

# HOUSE JOURNAL

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SEVENTY-NINTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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TWELFTH DAY — MONDAY, FEBRUARY 7, 2005

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 21).

Present — Mr. Speaker; Allen, A.; Allen, R.; Alonzo; Anchia; Anderson; Bailey; Baxter; Berman; Blake; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Casteel; Castro; Chavez; Chisum; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Escobar; Farabee; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Hegar; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Jackson; Jones, D.; Jones, J.; Keel; Keffer, B.; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Leibowitz; Luna; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega, M.; Oliveira; Orr; Otto; Paxton; Peña; Phillips; Pitts; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Strama; Swinford; Talton; Taylor; Thompson; Turner; Uresti; Van Arsdale; Veasey; Villarreal; Vo; West; Wong; Woolley; Zedler.

Absent, Excused — Elkins; Farrar; Hughes; Keffer, J.; Olivo; Reyna.

Absent — Coleman; Pickett; Ritter; Truitt.

The invocation was offered by Marc Jones, pastor, Abundant Harvest Fellowship Church, Athens, as follows:

Ladies and gentleman and the Honorable Representative Betty Brown. Thank you for the honor to share in this day with you. I am reminded of what the Bible says in Jeremiah 33:2-3, "Thus says the Lord who made it, the Lord who formed it to establish it (the Lord is his name) call to me, and I will answer you, and show you great and mighty things which you did not know."

Please bow with me in prayer at this time. Lord, you said in your word that if we need wisdom, we can ask and you will give it to us. I pray today that your wisdom and direction will be in our great leaders, Governor Rick Perry, Lieutenant Governor David Dewhurst, Speaker of the House Tom Craddick, and all who represent us in the great State of Texas.

Jesus, we bless you for this day. Every day that you allow us to be together, to do the things you have set in order for us to do, is a day not to be missed. We are grateful for the opportunities that are ours. I ask you for special favor to rest upon each of them. Favor is synonymous with the grace of God, and so today I ask you for great grace and for favor of God that puts us in places and positions that you know we are capable of fulfilling, to be the best of our ability that is given by God. Thank you for every good thing that will come as a result of this seventy-ninth legislative meeting, of their efforts and of the opportunities that you have given them. I lift them up to you; I bless them with the greatest blessing that you, God, can give them; and I thank you for them in the name of Jesus, our Lord and Savior. Amen.

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

### **LEAVES OF ABSENCE GRANTED**

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

Elkins on motion of Kuempel.

Farrar on motion of Rodriguez.

Reyna on motion of Denny.

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

Olivo on motion of Mowery.

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

Hughes on motion of Van Arsdale.

J. Keffer on motion of B. Keffer.

### **CAPITOL PHYSICIAN**

The speaker recognized Representative Blake who presented Dr. Ronnie A. McMurry of Jasper as the "Doctor for the Day."

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

### **REGULAR ORDER OF BUSINESS SUSPENDED**

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

### **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. 6).

**LEAVE OF ABSENCE GRANTED**

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

Bohac on motion of Hegar.

**HR 193 - ADOPTED**  
**(by Leibowitz)**

Representative Leibowitz moved to suspend all necessary rules to take up and consider at this time **HR 193**.

The motion prevailed.

The following resolution was laid before the house:

**HR 193**, Honoring State Representative Roy Blake, Jr., on his 49th birthday.

**HR 193** was adopted.

**HR 195 - ADOPTED**  
**(by Giddings)**

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 195**.

The motion prevailed.

The following resolution was laid before the house:

**HR 195**, Welcoming Dr. David Molapo and the "I Can" Quintet to the State Capitol on February 7, 2005.

**HR 195** was read and was adopted.

(Coleman now present)

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Turner who introduced Dr. David Molapo and the "I Can" Quintet who performed from the dais of the house chamber.

(Edwards in the chair)

(Truitt now present)

**HR 194 - ADOPTED**  
**(by Kuempel)**

Representative Kuempel moved to suspend all necessary rules to take up and consider at this time **HR 194**.

The motion prevailed.

The following resolution was laid before the house:

**HR 194**, Congratulating Lester Wahl on his retirement as executive vice president of Marion State Bank.

**HR 194** was adopted.

(Speaker in the chair)

**HR 192 - ADOPTED**  
**(by Kuempel)**

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

The motion prevailed.

The following resolution was laid before the house:

**HR 192**, Honoring Kerri Lynne Davidson of New Braunfels on being admitted to the State Bar of Texas.

**HR 192** was read and was adopted.

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

**HR 77 - ADOPTED**  
**(by Gonzalez Toureilles)**

Representative Gonzalez Toureilles moved to suspend all necessary rules to take up and consider at this time **HR 77**.

The motion prevailed.

The following resolution was laid before the house:

**HR 77**, Congratulating Lauren Ashly Self of George West on being crowned Miss Live Oak County 2004.

**HR 77** was read and was adopted.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Gonzalez Toureilles who introduced Lauren Ashly Self, Miss Live Oak County, and her parents Kevin and Diana.

**HCR 45 - ADOPTED**  
**(by Orr)**

Representative Orr moved to suspend all necessary rules to take up and consider at this time **HCR 45**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 45**, Designating February 7, 2005, as Tim Flynn Day and Advanced Practice Nurses Day at the Capitol.

**HCR 45** was read and was adopted.

On motion of Representative Vo, the names of all the members of the house were added to **HCR 45** as signers thereof.

**INTRODUCTION OF GUEST**

The speaker recognized Representative Orr who introduced Nurse Tim Flynn.

(Edwards in the chair)

**HR 196 - ADOPTED  
(by Peña)**

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 196**.

The motion prevailed.

The following resolution was laid before the house:

**HR 196**, In memory of Joe G. Diaz.

**HR 196** was unanimously adopted by a rising vote.

**HR 197 - ADOPTED  
(by Peña)**

Representative Peña moved to suspend all necessary rules to take up and consider at this time **HR 197**.

The motion prevailed.

The following resolution was laid before the house:

**HR 197**, In memory of Raul G. Reyna of Edinburg.

**HR 197** was unanimously adopted by a rising vote.

**HR 93 - ADOPTED  
(by Martinez Fischer)**

Representative Martinez Fischer moved to suspend all necessary rules to take up and consider at this time **HR 93**.

The motion prevailed.

The following resolution was laid before the house:

**HR 93**, In memory of Shelton E. Padgett of San Antonio.

**HR 93** was unanimously adopted by a rising vote.

On motion of Representative Rose, the names of all the members of the house were added to **HR 93** as signers thereof.

(Speaker in the chair)

**PROVIDING FOR ADJOURNMENT**

Representative Martinez Fischer moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in memory of Shelton E. Padgett of San Antonio.

The motion prevailed.

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

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List Nos. 1 and 2.)

(Wong in the chair)

**ADJOURNMENT**

In accordance with a previous motion, the house, at 11:18 a.m., adjourned until 10 a.m. tomorrow.

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**ADDENDUM**

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**REFERRED TO COMMITTEES**

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

**List No. 1**

**HB 453** (By Dutton), Relating to the use of personal leave by a public school employee.

To Public Education.

**HB 454** (By Dutton), Relating to the punishment for a capital offense.

To Criminal Jurisprudence.

**HB 455** (By Dutton), Relating to the consequences of successfully completing a period of deferred adjudication community supervision.

To Criminal Jurisprudence.

**HB 456** (By Dutton), Relating to the punishment for a capital offense.

To Criminal Jurisprudence.

**HB 457** (By Dutton), Relating to access to certain law enforcement and prosecutorial records under the public information law.

To State Affairs.

**HB 458** (By Dutton), Relating to standards for judicial review of certain writs of habeas corpus in capital cases.

To Criminal Jurisprudence.

**HB 459** (By Dutton), Relating to the compensation of an election judge or clerk.

To Elections.

**HB 460** (By Dutton), Relating to the designation of a child support obligee as an alternate payee under a qualified domestic relations order.

To Juvenile Justice and Family Issues.

**HB 461** (By Dutton and Hegar), Relating to referral of public school students to law enforcement officials for violations of an independent school district student code of conduct.

To Public Education.

**HB 462** (By Dutton), Relating to the secrecy of grand jury proceedings.

To Criminal Jurisprudence.

**HB 463** (By Dutton), Relating to evaluation under the public school accountability system of the delivery of library resources.

To Public Education.

**HB 464** (By Dutton), Relating to governmental liability.

To Civil Practices.

**HB 465** (By Dutton), Relating to the use of the special education allotment to fund Saturday classes for certain students.

To Public Education.

**HB 466** (By Bailey), Relating to conditions of employment for peace officers and detention officers employed by certain counties.

To County Affairs.

**HB 467** (By Bailey), Relating to the financing of water and sewer programs in disadvantaged areas in certain counties.

To Environmental Regulation.

**HB 468** (By Hegar), Relating to driver and traffic safety education courses.

To Law Enforcement.

**HB 469** (By Corte), Relating to the transfer of public school students who are the victims of certain criminal conduct or the siblings of the victims.

To Public Education.

**HB 470** (By J. Davis), Relating to local delivery of aging, disability, behavioral health, and mental retardation services.

To Human Services.

**HB 471** (By West), Relating to the authority of a gas utility to implement a rate change by posting a bond.

To Energy Resources.

**HB 472** (By West), Relating to annual fees imposed by the Railroad Commission of Texas in connection with surface coal mining and reclamation operations.

To Energy Resources.

**HB 473** (By West), Relating to examinations for licenses to engage in certain liquefied petroleum gas-related activities.

To Energy Resources.

**HB 474** (By West), Relating to the duty of a gas utility to report certain transactions to the Railroad Commission of Texas.

To Energy Resources.

**HB 475** (By West), Relating to the exemption of the sale of certain liquefied petroleum gas containers from the liquefied petroleum gas-related activities for which a person is required to obtain a license from the Railroad Commission of Texas.

To Energy Resources.

**HB 476** (By Rose), Relating to the filing of financial statements by policy board members of metropolitan planning organizations; providing criminal penalties.

To Elections.

**HB 477** (By Casteel and Farabee), Relating to the authority of a county to regulate land development after a local option election.

To Land and Resource Management.

**HB 478** (By Goodman), Relating to the operation of the child protective services and foster care system.

To Human Services.

**HB 479** (By Keel), Relating to the concurrent jurisdiction of campus peace officers commissioned by The University of Texas at Austin and law enforcement agencies of the state and political subdivisions of the state.

To Higher Education.

**HB 480** (By Keel), Relating to the towing and storage of certain vehicles; providing a penalty.

To Criminal Jurisprudence.

**HB 481** (By Hochberg), Relating to the eligibility for partial unemployment benefits of certain persons with disabilities who have been discharged from partial employment.

To Economic Development.

**HB 482** (By McClendon), Relating to an oral statement regarding the impact of an offense in certain cases involving a violent crime.

To Criminal Jurisprudence.

**HB 483** (By Isett), Relating to an exemption from ad valorem taxation of property used as a child-care facility.

To Ways and Means.

**HB 484** (By West), Relating to the filing of electric logs with the Railroad Commission of Texas.

To Energy Resources.

**HB 485** (By Chavez), Relating to restrictions on the use of state funds to provide jobs for foreign workers.

To Border and International Affairs.



**HB 486** (By Chavez), Relating to the transmission of certain health information to a site outside the United States; creating an offense.

To Border and International Affairs.

**HB 487** (By Chavez), Relating to the regulation of time, place, and manner of speech at a public institution of higher education.

To Higher Education.

**HB 488** (By Guillen), Relating to providing notice of the release or escape of a defendant to certain crime victims and witnesses in criminal trials.

To Corrections.

**HB 489** (By Casteel), Relating to the prosecution and punishment of the offense of criminal trespass.

To Criminal Jurisprudence.

**HB 490** (By Deshotel), Relating to enforcement of certain provisions in construction contracts.

To Civil Practices.

**HB 491** (By Orr), Relating to the Uniform Residential Mortgage Satisfaction Act.

To Financial Institutions.

**HB 492** (By Woolley and Chavez), Relating to personal finance education as a requirement for graduation from public high school.

To Public Education.

**HB 493** (By Naishtat), Relating to the creation of a commission to study capital punishment in Texas.

To Criminal Jurisprudence.

**HB 494** (By Guillen), Relating to the creation of an address confidentiality program to assist victims of family violence or stalking in maintaining confidential addresses.

To Criminal Jurisprudence.

**HB 495** (By Miller), Relating to the student enrollment required for the operation of Texas A&M University–Central Texas as an independent general academic teaching institution.

To Higher Education.

**HB 496** (By Miller), Relating to jurisdiction of the statutory county courts of Erath County.

To Judiciary.

**HB 497** (By Miller), Relating to liquidated damages for violating certain requirements relating to executory contracts for the conveyance of certain real property.

To Civil Practices.

**HB 498** (By Chisum and Y. Davis), Relating to a project that may be undertaken by a certain development corporation in connection with new or expanded business development.

To Economic Development.

**HB 499** (By B. Brown), Relating to certain penalties imposed for the destruction of a mailbox or other address identifier.

To Law Enforcement.

**HB 500** (By B. Brown), Relating to the prosecution of the offense of credit card or debit card abuse.

To Criminal Jurisprudence.

**HB 501** (By B. Brown), Relating to the criminal penalty for the unlawful delivery of a dangerous drug on a school bus or in a drug-free zone.

To Criminal Jurisprudence.

**HB 502** (By Guillen), Relating to prohibiting a person from providing urine to another with intent to defeat or defraud a drug-screening test; providing penalties.

To Law Enforcement.

**HB 503** (By Guillen), Relating to tuition and fee exemptions for certain military personnel and certain children of those personnel.

To Defense Affairs and State-Federal Relations.

**HB 504** (By Callegari), Relating to an offense involving a motor vehicle with an altered or obscured license plate.

To Law Enforcement.

**HB 505** (By Hilderbran), Relating to the discharge of a firearm across a property line; providing a penalty.

To Culture, Recreation, and Tourism.

**HB 506** (By Hilderbran), Relating to hunting on or over certain submerged land; providing a penalty.

To Culture, Recreation, and Tourism.

**HB 507** (By J. Moreno), Relating to civil liability of certain volunteer health care providers.

To Civil Practices.

**HB 508** (By McClendon), Relating to the authority to require a convicted person to perform manual labor for a nonprofit organization.

To Corrections.

**HB 509** (By McClendon), Relating to the compulsory school attendance age.

To Public Education.

**HB 510** (By McClendon), Relating to use of safety belts and child passenger safety seat systems.

To Transportation.

**HB 511** (By Hochberg), Relating to the processing of consumer rebates.  
To Business and Industry.

**HB 512** (By Hughes), Relating to an exemption for certain physicians from the requirement to pay a registration fee.  
To Public Health.

**HB 513** (By Casteel), Relating to the authority of certain counties to impose a hotel occupancy tax.  
To Local Government Ways and Means.

**HB 514** (By Hunter), Relating to the penalty for failure to yield the right-of-way.  
To Transportation.

**HB 515** (By Madden), Relating to standards adopted by the commissioner of education for adequacy of public school facilities.  
To Public Education.

**HB 516** (By B. Brown), Relating to requiring proof of citizenship at the time a person registers to vote.  
To Elections.

**HB 517** (By Guillen), Relating to daily physical activity requirements in public schools.  
To Public Education.

**HB 518** (By Guillen), Relating to the evaluation of colonias in this state  
To Border and International Affairs.

**HB 519** (By Hopson, Peña, and Kolkhorst), Relating to the exemption of volunteer fire departments from the gasoline tax.  
To Ways and Means.

**HB 520** (By Hopson, Peña, and Kolkhorst), Relating to the tax on gasoline sold to volunteer fire departments for their exclusive use.  
To Ways and Means.

**HB 521** (By Goolsby), Relating to restraining dogs with certain chains or tethers; providing criminal penalties.  
To Agriculture and Livestock.

**HB 522** (By Goolsby), Relating to certain requirements for the prescription of medications by a veterinarian.  
To Agriculture and Livestock.

**HB 523** (By Goolsby), Relating to restriction on the use of certain highway lanes by certain vehicles.  
To Transportation.

**HB 524** (By Mowery), Relating to an exemption from the requirement of compulsory attendance at public school for certain high-performing students.  
To Public Education.

**HB 525** (By Rodriguez), Relating to allowing the creation of homestead preservation districts to increase homeownership and provide affordable housing.  
To Urban Affairs.

**HB 526** (By Berman), Relating to limits placed on coverage amounts of certain group life insurance policies or certificates.  
To Insurance.

**HB 527** (By Bohac, Herrero, Luna, et al.), Relating to the punishment of certain assaults committed against employees of primary and secondary schools.  
To Public Education.

**HB 528** (By Bohac, Peña, et al.), Relating to exemptions from the sales tax for school supplies and other instructional material.  
To Ways and Means.

**HB 529** (By Howard), Relating to parental notice of supplemental presentations at public schools.  
To Public Education.

**HB 530** (By Howard), Relating to prohibiting discrimination in awarding state scholarships or other financial aid for higher education based on a person's high school attendance or achievement.  
To Higher Education.

**HB 531** (By Howard), Relating to protection of private family information of children attending public schools.  
To Public Education.

**HB 532** (By Howard), Relating to certain investments by title insurance companies.  
To Insurance.

**HB 533** (By Howard), Relating to the automatic renewal of contracts for services or subscriptions.  
To Business and Industry.

**HB 534** (By Farabee), Relating to certain civil consequences of operating a motor vehicle without financial responsibility.  
To Law Enforcement.

**HB 535** (By Madden), Relating to the offense of using a hand-held loudspeaker near a polling place.  
To Elections.

**HB 536** (By Puento), Relating to the jurisdiction of county courts at law in Bexar County.  
To Judiciary.

**HB 537** (By Martinez Fischer), Relating to the jurisdiction of a juvenile court over a person under the age of 17 who races a motor vehicle on a public highway.  
To Transportation.

**HB 538** (By Bohac), Relating to the construction or operation of chemical dependency treatment facilities near certain residential and community properties.  
To Urban Affairs.

**HB 539** (By Bohac), Relating to naming the circle drive around the State Capitol the George W. Bush Circle.  
To State Affairs.

**HB 540** (By Bohac, Van Arsdale, and Callegari), Relating to the designation of the portion of U.S. Highway 290 inside Harris County as the Ronald Reagan Memorial Highway.  
To Transportation.

**HB 541** (By Krusee), Relating to the types of nonprofit organizations that may conduct raffles.  
To Licensing and Administrative Procedures.

**HB 542** (By Thompson), Relating to reimbursement under certain health benefit plans for services provided by licensed podiatrists.  
To Insurance.

**HB 543** (By Denny), Relating to the offense of using a sound amplification device near a polling place.  
To Elections.

**HB 544** (By Naishtat), Relating to the right of certain sexual assault victims to a forensic medical examination.  
To Law Enforcement.

**HB 545** (By Naishtat), Relating to services provided by podiatrists under the Medicaid program.  
To Human Services.

**HB 546** (By Bailey), Relating to certain medical examination requirements in connection with an allegation of sexual assault of a child.  
To Law Enforcement.

**HB 547** (By Bailey), Relating to minimum personal leave for faculty members at public institutions of higher education.  
To Higher Education.

**HB 548** (By Delisi, Homer, Farabee, Corte, Seaman, et al.), Relating to a project of a development corporation in connection with a military base or facility.  
To Defense Affairs and State-Federal Relations.

**HB 549** (By Phillips), Relating to prohibiting the introduction of certain items in certain local jails.  
To County Affairs.

**HB 550** (By Phillips), Relating to the preparation of a presentence report in a felony case.  
To Corrections.

**HB 551** (By Phillips), Relating to a project of a development corporation in connection with a primary job.

To Economic Development.

**HB 552** (By Phillips), Relating to exempting certain military personnel from the hunter education program.

To Culture, Recreation, and Tourism.

**HB 553** (By Hochberg), Relating to exemptions from the requirement for a school district to operate a prekindergarten program.

To Public Education.

**HB 554** (By Turner), Relating to the system benefit fund and to eligibility for and enrollment for benefits under the fund.

To Regulated Industries.

**HB 555** (By Turner), Relating to safeguards for customers of retail public utilities in the electric power market.

To Regulated Industries.

**HB 556** (By Naishtat), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

**HB 557** (By Mowery and Kolkhorst), Relating to the number of administrators employed by a school district and the salaries paid to those persons.

To Public Education.

**HB 558** (By Deshotel), Relating to the adoption of an alternative base period for computation of unemployment compensation benefits.

To Economic Development.

**HB 559** (By Miller), Relating to the notice and appeal of a protest of the appraised value of certain property for ad valorem tax purposes.

To Ways and Means.

**HB 560** (By Miller), Relating to the placement of traps, deer stands, hunting blinds, wildlife feeders, and other hunting devices.

To Culture, Recreation, and Tourism.

**HB 561** (By Miller), Relating to professional liability insurance for public school classroom teachers.

To Public Education.

**HB 562** (By Miller), Relating to the career ladder for certain prison industry workers.

To Corrections.

**HB 563** (By Deshotel), Relating to disbursements from the Universal Service Fund.

To Regulated Industries.

**HB 564** (By Gattis), Relating to the creation of an additional county court at law in Williamson County.

To Judiciary.

**HB 565** (By F. Brown), Relating to the requirement of overhead roll bars on certain all-terrain vehicles.

To Transportation.

**HB 566** (By F. Brown), Relating to eligibility for group benefits coverage for certain government employees and retirees.

To Pensions and Investments.

**HB 567** (By Branch), Relating to the deadline for passing the examination for a license to practice medicine in this state.

To Public Health.

**HB 568** (By Campbell), Relating to a project authorized to be undertaken by certain development corporations.

To Economic Development.

**HB 569** (By Dutton), Relating to a maximum class size for certain public school students who perform poorly on an assessment instrument.

To Public Education.

**HB 570** (By Talton), Relating to the application of arbitration agreements to certain other agreements.

To Civil Practices.

**HB 571** (By Hegar), Relating to the establishment of auxiliary county facilities in the unincorporated areas of certain counties.

To County Affairs.

**HB 572** (By Flynn), Relating to requirements applicable to purchase agreements for certain funeral, cemetery, and crematory services.

To Business and Industry.

**HB 573** (By Flynn), Relating to collateral for deposits of public school funds.

To Public Education.

**HB 574** (By Haggerty), Relating to the provision of pay telephone service to inmates confined in facilities operated by the Texas Department of Criminal Justice.

To Corrections.

**HB 575** (By Haggerty), Relating to the operation of community supervision and corrections departments and to the early release of a defendant from community supervision.

To Corrections.

**HB 576** (By Haggerty), Relating to restrictions on the use of stun guns; providing a penalty.

To Law Enforcement.

**HB 577** (By Truitt), Relating to use of the term "meteorologist"; creating an offense.

To Licensing and Administrative Procedures.

**HB 578** (By Campbell), Relating to a statewide emergency water delivery plan.

To Natural Resources.

**HB 579** (By Campbell), Relating to regulation of long-term care benefit plans.

To Insurance.

**HB 580** (By W. Smith), Relating to the authority of a county to provide hazardous materials services.

To Environmental Regulation.

**HB 581** (By Reyna), Relating to the punishment for the offense of stealing or receiving a stolen check or similar sight order.

To Criminal Jurisprudence.

**HB 582** (By Reyna), Relating to prohibiting stun guns.

To Law Enforcement.

**HB 583** (By Zedler), Relating to the creation and operation of a statewide risk pool to provide health benefits coverage to active employees of school districts.

To Insurance.

## **List No. 2**

**HR 73** (By Kolkhorst), Commemorating San Felipe as the birthplace of the Texas Rangers.

To Rules and Resolutions.

**HR 81** (By Madden, Hill, and Goolsby), Honoring Ron Robinson on his retirement as president of the Richardson Chamber of Commerce.

To Rules and Resolutions.

**HR 82** (By Kolkhorst), In memory of David Shane Howard of Brenham, Texas.

To Rules and Resolutions.

**HR 83** (By F. Brown), In memory of Dr. Frank E. Vandiver.

To Rules and Resolutions.

**HR 85** (By Haggerty), In memory of the Honorable Gordon Reece Davis.

To Rules and Resolutions.

**HR 86** (By Hunter), In memory of Walter Fred Johnson, Sr., of Abilene.

To Rules and Resolutions.

**HR 89** (By Martinez Fischer), Honoring the life of David Trinidad Barrera.

To Rules and Resolutions.

**HR 90** (By Martinez Fischer), In memory of Francisca D. Herrera.

To Rules and Resolutions.



**HR 91** (By Martinez Fischer), In memory of Alfred Curiel of San Antonio.  
To Rules and Resolutions.

**HR 92** (By Martinez Fischer), In memory of Roy Huerta, Jr., of San Antonio.  
To Rules and Resolutions.

**HR 94** (By Martinez Fischer), In memory of Roman Rodriguez of Jourdanton.  
To Rules and Resolutions.

**HR 95** (By Martinez Fischer), Honoring A. J. Rodriguez on his election to the presidency of the San Antonio Hispanic Chamber of Commerce.  
To Rules and Resolutions.

**HR 96** (By Martinez Fischer), Honoring the life of Robert Ross of San Antonio.  
To Rules and Resolutions.

**HR 97** (By Martinez Fischer), In memory of Mary Lou Tamez of San Antonio.  
To Rules and Resolutions.

**HR 98** (By Martinez Fischer), In memory of Lucy E. Terrell of San Antonio.  
To Rules and Resolutions.

**HR 99** (By Goolsby), In memory of William E. Peavy, Jr.  
To Rules and Resolutions.

**HR 101** (By Giddings, Anchia, and Alonzo), Honoring the members of Leadership Southwest on the occasion of their visit to the State Capitol on February 16, 2005.  
To Rules and Resolutions.

**HR 104** (By Eissler), Congratulating Jaime and Diana Barrera of Montgomery County on the birth of their New Year's baby, Jared.  
To Rules and Resolutions.

**HR 106** (By Giddings, McClendon, Dukes, Anderson, Dunnam, et al.), Memorializing Congress to posthumously bestow the Congressional Medal of Honor upon Doris "Dorie" Miller and to request the U.S. Postal Service to issue a commemorative postage stamp to honor Miller.  
To Rules and Resolutions.

**HR 108** (By Giddings), Honoring Curtistene S. McCowan of DeSoto on her retirement from the Federal Trade Commission Southwest Region Office.  
To Rules and Resolutions.

**HR 114** (By Solomons), Honoring Prince of Peace Christian School in Carrollton.  
To Rules and Resolutions.

**HR 115** (By Solomons), Honoring Howard Wolf of Austin for his service on the Sunset Advisory Commission.  
To Rules and Resolutions.

**HR 116** (By Solomons), Honoring John Shields, public member of the Sunset Advisory Commission.

To Rules and Resolutions.

**HR 117** (By Bohac), Honoring Robert and Maebelle Good of Houston on their 70th wedding anniversary.

To Rules and Resolutions.

**HR 118** (By Bohac), Honoring the life of Joseph Mulrooney of Houston.

To Rules and Resolutions.

**HR 119** (By Bohac), Honoring John M. Sangree of Houston on attaining the rank of Eagle Scout.

To Rules and Resolutions.

**HR 120** (By Bohac), Honoring Lutheran High North on its 25th anniversary.

To Rules and Resolutions.

**HR 122** (By Anchia, Jackson, Giddings, Craddick, and Alonzo), In memory of former State Representative Chris Semos of Dallas.

To Rules and Resolutions.

**HR 123** (By Raymond), Honoring Natalio Castillo of Laredo for his contributions to the community of Webb County.

To Rules and Resolutions.

**HR 124** (By Goodman), Honoring the Boys and Girls Clubs of Texas.

To Rules and Resolutions.

**HR 128** (By Solis), Honoring Raul and Luz Gonzalez of Harlingen on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 129** (By Solis), Honoring Julio and Eloina Charles on the 40th anniversary of Las Vegas Caf  in Harlingen.

To Rules and Resolutions.

### **SIGNED BY THE SPEAKER**

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

#### **House List No. 6**

**HCR 43**

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### **APPENDIX**

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### **ENROLLED**

**February 4 - HCR 43**