ineligibility of a delinquent child support obligor to receive state-funded or state-administered student financial assistance.

Representative B. Brown moved to postpone consideration of **HB 529** until 11 a.m. tomorrow.

The motion prevailed without objection.

**HB 560 ON THIRD READING****(by Pickett)**

**HB 560**, A bill to be entitled An Act relating to vehicles left unattended on certain parking facilities and to the removal and storage of those vehicles.

**Amendment No. 1**

Representative Pickett offered the following amendment to **HB 560**:

Amend **HB 560** on third reading by adding a new SECTION to the bill, appropriately numbered, to read as follows, and renumbering existing SECTIONS accordingly:

SECTION \_\_\_\_\_. Section 684.012(a), Transportation Code, is amended to read as follows:

(a) A parking facility owner may, without the consent of the owner or operator of an unauthorized vehicle, cause the vehicle and any property on or in the vehicle to be removed and stored at a vehicle storage facility at the vehicle owner's or operator's expense if:

(1) signs that comply with Subchapter C prohibiting unauthorized vehicles are located on the parking facility at the time of towing and for the preceding 24 hours and remain installed at the time of towing;

(2) the owner or operator of the vehicle has received actual notice from the parking facility owner that the vehicle will be towed at the vehicle owner's or operator's expense if it is in or not removed from an unauthorized space;

(3) the parking facility owner gives notice to the owner or operator of the vehicle under Subsection (b); or

(4) the vehicle is:

(A) left in violation of Section 684.011 or 684.0125; or

(B) in or obstructing a portion of a paved driveway or abutting public roadway used for entering or exiting the facility.

Amendment No. 1 was adopted without objection.

**HB 560**, as amended, was passed.

#### **HB 755 ON THIRD READING**

**(by Chisum, et al.)**

**HB 755**, A bill to be entitled An Act relating to the offense of failing to certify compliance of an underground storage tank before accepting delivery of the regulated substance to be stored in the tank.

**HB 755** was passed.

#### **HB 778 ON THIRD READING**

**(by Naishtat and Swinford)**

**HB 778**, A bill to be entitled An Act relating to the offense of interference with an emergency telephone call.

**HB 778** was passed.

#### **HB 1113 ON THIRD READING**

**(by Crownover)**

**HB 1113**, A bill to be entitled An Act relating to returning a public school teacher to probationary contract status.

**HB 1113** was passed. (Bohac, Flores, Hamilton, Keel, and Phillips recorded voting no)

#### **HB 1225 ON THIRD READING**

**(by Eissler)**

**HB 1225**, A bill to be entitled An Act relating to time limits and notice related to a special education due process hearing and an appeal of a special education hearing officer's decision.

**HB 1225** was passed.

**HB 1268 ON THIRD READING**  
**(by Seaman)**

**HB 1268**, A bill to be entitled An Act relating to outpatient drug benefit coverage in certain health insurance policies and discount drug programs.

**HB 1268** was passed.

**HB 1300 ON THIRD READING**  
**(by Riddle and Peña)**

**HB 1300**, A bill to be entitled An Act relating to the release on personal bond of certain criminal defendants.

**HB 1300** was passed. (B. Brown and Talton recorded voting no)

**HB 1339 ON THIRD READING**  
**(by Eissler)**

**HB 1339**, A bill to be entitled An Act relating to certain information that a school district must provide to the parent of or person standing in parental relation to a district student and to evaluation of a student for special education services.

**HB 1339** was passed.

**HB 803 ON THIRD READING**  
**(by Geren)**

**HB 803**, A bill to be entitled An Act relating to the assessment of damages in a condemnation proceeding based on the market value of groundwater rights as property apart from the land.

**HB 803** was passed.

**HB 1481 ON THIRD READING**  
**(by Allen)**

**HB 1481**, A bill to be entitled An Act relating to the creation of the operating permit fees account for fees collected under Titles IV and V of the Clean Air Act.

**HB 1481** was passed.

**HB 1518 ON THIRD READING**  
**(by Dutton)**

**HB 1518**, A bill to be entitled An Act relating to accountability for public school dropouts and students at risk of dropping out of school.

A record vote was requested.

**HB 1518** was passed by (Record 441): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb;



Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wong; Woolley; Zedler.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Canales; Farrar; Jones, D.; Quintanilla; Smithee; Wolens.

#### STATEMENT OF VOTE

When Record No. 441 was taken, I was in the house but away from my desk. I would have voted yes.

Quintanilla

#### HB 1695 ON THIRD READING (by Denny, Madden, and Howard)

**HB 1695**, A bill to be entitled An Act relating to certain election processes and procedures.

**HB 1695** was passed.

#### HB 1815 ON THIRD READING (by Goodman and Wise)

**HB 1815**, A bill to be entitled An Act relating to court-ordered representation in suits affecting the parent-child relationship.

**HB 1815** was passed.

#### HB 1872 ON THIRD READING (by Riddle)

**HB 1872**, A bill to be entitled An Act relating to the prosecution of the offense of criminal trespass.

**HB 1872** was passed.

#### HB 2319 ON THIRD READING (by Dutton, Goodman, Hodge, Peña, et al.)

**HB 2319**, A bill to be entitled An Act relating to juvenile delinquency.

**HB 2319** was passed.

**HB 2732 ON THIRD READING****(by Talton)**

**HB 2732**, A bill to be entitled An Act relating to certain municipal orders required to be filed with the municipal secretary or clerk.

**HB 2732** was passed.

**HB 3383 ON THIRD READING****(by Swinford)**

**HB 3383**, A bill to be entitled An Act relating to agricultural development districts.

**HB 3383** was passed.

**HB 3456 ON THIRD READING****(by Heflin)**

**HB 3456**, A bill to be entitled An Act relating to health benefit plans under the Texas Employees Group Benefits Act.

A record vote was requested.

**HB 3456** was passed by (Record 442): 138 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Thompson; Truitt; Uresti; Van Arsdale; Villarreal; West; Wohlgemuth; Wong; Woolley; Zedler.

Nays — Mabry; Moreno, J.

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

Absent, Excused — Isett; Oliveira; Wilson; Wise.

Absent — Canales; Telford; Wolens.

**STATEMENTS OF VOTE**

- I was shown voting yes on Record No. 442. I intended to vote no.  
Deshotel
- I was shown voting yes on Record No. 442. I intended to vote no.  
Dunnam
- I was shown voting yes on Record No. 442. I intended to vote no.  
Ellis
- I was shown voting yes on Record No. 442. I intended to vote no.  
Gallego
- I was shown voting yes on Record No. 442. I intended to vote no.  
Hopson
- I was shown voting yes on Record No. 442. I intended to vote no.  
Menendez

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Elections, upon adjournment today, E2.012, for a public hearing, to consider posted business.

Ways and Means, will not meet tonight.

House Administration, 8 a.m. tomorrow, JHR 110, for a public hearing.

**FIVE DAY POSTING RULE SUSPENDED**

Representative Delisi moved to suspend the five day posting rule to allow the Committee on State Health Care Expenditures, Select to consider **HB 3182**, **HB 3360**, and **SB 691**.

The motion prevailed without objection.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

State Health Care Expenditures, Select, 9 a.m. tomorrow, E2.014, for a public hearing, to consider **HB 3182**, **HB 3360**, and **SB 691**.

**GENERAL STATE CALENDAR**

**HOUSE BILLS**

**SECOND READING**

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

**CSHB 2768 ON SECOND READING**  
**(by Woolley)**

**CSHB 2768**, A bill to be entitled An Act relating to facilitating and supporting the efforts of certain municipalities and counties to promote economic development by hosting certain sport events and authorizing certain municipalities and counties to issue notes for payment of obligations incurred to bid or prepare for and host those events.

Representative Woolley moved to postpone consideration of **CSHB 2768** until 1:00 p.m. Monday, May 5.

The motion prevailed without objection.

**CSHB 2020 ON SECOND READING**  
**(by Farabee, West, J. Keffer, Chisum, Canales, et al.)**

**CSHB 2020**, A bill to be entitled An Act relating to financial security requirements for certain persons performing operations within the jurisdiction of the Railroad Commission of Texas.

**Amendment No. 1**

Representative Farabee offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** as follows:

(1) On page 10, line 14, between "91.103" and the comma, insert "or 91.107".

(2) On page 10, line 16, between "91.103" and the comma, insert "or 91.107".

Amendment No. 1 was adopted without objection.

**Amendment No. 2**

Representative E. Jones offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** as follows:

(1) Strike page 3, lines 19-26, and substitute the following:

(5) a nonrefundable annual fee equal to seven [~~12-1/2~~] percent of the bond that otherwise would be required.

(2) Strike page 4, lines 6-8, and substitute the following:

(d) This subsection does not apply to the operation of bay or offshore wells or the storage, handling, treatment, reclamation, or disposal of oil and gas waste. A person who engages in more than one activity or operation for which a bond or alternate form of financial security is required under this subchapter is not required to file a separate bond or alternate form of financial security for each activity or operation in which the person is engaged. The person is required to file a bond or alternate form of financial security only in the amount required for the activity or operation in which the person engages for which a bond or alternate form of financial security in the greatest amount is required. The bond or alternate form of financial security filed covers all of the activities and operations for which a bond or alternate form of financial security is required under this subchapter.

(3) On page 4, line 9, strike "January 1, 2006" and substitute "September 1, 2004".

(4) On page 4, line 22, following the semicolon, add "or".

(5) Strike page 4, line 23, through page 6, line 2, and substitute the following:

(4) a nonrefundable annual fee [~~of \$1,000, if:~~

~~[(A) the commission determines that individual and blanket bonds as specified by Subdivisions (1) and (2) are not obtainable at reasonable prices; and~~

~~[(B) the person can demonstrate to the commission an acceptable record of compliance with all commission rules, orders, licenses, permits, or certificates that relate to safety or the prevention or control of pollution for the previous 48 months and the person and, if a firm, partnership, joint stock association, corporation, or other organization, its officers, directors, general partners, or owners of more than 25 percent ownership interest or any trustee:~~

~~[(i) has no outstanding violations of such commission rules, orders, licenses, permits, or certificates;~~

~~[(ii) has paid all administrative, civil, and criminal penalties, if any, relating to any violation of such commission rules, orders, licenses, permits, or certificates; and~~

~~[(iii) has paid all reimbursements of any costs and expenses incurred by the commission in relation to any violation of such commission rules, orders, licenses, permits, or certificates; or~~

~~[(5) a nonrefundable annual fee] equal to:~~

~~(A) eight [42 1/2] percent of the bond that otherwise would be required if the financial security is required to be filed before September 1, 2005;~~

~~(B) nine percent of the bond that otherwise would be required if the financial security is required to be filed on or after September 1, 2005, and before September 1, 2006; and~~

~~(C) 10 percent of the bond that otherwise would be required if the financial security is required to be filed on or after September 1, 2006.~~

(6) Strike page 6, lines 9-11, and substitute the following:

(d) This subsection does not apply to the operation of bay or offshore wells or the storage, handling, treatment, reclamation, or disposal of oil and gas waste. A person who engages in more than one activity or operation for which a bond or alternate form of financial security is required under this subchapter is not required to file a separate bond or alternate form of financial security for each activity or operation in which the person is engaged. The person is required to file a bond or alternate form of financial security only in the amount required for the activity or operation in which the person engages for which a bond or alternate form of financial security in the greatest amount is required. The bond or alternate form of financial security filed covers all of the activities and operations for which a bond or alternate form of financial security is required under this subchapter.

(7) On page 6, at the end of line 15, insert "who operates wells".

(8) On page 6, lines 19 and 20, strike "10 or fewer wells or performs other operations" and substitute "at least one well but not more than 10 wells [~~10 or fewer wells or performs other operations~~]".

(9) Strike page 7, line 8, through page 9, line 17.

(10) Strike page 9, lines 23-26, and substitute the following:  
"shall require the party acquiring the well to provide financial security by means of a [~~file a new~~] bond, letter of credit, or cash deposit in an appropriate amount as provided by Section 91.104(b)(1), (2), or (3), and the financial security of the prior".

(11) On page 10, line 2, strike "the new" and substitute "a [~~the new~~]".

(12) Strike page 10, line 11.

(13) On page 10, line 12, strike "(b)" and substitute "SECTION 8."

(14) On page 10, at the end of the bill, add a new SECTION to read as follows:

SECTION 9. 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, 2003.

(15) Renumber SECTIONS of the bill as appropriate.

### **Amendment No. 3**

Representative Chisum offered the following amendment to Amendment No. 2:

Amend Floor Amendment No. 2 by E. Jones to **CSHB 2020** as follows:

(1) On page 1, line 4, strike "seven" and substitute "five".

(2) On page 2, line 19, strike "eight" and substitute "six".

(3) On page 2, line 22, strike "nine" and substitute "seven".

(4) On page 2, line 25, strike "10" and substitute "eight".

Representative E. Jones moved to table Amendment No. 3.

The motion to table was lost.

Amendment No. 3 was adopted without objection.

Amendment No. 2, as amended, was adopted without objection.

### **Amendment No. 4**

Representative Chisum offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** as follows:

(1) On page 3, line 18, strike "or" and substitute "[~~or~~]".

(2) On page 3, line 25, between "percent" and the bracketed language, insert the following:

;or

(6) if the person operates wells, another form of financial security authorized by rules adopted by the commission under Subsection (b-1)

(3) On page 3, between lines 26 and 27, insert the following:

(b-1) The commission by rule may authorize a person who operates wells to file a form of financial security other than those provided by Subsections (b)(1)-(5), including insurance. The rules must require the security to be in an amount sufficient to ensure the plugging of the person's wells.

(4) On page 5, line 21, strike "or" and substitute "[or]".

(5) On page 6, line 1, between "percent" and the bracketed language, insert the following:

; or

(6) if the person operates wells, another form of financial security authorized by rules adopted by the commission under Subsection (b-1)

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

(b-1) The commission by rule may authorize a person who operates wells to file a form of financial security other than those provided by Subsections (b)(1)-(5), including insurance. The rules must require the security to be in an amount sufficient to ensure the plugging of the person's wells.

Amendment No. 4 was adopted without objection.

Representative Farabee moved to postpone consideration of **CSHB 2020** until 10:15 p.m. today.

The motion prevailed without objection.

### **HB 716 ON SECOND READING**

**(by Delisi, Homer, and Peña)**

**HB 716**, A bill to be entitled An Act relating to the punishment for assaults committed against certain sports officials.

#### **Amendment No. 1 (Committee Amendment No. 1)**

On behalf of Representative Riddle, Representative Delisi offered the following committee amendment to **HB 716**:

Amend **HB 716** on page 2, lines 5-6, by striking "linesman, coach, instructor, administrator, or staff member" and substituting "or linesman".

Amendment No. 1 was adopted without objection.

**HB 716**, as amended, was passed to engrossment.

### **CSHB 729 ON SECOND READING**

**(by Goodman and Dutton)**

**CSHB 729**, A bill to be entitled An Act relating to the adoption of the Uniform Parentage Act regarding gestational agreements.

**CSHB 729** was passed to engrossment. (Talton recorded voting no)

### **CSHB 885 ON SECOND READING**

**(by Dutton)**

**CSHB 885**, A bill to be entitled An Act relating to the rights of spouses in relation to separate and community property.

**Amendment No. 1**

Representative Hartnett offered the following amendment to **CSHB 885**:

Amend **CSHB 885** by adding the following appropriately numbered SECTIONS and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . Section 4.205, Family Code, is amended by adding Subsection (c) to read as follows:

(c) If a proceeding regarding enforcement of an agreement under this subchapter occurs after the death of the spouse against whom enforcement is sought, the proof required by Subsection (a) may be made by an heir of the spouse or the personal representative of the estate of that spouse.

SECTION \_\_\_\_ . The change in law made by this Act by the enactment of Section 4.205(c), Family Code, applies to an agreement under Subchapter C, Chapter 4, Family Code, without regard to whether the agreement was made before, on, or after the effective date of this Act.

Amendment No. 1 was adopted without objection.

**Amendment No. 2**

Representative Goodman offered the following amendment to **CSHB 885**:

Amend **CSHB 885**, on page 4, by striking lines 16-22 and substituting the following:

(c) In a decree of divorce or annulment, the court shall confirm the following as the separate property of a spouse if partitioned or exchanged by written agreement of the spouses:

(1) income and earnings from the spouses' property, wages, salaries, and other forms of compensation received on or after January 1 of the year in which the suit for dissolution of marriage was filed; or

(2) income and earnings from the spouses' property, wages, salaries, and other forms of compensation received in another year during which the spouses were married for any part of the year.

Amendment No. 2 was adopted without objection.

**CSHB 885**, as amended, was passed to engrossment.

**CSHB 1207 ON SECOND READING**  
**(by Kuempel)**

**CSHB 1207**, A bill to be entitled An Act relating to the application of certain municipal zoning regulations affecting the appearance of buildings or open spaces.

**CSHB 1207** was passed to engrossment.

**HB 1192 ON SECOND READING**  
**(by West)**

**HB 1192**, A bill to be entitled An Act relating to the purchase of vehicles using alternative fuels by the Railroad Commission of Texas.

**HB 1192** was passed to engrossment.



**CSHB 1267 ON SECOND READING**  
**(by Seaman and Christian)**

**CSHB 1267**, A bill to be entitled An Act relating to small employer health benefit plans.

Representative Seaman moved to postpone consideration of **CSHB 1267** until the end of today's calendar.

The motion prevailed without objection.

**HB 1326 ON SECOND READING**  
**(by Martinez Fischer, Driver, Keel, Hope, and Castro)**

**HB 1326**, A bill to be entitled An Act relating to the civil and criminal consequences of racing a motor vehicle on a public highway or street and of being a spectator at an illegal motor vehicle racing event; providing penalties.

**Amendment No. 1**

Representative Martinez Fischer offered the following amendment to **HB 1326**:

Amend **HB 1326**, on page 2, line 25 through page 3, line 21, by striking proposed Subsections (d)-(f), Section 521.350, Transportation Code, substituting the following, and relettering subsequent subsections of that section accordingly:

(d) A person whose license is suspended under Subsection (a) shall be required by the court in which the person was convicted to perform at least 100 hours of community service as ordered by the court. If the person is a resident of this state without a driver's license to operate a motor vehicle, the court shall issue an order prohibiting the department from issuing the person a driver's license before the person completes the community service. Community service required under this subsection is in addition to any community service required of the person as a condition of community supervision under Section 16, Article 42.12, Code of Criminal Procedure.

(e) If a person who is required to perform community service under Subsection (d) completes that community service before the end of the person's license suspension, the person may apply to the department for reinstatement of the person's license or the issuance of a new license. The application must include proof satisfactory to the department that the person has performed the community service.

Amendment No. 1 was adopted without objection.

**HB 1326**, as amended, was passed to engrossment. (Denny, Howard, and Talton recorded voting no)

**CSHB 1839 ON SECOND READING**  
**(by Solomons, Lewis, et al.)**

**CSHB 1839**, A bill to be entitled An Act relating to property in the custody of a pawnbroker; providing criminal penalties.

**Amendment No. 1**

Representative Solomons offered the following amendment to **CSHB 1839**:

Amend **CSHB 1839** as follows:

- (1) On page 2, line 15, strike "case number".
- (2) On page 2, between lines 17 and 18, insert the following and renumber subsequent subdivisions accordingly:

"(4) the case number of the criminal proceeding or investigation involving the goods to be held;".

Amendment No. 1 was adopted without objection.

**CSHB 1839**, as amended, was passed to engrossment.

**HB 1931 ON SECOND READING**

(by Capelo, West, E. Jones, Canales, and Chisum)

**HB 1931**, A bill to be entitled An Act relating to the repeal of the law governing notification of pipeline construction and operation.

**Amendment No. 1**

Representative West offered the following amendment to **HB 1931**:

Amend **HB 1931** by adding the following section, appropriately numbered, and by renumbering subsequent sections accordingly:

SECTION \_\_. Section 117.012, Natural Resources Code, is amended by amending Subsections (h), (i), and (k) and adding Subsections (l) and (m) to read as follows:

(h) The commission shall require operators or their designated representatives to communicate and conduct liaison activities with fire, police, and other appropriate public emergency response officials. The liaison activities must be conducted by meetings in person except as provided by this section. An operator or the operator's representative may conduct required community liaison activities as provided by Subsection (i) only if the operator or the operator's representative has made an effort, by one of the following methods, ~~[the following efforts]~~ to conduct a community liaison meeting in person with the officials:

- (1) mailing a written request for a meeting in person to the appropriate officials by certified mail, return receipt requested;
- (2) sending a request for a meeting in person to the appropriate officials by facsimile transmission; ~~or [and]~~
- (3) making one or more telephone calls or e-mail message transmissions to the appropriate officials to request a meeting in person.

(i) If the operator or operator's representative cannot arrange a meeting in person after complying with Subsection (h), the operator or the operator's representative shall make an effort, by one of the following methods, ~~[the following efforts]~~ to conduct community liaison activities by means of a telephone conference call with the officials:

- (1) mailing a written request for a telephone conference to the appropriate officials by certified mail, return receipt requested;

(2) sending a request for a telephone conference to the appropriate officials by facsimile transmission; or ~~and~~

(3) making one or more telephone calls or e-mail message transmissions to the appropriate officials to request a telephone conference.

(k) The commission by rule shall require the owner or operator of each ~~interstate or~~ intrastate hazardous liquid or carbon dioxide pipeline facility any part of which is located within 1,000 feet of a public school building containing classrooms, or within 1,000 feet of another public school facility where students congregate, to:

(1) on written request, provide in writing the following parts of a pipeline emergency response plan that are relevant to the school:

(A) a description and map of the pipeline facilities that are within 1,000 feet of the school building or facility;

(B) a list of any product transported in the segment of the pipeline that is within 1,000 feet of the school facility;

(C) the designated emergency number for the pipeline facility operator;

(D) information on the state's excavation one-call system; and

(E) information on how to recognize, report, and respond to a product release ~~develop an emergency response plan in consultation with the fire department in whose jurisdiction the school is located or another local emergency response entity~~; and

(2) mail a copy of the requested items by certified mail, return receipt requested, to the superintendent of the school district in which the school building or facility is located ~~present the plan:~~

~~(A) at the first annual budget meeting of the board of trustees of the school district in which the school is located after the plan is developed; and~~

~~(B) at subsequent annual budget meetings of the board of trustees of the school district on the request of the board.~~

(l) A pipeline operator or the operator's representative shall appear at a regularly scheduled meeting of the school board to explain the items listed in Subsection (k) if requested by the school board.

(m) The commission may not require the release of parts of an emergency response plan that include security sensitive information including maps or data. Security sensitive information shall be made available for review by but not provided to the school board.

Amendment No. 1 was adopted without objection.

**HB 1931**, as amended, was passed to engrossment.

**CSHB 1989 ON SECOND READING**  
**(by Ellis and B. Cook)**

**CSHB 1989**, A bill to be entitled An Act relating to hunting and fishing stamps issued by the Parks and Wildlife Department; providing a penalty.

**Amendment No. 1**

Representative Ellis offered the following amendment to **CSHB 1989**:

Amend **CSHB 1989** on page 2, line 26, between "purchase of" and "fish", by inserting "game".

Amendment No. 1 was adopted without objection.

### **Amendment No. 2**

Representative Ellis offered the following amendment to **CSHB 1989**:

Amend **CSHB 1989** as follows:

(1) On page 2, strike lines 4 through 18 and substitute the following:

Sec. 43.804. DESIGN AND ISSUANCE OF STAMPS. (a) The department may issue a freshwater fishing stamp to any person on the payment to the department of \$5. Except as provided by Subsection (e), a stamp must be signed on its face by the person using it for the stamp to be valid for fishing purposes.

(b) The department may issue a collectible freshwater fishing stamp to any person on the payment to the department of \$5. A collectible freshwater fishing stamp does not authorize a person to fish and is not valid for fishing purposes.

(c) The commission by rule shall prescribe the form, design, and manner of issuance of the freshwater fishing stamp and the collectible freshwater fishing stamp. The department retains all reproduction rights to the design of the freshwater fishing stamp and the collectible freshwater fishing stamp.

(d) The commission may contract with and pay a person for designing and producing the freshwater fishing stamp or the collectible freshwater fishing stamp.

(e) The commission by rule may prescribe alternate requirements for identifying the purchaser of a freshwater fishing stamp issued in an automated manner.

(2) On page 2, line 21, between "stamp" and "sales", insert "and collectible freshwater fishing stamp".

(3) On page 2, after line 27, insert the following:

(c) The net receipts from collectible freshwater fishing stamp sales may be spent only for the restoration, enhancement, or management of freshwater fish habitats.

Amendment No. 2 was adopted without objection.

**CSHB 1989**, as amended, was passed to engrossment.

### **HB 1997 ON SECOND READING** **(by Gutierrez and West)**

**HB 1997**, A bill to be entitled An Act relating to the regulation of electric personal assistive mobility devices.

### **Amendment No. 1**

Representative West offered the following amendment to **HB 1997**:

Amend **HB 1997** by striking all of Section 551.202 in its entirety and inserting a new Section 551.202 as follows:

Sec. 551.202. OPERATION ON ROADWAY. (A) A person may operate an electric personal assistive mobility device on a roadway or public highway with a speed limit of 30 miles per hour or less only:

(a) while making a direct crossing of a highway in a marked or unmarked crosswalk;

(b) where no sidewalk is available;

(c) when so directed by a traffic control device or by a law enforcement officer.

(C) A person may operate an electric personal assistive mobility device on a path set aside for the exclusive operation of bicycles.

(D) Any person operating an electric personal assistive mobility device upon a highway shall ride as close as practicable to the right-hand edge of the highway.

(E) Except as otherwise provided by this section, provisions of this title applicable to the operation of bicycles apply to the operation of electric personal assistive mobility devices

Amendment No. 1 was adopted without objection.

**HB 1997**, as amended, was passed to engrossment.

### **HB 235 ON SECOND READING**

**(by West, Allen, Crabb, Casteel, Wise, et al.)**

**HB 235**, A bill to be entitled An Act relating to the prosecution and punishment of the offense of obscene display or distribution and to certain consequences of a conviction for that offense.

**HB 235** was passed to engrossment.

### **CSHB 2546 ON SECOND READING**

**(by Bonnen, et al.)**

**CSHB 2546**, A bill to be entitled An Act relating to the land application of certain sludge.

#### **Amendment No. 1**

Representative Bonnen offered the following amendment to **CSHB 2546**:

Amend **CSHB 2546** as follows:

(1) On page 4, line 16, strike "and phosphorous".

(2) On page 5, line 24, between "located" and the colon, insert "both".

Amendment No. 1 was adopted without objection.

#### **Amendment No. 2**

Representative Callegari offered the following amendment to **CSHB 2546**:

Amend **CSHB 2546** on page 5, line 26, by striking "groundwater" and substituting "water well".

Amendment No. 2 was adopted without objection.

**CSHB 2546**, as amended, was passed to engrossment.

**HB 236 ON SECOND READING****(by West, Allen, Crabb, Casteel, Wise, et al.)**

**HB 236**, A bill to be entitled An Act relating to the punishment for the offense of obscenity and to certain consequences related to a conviction for an offense involving obscenity.

**Amendment No. 1**

On behalf of Representative Wise, Representative West offered the following amendment to **HB 236**:

Amend **HB 236** by adding the following appropriately numbered SECTIONS to the bill and renumbering existing SECTIONS of the bill accordingly:

SECTION \_\_. Section 25.08(c), Penal Code, is amended to read as follows:

(c) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor commits the offense with intent to commit an offense under Section 43.25.

SECTION \_\_. Sections 43.25(a)(2) and (7), Penal Code, are amended to read as follows:

(2) "Sexual conduct" means sexual contact, actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sado-masochistic abuse, or lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola.

(7) "Deviate sexual intercourse" and "sexual contact" have the meanings assigned ~~[has the meaning defined]~~ by Section 43.01.

SECTION \_\_. Section 43.25(f), Penal Code, is amended to read as follows:

(f) It is an affirmative defense to a prosecution under this section that:

(1) ~~[the defendant, in good faith, reasonably believed that the child who engaged in the sexual conduct was 18 years of age or older;~~

~~(2)~~ the defendant was the spouse of the child at the time of the offense;

~~(2)~~ ~~(3)~~ the conduct was for a bona fide educational, medical, psychological, psychiatric, judicial, law enforcement, or legislative purpose; or

~~(3)~~ ~~(4)~~ the defendant is not more than two years older than the child.

SECTION \_\_. Subchapter B, Chapter 43, Penal Code, is amended by adding Section 43.27 to read as follows:

Sec. 43.27. DUTY TO REPORT. (a) For purposes of this section, "visual material" has the meaning assigned by Section 43.26.

(b) A business that develops or processes visual material and determines that the material may be evidence of a criminal offense under this subchapter shall report the existence of the visual material to a local law enforcement agency.

SECTION \_\_. Article 59.01(2), Code of Criminal Procedure, is amended to read as follows:

(2) "Contraband" means property of any nature, including real, personal, tangible, or intangible, that is:

(A) used in the commission of:

(i) any first or second degree felony under the Penal Code;

(ii) any felony under Section 15.031(b), 21.11, 38.04, Subchapter B of Chapter 43, [43.25, or 43.26] or Chapter 29, 30, 31, 32, 33, 33A, or 35, Penal Code; or

(iii) any felony under The Securities Act (Article 581-1 et seq., Vernon's Texas Civil Statutes);

(B) used or intended to be used in the commission of:

(i) any felony under Chapter 481, Health and Safety Code (Texas Controlled Substances Act);

(ii) any felony under Chapter 483, Health and Safety Code;

(iii) a felony under Chapter 153, Finance Code;

(iv) any felony under Chapter 34, Penal Code;

(v) a Class A misdemeanor under Subchapter B, Chapter 365, Health and Safety Code, if the defendant has been previously convicted twice of an offense under that subchapter; or

(vi) any felony under Chapter 152, Finance Code;

(C) the proceeds gained from the commission of a felony listed in Paragraph (A) or (B) of this subdivision or a crime of violence; or

(D) acquired with proceeds gained from the commission of a felony listed in Paragraph (A) or (B) of this subdivision or a crime of violence.

Amendment No. 1 was adopted without objection.

### **Amendment No. 2**

On behalf of Representative Wise, Representative West offered the following amendment to **HB 236**:

Amend **HB 236** by adding the following appropriately numbered SECTIONS to the bill and renumbering existing SECTIONS of the bill accordingly:

SECTION \_\_\_\_. Articles 62.01(5) and (6), Code of Criminal Procedure, are amended to read as follows:

(5) "Reportable conviction or adjudication" means a conviction or adjudication, regardless of the pendency of an appeal, that is:

(A) a conviction for a violation of Section 21.11 (Indecency with a child), 22.011 (Sexual assault), 22.021 (Aggravated sexual assault), or 25.02 (Prohibited sexual conduct), Penal Code;

(B) a conviction for a violation of Section 43.05 (Compelling prostitution), 43.25 (Sexual performance by a child), or 43.26 (Possession or promotion of child pornography), Penal Code;

(C) a conviction for a violation of Section 20.04(a)(4) (Aggravated kidnapping), Penal Code, if the defendant committed the offense with intent to violate or abuse the victim sexually;

(D) a conviction for a violation of Section 30.02 (Burglary), Penal Code, if the offense is punishable under Subsection (d) of that section and the defendant committed the offense with intent to commit a felony listed in Paragraph (A) or (C);

(E) a conviction for a violation of Section 20.02 (Unlawful restraint), 20.03 (Kidnapping), or 20.04 (Aggravated kidnapping), Penal Code, if the judgment in the case contains an affirmative finding under Article 42.015;

(F) the second conviction for a violation of Section 21.08 (Indecent exposure), Penal Code;

(G) a conviction for an attempt, conspiracy, or solicitation, as defined by Chapter 15, Penal Code, to commit an offense listed in Paragraph (A), (B), (C), (D), or (E);

(H) an adjudication of delinquent conduct:

(i) based on a violation of one of the offenses listed in Paragraph (A), (B), (C), (D), or (G) or, if the order in the hearing contains an affirmative finding that the victim or intended victim was younger than 17 years of age, one of the offenses listed in Paragraph (E); or

(ii) for which two violations of the offense listed in Paragraph (F) are shown;

(I) a deferred adjudication for an offense listed in:

(i) Paragraph (A), (B), (C), (D), or (G); or

(ii) Paragraph (E) if the papers in the case contain an affirmative finding that the victim or intended victim was younger than 17 years of age;

(J) a conviction under the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for an offense containing elements that are substantially similar to the elements of an offense listed under Paragraph (A), (B), (C), (D), (E), or (G);

(K) an adjudication of delinquent conduct under the laws of another state, ~~[or]~~ federal law, or the laws of a foreign country based on a violation of an offense containing elements that are substantially similar to the elements of an offense listed under Paragraph (A), (B), (C), (D), (E), or (G);

(L) the second conviction under the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice for an offense containing elements that are substantially similar to the elements of the offense of indecent exposure; or

(M) the second adjudication of delinquent conduct under the laws of another state, ~~[or]~~ federal law, or the laws of a foreign country based on a violation of an offense containing elements that are substantially similar to the elements of the offense of indecent exposure.

(6) "Sexually violent offense" means any of the following offenses committed by a person 17 years of age or older:

(A) an offense under Section 21.11(a)(1) (Indecency with a child), 22.011 (Sexual assault), or 22.021 (Aggravated sexual assault), Penal Code;

(B) an offense under Section 43.25 (Sexual performance by a child), Penal Code;

(C) an offense under Section 20.04(a)(4) (Aggravated kidnapping), Penal Code, if the defendant committed the offense with intent to violate or abuse the victim sexually;



(D) an offense under Section 30.02 (Burglary), Penal Code, if the offense is punishable under Subsection (d) of that section and the defendant committed the offense with intent to commit a felony listed in Paragraph (A) or (C) of Subdivision (5); or

(E) an offense under the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice if the offense contains elements that are substantially similar to the elements of an offense listed under Paragraph (A), (B), (C), or (D).

SECTION \_\_\_\_\_. Article 62.0101(a), Code of Criminal Procedure, is amended to read as follows:

(a) The department is responsible for determining for the purposes of this chapter whether an offense under the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice contains elements that are substantially similar to the elements of an offense under the laws of this state.

SECTION \_\_\_\_\_. Articles 62.021(a) and (c), Code of Criminal Procedure, are amended to read as follows:

(a) This article applies to a person who:

(1) is required to register as a sex offender under:

(A) the laws of another state with which the department has entered into a reciprocal registration agreement; ~~[or]~~

(B) federal law or the Uniform Code of Military Justice; or

(C) the laws of a foreign country; and

(2) is not otherwise required to register under this chapter because:

(A) the person does not have a reportable conviction for an offense under the laws of the other state, federal law, the laws of the foreign country, or the Uniform Code of Military Justice containing elements that are substantially similar to an offense requiring registration under this chapter; or

(B) the person does not have a reportable adjudication of delinquent conduct based on a violation of an offense under the laws of the other state, ~~[or]~~ federal law, or the laws of the foreign country containing elements that are substantially similar to an offense requiring registration under this chapter.

(c) The duty to register for a person described by Subsection (a) expires on the date the person's duty to register would expire under the laws of the other state or foreign country had the person remained in that state or foreign country, under federal law, or under the Uniform Code of Military Justice, as applicable.

SECTION \_\_\_\_\_. The change in law made by this Act in amending Articles 62.01, 62.0101, and 62.021, Code of Criminal Procedure, applies to a person subject to registration under Chapter 62, Code of Criminal Procedure, for an offense or conduct committed before, on, or after the effective date of this Act.

Amendment No. 2 was adopted without objection.

**HB 236**, as amended, was passed to engrossment.

**CSHB 645 ON SECOND READING****(by Puente)**

**CSHB 645**, A bill to be entitled An Act relating to prohibiting the creation or enforcement of certain restrictive covenants that undermine water conservation.

**Amendment No. 1**

Representative Baxter offered the following amendment to **CSHB 645**:

Amend **CSHB 645** as follows:

(1) On Page 3, line 7, strike "regardless of when the provision was adopted" and substitute "recorded on or after the effective date of this Act"

Amendment No. 1 was adopted without objection.

**Amendment No. 2**

Representative Hartnett offered the following amendment to **CSHB 645**:

Amend **CSHB 645** on page 3, between lines 3 and 4, by inserting:

(e) This section does not apply to a property owners' association managing or regulating a development in which the majority of the property is subject to a covenant, condition, or restriction designating the property for commercial use, multifamily dwellings, or open space.

Amendment No. 2 was adopted without objection.

**CSHB 645**, as amended, was passed to engrossment. (Madden and McCall recorded voting no)

**CSHB 85 ON SECOND READING****(by McClendon, Hegar, F. Brown, and Mercer)**

**CSHB 85**, A bill to be entitled An Act relating to the establishment of an undergraduate medical academy at Prairie View A&M University.

**CSHB 85** was passed to engrossment.

**POSTPONED BUSINESS**

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

**CSHB 1267 ON SECOND READING****(by Seaman)**

**CSHB 1267**, A bill to be entitled An Act relating to small employer health benefit plans.

**CSHB 1267** was read second time earlier today and was postponed until this time.

**CSHB 1267** was passed to engrossment.

**CSHB 2020 ON SECOND READING**  
**(by Farabee, West, J. Keffer, Chisum, Canales, et al.)**

**CSHB 2020**, A bill to be entitled An Act relating to financial security requirements for certain persons performing operations within the jurisdiction of the Railroad Commission of Texas.

**CSHB 2020** was read second time earlier today and was postponed until 10:15 p.m. today.

**Amendment No. 5**

Representative Gattis offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** as follows:

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

(e) Notwithstanding the other provisions of this section, a person required to file a bond or alternate form of financial security under Section 91.103 who previously filed a form of financial security authorized by Subsection (b)(1), (2), (3), or (6) of this section must file one of those forms of financial security.

(2) On page 6, between lines 11 and 12, insert the following:

(e) Notwithstanding the other provisions of this section, a person required to file a bond or alternate form of financial security under Section 91.103 who previously filed a form of financial security authorized by Subsection (b)(1), (2), (3), or (6) of this section must file one of those forms of financial security.

(Speaker in the chair)

Representative Farabee moved to table Amendment No. 5.

The motion to table prevailed.

**Amendment No. 6**

Representatives Chisum and Rose offered the following amendment to **CSHB 2020**:

Amend **CSHB 2020** as follows:

(1) On page 10, between lines 7 and 8, insert the following SECTION, appropriately numbered, and renumber the subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 91.109(b), Natural Resources Code, as effective September 1, 2004, is amended to read as follows:

(b) In addition to the financial security requirements of Subsection (a) and Section 91.104(b), a person required to file a bond, letter of credit, or cash deposit under Section 91.103 who is involved in activities other than the ownership or operation of wells must file the bond, letter of credit, or cash deposit at the time of filing or renewing an organization report required by Section 91.142 according to the following schedule [in an amount equal to]:

(1) no bond, letter of credit, or cash deposit if the person is a:

(A) local distribution company;

(B) gas marketer;

(C) crude oil nominator;

- (D) first purchaser;  
(E) well servicing company;  
(F) survey company;  
(G) salt water hauler;  
(H) gas nominator;  
(I) gas purchaser; or  
(J) well plugger [\$250,000]; or

(2) a bond, letter of credit, or cash deposit in an amount not to exceed \$25,000 if the person is involved in an activity that is not associated with the ownership or operation of wells and is not listed in Subdivision (1) [a lesser amount determined by the commission if the person is able to demonstrate that the risk associated with an operation or group of operations warrants a lesser amount].

(2) On page 10, line 11, strike "This" and substitute "Except as provided by Subsection (c) of this section, this".

(3) On page 10, following line 19, add the following:

(c) Section 91.109(b), Natural Resources Code, as amended by this Act, takes effect September 1, 2004.

Amendment No. 6 was adopted without objection.

**CSHB 2020**, as amended, was passed to engrossment.

### **COMMITTEE MEETING ANNOUNCEMENTS**

The following committee meetings were announced:

Judicial Affairs, upon adjournment today, Desk 70, for a formal meeting, to consider **HB 3597**, **HB 3605**, **HB 3624**, **SB 273**, **SB 532**, **SB 828**, **SB 922**, and pending business.

Natural Resources, upon adjournment today, same meeting room.

### **ADJOURNMENT**

Representative Pickett moved that the house adjourn until 10 a.m. tomorrow in memory of Uriel Samaniego of El Paso County.

The motion prevailed without objection.

The house accordingly, at 11 p.m., adjourned until 10 a.m. tomorrow.

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### **ADDENDUM**

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### **SIGNED BY THE SPEAKER**

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

#### **House List No. 31**

**HCR 64, HCR 88, HCR 202, HCR 211, HCR 222**

**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  
Wednesday, April 30, 2003

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:

**SCR 47** Bivins  
In memory of William H. Collyns of Midland.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Wednesday, April 30, 2003 - 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 1065** Cook, Robby SPONSOR: Averitt  
Relating to the eligibility requirements to serve as a director of a groundwater conservation district.  
(Amended)

**HCR 36** Bonnen SPONSOR: Janek  
Designating September 2003 as Leukemia and Lymphoma Awareness Month in Texas.

Respectfully,  
Patsy Spaw

Secretary of the Senate

**Message No. 3**

MESSAGE FROM THE SENATE  
SENATE CHAMBER

Austin, Texas

Wednesday, April 30, 2003 - 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 45** Zaffirini  
Relating to the operation of a motor vehicle while intoxicated with a child passenger in the vehicle; providing a penalty.

**SB 315** Hinojosa  
Relating to the annexation by certain junior college districts of territory in a district's service area.

**SB 658** Brimer  
Relating to making permanent the exemption from ad valorem taxation of motor vehicles leased for personal use.

**SB 786** Shapleigh  
Relating to establishing task forces in certain border communities to study impediments to trade in the border region.

**SB 1273** Armbrister  
Relating to alternatives to suspension of alcoholic beverage licenses and permits.

**SB 1379** Armbrister  
Relating to the authority of a municipality to enforce water conservation and drought ordinances.

**SB 1548** Janek  
Relating to public school student discipline.

**SB 1588** Whitmire  
Relating to exempting college savings plan accounts from attachment, execution, and seizure for the satisfaction of debts.

**SCR 35** Shapiro  
Resolving that the State of Texas join in the observance of Holocaust Remembrance Day on April 29, 2003.

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

**SB 572** (viva-voce vote)

**SB 583** (viva-voce vote)

**SB 756**

(31 Yeas, 0 Nays)

**SJR 25**

(31 Yeas, 0 Nays)

Respectfully,

Patsy Spaw

Secretary of the Senate

**Message No. 4**

## MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, April 30, 2003 - 4

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**SB 305**

Barrientos

Relating to specialized license plates and parking placards for vehicles of persons with disabilities.

**SB 619**

Armbrister

Relating to oil spill prevention and response.

**SB 800**

Madla

Relating to the establishment of Texas A&M University–San Antonio and Texas A&M University–Central Texas.

**SB 1377**

Armbrister

Relating to landowners of groundwater whose land is enrolled or participating in a government conservation program.

**SB 1606**

Ellis, Rodney

Relating to residential property insurance provided under the FAIR Plan Act.

**SB 1876**

Ratliff

Relating to the conditional grant program administered by the Texas Department of Transportation.

Respectfully,

Patsy Spaw

Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**April 29**

Agriculture and Livestock - **SB 271**

Business and Industry - **HB 833, HB 3190, SB 988, SB 1238**

County Affairs - **HB 663, HB 1387, HB 1702, HB 1747, HB 2063, HB 2205, HB 2303, HB 2327, HB 2453, HB 2738, HB 2764, HB 2847, HB 2930, HB 2931, HB 2937, HB 3312, HB 3313, HB 3371, HJR 75, SB 189, SB 959**

Economic Development - **HB 2171, HB 3325**

Elections - **HB 266**

Energy Resources - **HB 183**

Financial Institutions - **SB 521, SB 1577, SB 1578, SB 1666, SB 1667**

Government Reform - **HB 2933, HB 3208**

Human Services - **HB 3200**

Insurance - **HB 3031**

Judicial Affairs - **HB 1945**

Juvenile Justice and Family Issues - **HB 674, HB 1899, HB 2776, SB 317, SB 433**

Licensing and Administrative Procedures - **HB 2593, HJR 85**

Local Government Ways and Means - **HB 700, HB 1460, HB 1519, HB 1829, HB 2043, HB 2076, HB 2147, HB 2148, HB 2826, HB 3154, HB 3419, HJR 37, SB 234, SB 948**

Natural Resources - **HB 1541, HB 2184, HB 2250, HB 2518, HB 2887, HB 2951, HB 3338, HR 367**

Public Education - **HB 469, HB 758, HB 1168, HB 1314, HB 2683, HB 2823, HB 2908**

Public Health - **HB 446, HB 1094, HB 1353, HB 1515, HB 1629, HB 1801, HB 2019, HB 2536, HB 2651, HB 2692, HB 3174, HB 3193, HB 3240, HB 3460, SB 564, SB 567, SB 718, SB 857, SB 984, SB 1454**

State Cultural and Recreational Resources - **HB 2159, SB 236**

State Health Care Expenditures, Select - **HB 3204, HB 3485, SB 490**

Transportation - **HB 3343**

Urban Affairs - **HB 1643, HB 2308, HB 2345, HB 2801**

Ways and Means - **HB 30, HB 2423**



**ENGROSSED**

**April 29 - HB 730, HB 2292, HJR 51**

