

# HOUSE JOURNAL

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EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

THIRTY-SEVENTH DAY — TUESDAY, MARCH 24, 2009

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 52).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

The invocation was offered by Reverend William Dwight McKissic, Sr., senior pastor, Cornerstone Baptist Church, Arlington.

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

### **HR 991 - ADOPTED (by Phillips)**

Representative Phillips moved to suspend all necessary rules to take up and consider at this time **HR 991**.

The motion prevailed.

The following resolution was laid before the house:

**HR 991**, In memory of Dr. John D. Moseley, president emeritus of Austin College and former executive director of the Texas Legislative Council.

**HR 991** was unanimously adopted by a rising vote.

**HR 901 - ADOPTED**  
**(by Anderson, et al.)**

Representative Anderson moved to suspend all necessary rules to take up and consider at this time **HR 901**.

The motion prevailed.

The following resolution was laid before the house:

**HR 901**, Recognizing March 24, 2009, as Texas State Technical College Day at the State Capitol.

**HR 901** was adopted.

On motion of Representative Hughes, the names of all the members of the house were added to **HR 901** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Anderson who introduced representatives of The Texas State Technical College System.

**MESSAGE FROM THE SENATE**

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

**HR 876 - ADOPTED**  
**(by Pitts, Jones, et al.)**

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HR 876**.

The motion prevailed.

The following resolution was laid before the house:

**HR 876**, Honoring Graham Harrell, quarterback of the Texas Tech Red Raiders.

**HR 876** was read and was adopted.

On motion of Representative Jones, the names of all the members of the house were added to **HR 876** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Pitts who introduced Graham Harrell and members of his family.

(McCall in the chair)

**HR 439 - PREVIOUSLY ADOPTED**  
**(by Farabee)**

The chair laid out the following previously adopted resolution:

**HR 439**, Honoring Roddy Atkins for his career as a mental health administrator and clinician in North Texas.

(Speaker in the chair)

**HR 485 - PREVIOUSLY ADOPTED**  
**(by Giddings)**

The chair laid out the following previously adopted resolution:

**HR 485**, Honoring Leadership Texas, a program of the Foundation for Women's Resources.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Giddings who introduced members of Leadership Texas.

**HR 943 - ADOPTED**  
**(by McCall)**

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

The motion prevailed.

The following resolution was laid before the house:

**HR 943**, Commemorating the 20th anniversary of the Texas Public Policy Foundation.

(Weber in the chair)

**HR 943** was read and was adopted.

**HR 978 - ADOPTED**  
**(by Guillen)**

Representative Guillen moved to suspend all necessary rules to take up and consider at this time **HR 978**.

The motion prevailed.

The following resolution was laid before the house:

**HR 978**, Congratulating the Live Oak Beefmaster Breeders Association on their 35th anniversary.

**HR 978** was read and was adopted.

On motion of Representative Gattis, the names of all the members of the house were added to **HR 978** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representatives Guillen and Gonzalez Toureilles who introduced representatives of the Live Oak Beefmaster Breeders Association.

(Lewis in the chair)

**HR 997 - ADOPTED**  
**(by Sheffield)**

Representative Sheffield moved to suspend all necessary rules to take up and consider at this time **HR 997**.

The motion prevailed.

The following resolution was laid before the house:

**HR 997**, Honoring Leadership Belton for its promotion of civic engagement and volunteerism.

**HR 997** was adopted.

**HR 929 - ADOPTED**  
**(by Morrison)**

Representative Morrison moved to suspend all necessary rules to take up and consider at this time **HR 929**.

The motion prevailed.

The following resolution was laid before the house:

**HR 929**, Recognizing March 24, 2009, as Jackson County Day at the State Capitol.

**HR 929** was read and was adopted.

On motion of Representative Pitts, the names of all the members of the house were added to **HR 929** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Morrison who introduced a delegation from Jackson County.

**HR 809 - ADOPTED**  
**(by Anchia)**

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

The motion prevailed.

The following resolution was laid before the house:

**HR 809**, Congratulating the Honorable Eric V. Moyé of Dallas on his election as judge of the 14th Civil District Court.

**HR 809** was adopted.

**HR 999 - ADOPTED**  
**(by Hamilton)**

Representative Hamilton moved to suspend all necessary rules to take up and consider at this time **HR 999**.

The motion prevailed.

The following resolution was laid before the house:

**HR 999**, Commemorating the 2009 South Texas State Fair in Beaumont.

**HR 999** was adopted.

(Speaker in the chair)

**PERMANENT OFFICERS OF THE HOUSE APPOINTED**

The speaker announced the appointment of the following permanent officers of the House of Representatives of the Eighty-First Legislature:

- Chief Clerk . . . . . Robert Haney
- Parliamentarian and Special Counsel . . . . . Denise Davis
- Deputy Parliamentarian and Special Counsel. . . . . David Hanna
- Deputy Parliamentarian . . . . . Shannon Wiggins
- Parliamentary Assistant . . . . . Jan Meinscher
- Journal Clerk. . . . . Julia Bass
- Sergeant-at-Arms and Director of Security . . . . . Rod Welsh
- Assistant Sergeant-at-Arms . . . . . David Saucedo
- Reading Clerks . . . . . Natalie Brown and Tyler Murray
- Voting Clerk and Assistant Journal Clerk. . . . . Jennifer Teigen Doran
- Doorkeeper . . . . . Alana Gutierrez
- Chief of Staff. . . . . Clyde Alexander
- Director of Budget and Policy and Special Counsel . . . . . Lisa Kaufman
- Executive Director, House Business Office . . . . . Steve Adrian
- Committee Coordinator . . . . . Stacey Nicchio

**COMMITTEES GRANTED PERMISSION TO MEET**

Representative Phillips requested permission for the Committee on Transportation to meet while the house is in session, during bill referral today, in E2.014, for a public hearing, to consider the posted agenda.

Permission to meet was granted.

Representative Vaught requested permission for the Committee on Criminal Jurisprudence, Subcommittee on Violent Crimes, to meet while the house is in session, during bill referral today, in JHR 120, to consider the posted agenda.

Permission to meet was granted.

Representative Gonzalez Tourelles requested permission for the Committee on Agriculture and Livestock to meet while the house is in session, during bill referral today, in E2.028, to continue the posted public hearing.

Permission to meet was granted.

Representative Ritter requested permission for the Committee on Natural Resources to meet while the house is in session, during bill referral today, in E2.010, for a public hearing, to consider pending business.

Permission to meet was granted.

Representative Deshotel requested permission for the Committee on Business and Industry, Subcommittee on TRCC, Property, and Landlord and Tenant Issues, to meet while the house is in session, during bill referral today, in E2.030, to consider pending business.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Business and Industry, Subcommittee on TRCC, Property, and Landlord and Tenant Issues, during bill referral today, E2.030, for a public hearing, to consider pending business.

### **COMMITTEES GRANTED PERMISSION TO MEET**

Representative Deshotel requested permission for the Committee on Culture, Recreation, and Tourism to meet while the house is in session, during bill referral today, in E1.010, for a public hearing, to consider posted business.

Permission to meet was granted.

Representative McClendon requested permission for the Committee on Rules and Resolutions to meet while the house is in session, during bill referral today, in 1W.14, for a formal meeting, to set the resolutions calendar.

Permission to meet was granted.

### **PROVIDING FOR ADJOURNMENT**

Representative Peña 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 Fred Longoria of Edinburg.

The motion prevailed.

### **BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES CORRECTIONS IN REFERRAL**

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

(Merritt in the chair)

### **ADJOURNMENT**

In accordance with a previous motion, the house, at 12:19 p.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 4129** (By Corte), Relating to the computation of the portion of a person's sentence remaining after the revocation of the person's parole, mandatory supervision, or conditional pardon.

To Corrections.

**HB 4130** (By Corte), Relating to municipal and county financing of the acquisition of buffer areas or open spaces adjacent to a military installation for certain purposes.

To Defense and Veterans' Affairs.

**HB 4131** (By Corte), Relating to the exemption of certain personal property from garnishment, attachment, execution, or other seizure.

To Business and Industry.

**HB 4132** (By Chisum), Relating to the establishment and administration of the Texas Essential Workers Program.

To Technology, Economic Development, and Workforce.

**HB 4133** (By Swinford), Relating to the creation of the Texas Export Financial Assistance Guarantee Program.

To State Affairs.

**HB 4134** (By Anchia), Relating to the exception from required public disclosure of certain personal information of public employees and public officials.

To State Affairs.

**HB 4135** (By S. Turner), Relating to the right to an expunction of records and files relating to a person's arrest.

To Criminal Jurisprudence.

**HB 4136** (By Rios Ybarra), Relating to sealing court records containing medical information for children who are victims of certain offenses.

To Criminal Jurisprudence.

**HB 4137** (By Frost), Relating to licensing requirements for persons who sell, install, service, monitor or respond to certain camera systems.

To Public Safety.

**HB 4138** (By Homer), Relating to the powers and duties of the Hopkins County Hospital District.

To County Affairs.

**HB 4139** (By Homer), Relating to the powers and duties of the Hopkins County Hospital District.

To County Affairs.

**HB 4140** (By Homer), Relating to a bulk data request for information under the public information law.

To State Affairs.

**HB 4141** (By Homer), Relating to a study regarding the Battleship "Texas".  
To Culture, Recreation, and Tourism.

**HB 4142** (By Dunnam), Relating to the purchase of copper parts by air conditioning and refrigeration contractors and technicians; providing a criminal penalty.

To Licensing and Administrative Procedures.

**HB 4143** (By Gallego), Relating to the establishment by the Texas Forensic Science Commission of a DNA laboratory audit program.

To Public Safety.

**HB 4144** (By Gattis), Relating to a municipality's comprehensive development.

To Land and Resource Management.

**HB 4145** (By Hodge), Relating to enhancement of the penalty for a felony conviction based on a juvenile delinquent conduct adjudication.

To Corrections.

**HB 4146** (By Rose), Relating to the temporary occupational licensing of members of the military.

To Defense and Veterans' Affairs.

**HB 4147** (By Rose), Relating to the persons exempted from the required prepayment of the personnel costs incurred by a governmental body in responding to requests from a requestor under the public information law that require large amounts of personnel time.

To State Affairs.

**HB 4148** (By Rose), Relating to the operation of a property owners' association.

To Business and Industry.

**HB 4149** (By Rose), Relating to a study and report by the Texas Higher Education Coordinating Board regarding achievable cost-saving measures at public institutions of higher education.

To Higher Education.

**HB 4150** (By Rose), Relating to the collection and provision of information concerning public school career and technology education programs.

To Public Education.



**HB 4151** (By Rose), Relating to prohibiting the foreclosure of property owners' association assessment liens for a certain period.

To Business and Industry.

**HB 4152** (By Rose), Relating to certification of an educator in Texas who is certified in another state or country.

To Public Education.

**HB 4153** (By Rose), Relating to an exemption from permitting requirements of the Edwards Aquifer Authority for certain wells owned by a charitable organization.

To Natural Resources.

**HB 4154** (By Rose), Relating to creation of a volunteer advocate program for certain elderly persons.

To Human Services.

**HB 4155** (By Rose), Relating to eligibility for the small and mid-sized adjustment under the public school finance system.

To Public Education.

**HB 4156** (By Rose), Relating to the medical assistance program.

To Human Services.

**HB 4157** (By Rose), Relating to court appointed volunteer advocates in certain suits affecting the parent-child relationship.

To Human Services.

**HB 4158** (By Rose), Relating to reimbursement rates for nursing home services provided to Medicaid recipients.

To Human Services.

**HB 4159** (By Rose), Relating to Department of Family and Protective Services caseworkers and other employees.

To Human Services.

**HB 4160** (By Rose), Relating to health and human services programs designed to assist elderly individuals.

To Human Services.

**HB 4161** (By Rose), Relating to the creation of the office of inspector general and the appointment of inspectors general at the Health and Human Services Commission, Texas Youth Commission, Department of Public Safety of the State of Texas, Texas Education Agency, and Texas Department of Transportation; providing penalties.

To State Affairs.

**HB 4162** (By Chisum), Relating to the duties and salary of the county attorney of Swisher County and the election and duties of the district attorney for the 64th Judicial District.

To Judiciary and Civil Jurisprudence.

**HB 4163** (By Moody), Relating to requirements regarding the employment by school districts of educational support employees.

To Public Education.

**HB 4164** (By Moody), Relating to the conduct constituting the offense of graffiti, the creation and criminal prosecution of, and penalties for offenses involving graffiti, and the authority of certain governmental entities to take certain actions designed to prevent or eradicate graffiti.

To Criminal Jurisprudence.

**HB 4165** (By Chisum), Relating to the funds consolidation process and the use of state revenue dedicated by law for a particular purpose.

To Appropriations.

**HB 4166** (By Callegari), Relating to the provision of severance tax credits and exemptions and other incentives and procedures for producing oil from certain wells.

To Ways and Means.

**HB 4167** (By Gutierrez), Relating to a non-manufacturing seller proving that a manufacturer is not subject to the jurisdiction of the court for purposes of products liability.

To Judiciary and Civil Jurisprudence.

**HB 4168** (By Madden), Relating to the number of persons who may be appointed to the classification immediately below department head in a police department covered by municipal civil service.

To Urban Affairs.

**HB 4169** (By Christian), Relating to the administration and use of public or private funds designated for college scholarships.

To Higher Education.

**HB 4170** (By W. Smith), Relating to requiring property inspections for windstorm and hail insurance in certain geographic areas and authorizing certain political subdivisions to adopt and enforce regulations relating to severe weather, including residential building codes, abandoned land, and damaged buildings; granting a limited power of eminent domain.

To Insurance.

**HB 4171** (By Christian), Relating to procedures to help ensure that certain state agency rules are consistent with the meaning and intent of applicable legislative enactments.

To State Affairs.

**HB 4172** (By Maldonado), Relating to authorizing the issuance of revenue bonds for Texas A & M University System Health Science Center for the Health Professions Education Center in Round Rock.

To Higher Education.

**HB 4173** (By Maldonado), Relating to providing outreach and behavioral health services to certain military service veterans and their families and providing for the creation of clinical practice guidelines.

To Public Health.

**HB 4174** (By Kleinschmidt), Relating to the prohibition of signs along certain roads.

To Transportation.

**HB 4175** (By Bolton), Relating to authorizing certain counties to adopt buffer zone regulations and comprehensive land development plans; providing penalties.

To Land and Resource Management.

**HB 4176** (By Bolton), Relating to participation by certain educational aides in a school district's mentoring program.

To Public Education.

**HB 4177** (By Christian), Relating to the duties of a peace officer in connection with the suspension of a driver's license for a failure to pass a blood or breath test for intoxication or the presence of alcohol.

To Public Safety.

**HB 4178** (By Christian), Relating to the creation of the Reentry Policy Council to review corrections policies, programs, and procedures for inmates released into the community.

To Corrections.

**HB 4179** (By Smithee), Relating to health insurance.

To Insurance.

**HB 4180** (By Guillen), Relating to the allocation of funds for public transportation by the Texas Department of Transportation.

To Transportation.

**HB 4181** (By Guillen), Relating to student loan repayment assistance for certain professionals employed by the Texas Department of Criminal Justice.

To Corrections.

**HB 4182** (By Guillen), Relating to regulation of certain areas in Zapata County.

To County Affairs.

**HB 4183** (By Smithee), Relating to billing practices for certain health care facilities and providers.

To Public Health.

**HB 4184** (By Christian), Relating to the abolition of all political subdivision ad valorem taxes.

To Ways and Means.

**HB 4185** (By Guillen), Relating to an annual report by the Border Security Council regarding criminal street gangs and gang-related crime.

To Border and Intergovernmental Affairs.

**HB 4186** (By Jones), Relating to weight limits on a vehicle loaded with certain agricultural products.

To Transportation.

**HB 4187** (By Jones), Relating to a length exemption for a vehicle or combination of vehicles used to transport a combine used in farm custom harvesting operations.

To Transportation.

**HB 4188** (By Rose), Relating to child protective services.

To Human Services.

**HB 4189** (By Rose), Relating to the conduct of compliance programs by institutions of higher education.

To Higher Education.

**HB 4190** (By Gonzales), Relating to court costs imposed on conviction and deposited to the appropriate courthouse security fund or court building security fund.

To Criminal Jurisprudence.

**HB 4191** (By Rose), Relating to the required public notice of the names of and the requirement that a school district of a certain size interview a certain number of finalists for the position of superintendent of a public school district.

To Public Education.

**HB 4192** (By Herrero), Relating to medical assistance for certain children with disabilities.

To Human Services.

**HB 4193** (By Herrero), Relating to a joint election for trustees of an independent school board.

To Public Education.

**HB 4194** (By Rose), Relating to the child health plan program and the medical assistance program.

To Human Services.

**HB 4195** (By Legler), Relating to the membership of the Advisory Board on Cosmetology.

To Licensing and Administrative Procedures.

**HB 4196** (By Kuempel), Relating to proof of title to breeding deer for certain purposes of deer breeding operations.

To Culture, Recreation, and Tourism.

**HB 4197** (By Legler), Relating to boating safety and boater education.

To Culture, Recreation, and Tourism.

**HB 4198** (By Patrick), Relating to certification of educators from outside the state.

To Public Education.

**HB 4199** (By Kent), Relating to public financing of the public education employee retirement system and an annual cost-of-living adjustment for certain retirement benefits.

To Pensions, Investments, and Financial Services.

**HB 4200** (By Villarreal), Relating to state assistance to fund public school instructional facilities in fast-growing school districts.

To Public Education.

**HB 4201** (By Villarreal), Relating to a credit or reimbursement of the motor vehicle sales tax paid on uncollectable payments.

To Ways and Means.

**HB 4202** (By Herrero), Relating to creating an account to promote continuing education for certain child care providers.

To Human Services.

**HB 4203** (By Harper-Brown), Relating to the authority of the Texas Department of Transportation to enter into funding agreements to expedite an agency's environmental review duties related to transportation projects.

To Transportation.

**HB 4204** (By Harper-Brown), Relating to public viewing and comment on proposals for comprehensive development agreements with the Texas Department of Transportation.

To Transportation.

**HB 4205** (By Harper-Brown), Relating to the promotion of toll projects by the Texas Department of Transportation.

To Transportation.

**HB 4206** (By Farabee), Relating to a requirement that an applicant for a permit to construct an electric generating facility demonstrate that a sufficient amount of water is available for use in connection with the operation of the facility.

To Environmental Regulation.

**HB 4207** (By Giddings), Relating to the disclosure of personally identifiable information under the public information law.

To State Affairs.

**HB 4208** (By Patrick), Relating to idling the diesel engine of a school bus while the bus is parked at a public school or school event.

To Public Education.

**HB 4209** (By W. Smith), Relating to the regulation of certain barge terminal facilities by certain municipalities.

To Urban Affairs.

**HB 4210** (By Sheffield), Relating to the election of directors of the Clearwater Underground Water Conservation District.

To Natural Resources.

**HB 4211** (By Christian), Relating to parking placard applications by persons with a mobility problem caused by an impairment of vision.

To Transportation.

**HB 4212** (By Callegari), Relating to the enforcement of rules by a groundwater conservation district or subsidence district.

To Natural Resources.

**HB 4213** (By Homer), Relating to the selection of the presiding officer of the Texas Medical Board.

To Public Health.

**HB 4214** (By Homer), Relating to the business of taxidermy; providing penalties.

To Culture, Recreation, and Tourism.

**HB 4215** (By Homer), Relating to making a voluntary contribution to a political party when registering a motor vehicle.

To Elections.

**HB 4216** (By Homer), Relating to the electronic monitoring of certain defendants as an alternative to confinement.

To Corrections.

**HB 4217** (By Farabee), Relating to the establishment of the Texas Individual Health Insurance Association and to the efficient operation of that system.

To Insurance.

**HB 4218** (By S. Turner), Relating to representation in a court proceeding involving a retail public utility providing water or sewer service.

To Natural Resources.

**HB 4219** (By Darby), Relating to the prohibition or disclosure of a fee associated with the transfer of real property.

To Business and Industry.

**HB 4220** (By Branch), Relating to notice given to insurance policy or certificate holders concerning certain premium taxes.

To Insurance.

**HB 4221** (By Branch), Relating to providing a middle school allotment under the public school finance system to fund programs to encourage preparation for high school.

To Public Education.

**HB 4222** (By Branch), Relating to limitations on increases in designated tuition charged by general academic teaching institutions and a biennial report to the legislature regarding the operational costs of those institutions.

To Higher Education.

**HB 4223** (By Branch), Relating to the composition of certain state representative districts.

To Redistricting.

**HB 4224** (By Christian), Relating to the teaching of science in public schools.

To Public Education.

**HB 4225** (By D. Miller), Relating to the creation of the Comal County Water Improvement District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Natural Resources.

**HB 4226** (By D. Miller), Relating to the creation of the Comal County Water Improvement District No. 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Natural Resources.

**HB 4227** (By Jackson), Relating to the application of the child support guidelines in a suit affecting the parent-child relationship.

To Judiciary and Civil Jurisprudence.

**HB 4228** (By Jackson), Relating to child support enforcement.

To Judiciary and Civil Jurisprudence.

**HB 4229** (By Otto), Relating to the award of attorney's fees to a property owner who prevails in a property tax appeal.

To Ways and Means.

**HB 4230** (By Otto), Relating to good cause for rescheduling a hearing by an appraisal review board.

To Ways and Means.

**HB 4231** (By Ritter), Relating to the conveyancing or transfer in this state of water imported into this state from a source located outside this state.

To Natural Resources.

**HB 4232** (By Ritter), Relating to the exemption from ad valorem taxation for certain property used to control pollution.

To Ways and Means.

**HB 4233** (By Ritter), Relating to the delay of retail electric competition in the areas of the state covered by the Southeastern Electric Reliability Council and to the recovery of certain transmission costs by electric utilities in those areas.

To State Affairs.

**HB 4234** (By Otto), Relating to the collection by the Parks and Wildlife Department of taxes imposed on the sales and use of boats and boat motors and to the disposition of those taxes.

To Ways and Means.

**HB 4235** (By Maldonado), Relating to the approval of an application for a certificate of convenience and necessity by the Texas Public Utility Commission.

To State Affairs.

**HB 4236** (By Peña), Relating to authorizing the issuance of revenue bonds for The University of Texas - Pan American.

To Higher Education.

**HB 4237** (By Peña), Relating to extending the protections of the Privileged Matters Clause of the Texas Civil Practices & Remedies Code to citizen journalists.

To Judiciary and Civil Jurisprudence.

**HB 4238** (By Branch), Relating to establishing a state master plan for closing academic achievement gaps in public primary and secondary education.

To Public Education.

**HB 4239** (By Swinford), Relating to the creation of a solar and distributed renewable generation incentive program.

To State Affairs.

**HB 4240** (By Mallory Caraway), Relating to the authority of the governing body of a local authority to impose a civil penalty for certain violations recorded by a photographic traffic signal enforcement system.

To Urban Affairs.

**HB 4241** (By Smithee), Relating to the theft of a military grave marker.

To Criminal Jurisprudence.

**HB 4242** (By Smithee), Relating to notice of acceptance or rejection of an insurance claim.

To Insurance.

**HB 4243** (By Bohac), Relating to the computation of the franchise tax by certain taxable entities.

To Ways and Means.

**HB 4244** (By Hochberg), Relating to resident tuition for competitive scholarship recipients.

To Higher Education.

**HB 4245** (By Keffer), Relating to a pilot program to expand access to career and technical education partnerships in rural areas.

To Agriculture and Livestock.

**HB 4246** (By Keffer), Relating to the reporting of lost or unaccounted gas by the first purchaser and the tax due by the first purchaser on lost or unaccounted for gas.

To Ways and Means.

**HB 4247** (By Keffer), Relating to the use of the proceeds of cash deposits filed with the Railroad Commission of Texas by certain persons under the jurisdiction of the commission and deposited in the oil-field cleanup fund.

To Energy Resources.

**HB 4248** (By Keffer), Relating to the authority of certain counties to regulate the location of wind energy electric generating facilities.

To State Affairs.

**HB 4249** (By Leibowitz), Relating to expert reports in health care liability claims.

To Judiciary and Civil Jurisprudence.



**HB 4250** (By Farrar), Relating to requiring Latino and African-American history as part of the social studies curriculum.

To Public Education.

**HB 4251** (By Farrar), Relating to claims and liens by certain health care providers.

To Judiciary and Civil Jurisprudence.

**HB 4252** (By Herrero), Relating to certain inmates entering certain pleas by mail or certain secure electronic transmissions.

To Criminal Jurisprudence.

**HB 4253** (By Miklos), Relating to higher education student loan repayment assistance for peace officers.

To Higher Education.

**HB 4254** (By Miklos), Relating to limitations on the tuition rate charged to certain transfer students at general academic teaching institutions.

To Higher Education.

**HB 4255** (By Hilderbran), Relating to the protection of children by ensuring reports of abuse or neglect, protecting children from abuse and neglect, and ensuring that births are reported; providing criminal penalties.

To Human Services.

**HB 4256** (By Hilderbran), Relating to voluntary sales price disclosure in real property sales.

To Ways and Means.

**HB 4257** (By Hilderbran), Relating to the Sutton County Hospital District.

To County Affairs.

**HB 4258** (By Hilderbran), Relating to the regulation by groundwater conservation districts of the drilling of certain water wells.

To Natural Resources.

**HB 4259** (By Miklos), Relating to underinsured motorist coverage.

To Insurance.

**HB 4260** (By Miklos), Relating to coverage under an automobile insurance policy for certain family members.

To Insurance.

**HB 4261** (By Rodriguez), Relating to establishing a no-interest loan program to promote the use of energy efficiency measures and renewable energy technology in certain residential dwellings and commercial buildings.

To State Affairs.

**HB 4262** (By Rodriguez), Relating to authorizing municipalities and counties to regulate land development in certain unincorporated areas; providing a penalty.

To Land and Resource Management.

**HB 4263** (By S. Turner), Relating to the creation of the Texas Recovery Accountability and Transparency Board.

To State Affairs.

**HB 4264** (By C. Howard), Relating to the determination of cost of goods sold for purposes of computing the franchise tax.

To Ways and Means.

**HB 4265** (By C. Howard), Relating to the definition of controlling interest for purposes of the franchise tax.

To Ways and Means.

**HB 4266** (By C. Howard), Relating to the computation of taxable margin for purposes of the franchise tax by tier partnerships.

To Ways and Means.

**HB 4267** (By C. Howard), Relating to the determination of ownership of goods for the purpose of deducting the cost of goods sold under the franchise tax.

To Ways and Means.

**HB 4268** (By C. Howard), Relating to the determination of cost of goods sold for purposes of computing the franchise tax.

To Ways and Means.

**HB 4269** (By C. Howard), Relating to the definition of passive entity for purposes of the franchise tax.

To Ways and Means.

**HB 4270** (By C. Howard), Relating to the computation of cost of goods sold for purposes of the franchise tax by certain affiliated taxable entities.

To Ways and Means.

**HB 4271** (By Y. Davis), Relating to regulation of facilities providing certain types of care.

To Human Services.

**HB 4272** (By W. Smith), Relating to the regulation of automotive wrecking and salvage yards in certain counties; providing a civil penalty.

To Transportation.

**HB 4273** (By Kuempel), Relating to the issuance of a permit to a local government corporation for a public water supply project.

To Natural Resources.

**HB 4274** (By C. Howard), Relating to the sale of certain goods and services by a political subdivision.

To Ways and Means.

**HB 4275** (By Menendez), Relating to the application process and scoring for the low income housing tax credit program.

To Urban Affairs.

**HB 4276** (By Menendez), Relating to a transportation plan for persons furloughed or discharged from certain mental health facilities.

To Public Health.

**HB 4277** (By Menendez), Relating to the sterilization of dogs and cats; providing a penalty.

To State Affairs.

**HB 4278** (By Herrero), Relating to the child health plan program.

To Human Services.

**HB 4279** (By Harper-Brown), Relating to credit agreements executed in connection with the issuance of obligations for certain public improvements.

To County Affairs.

**HB 4280** (By Frost), Relating to the regulation of certain aggregate production operations by the Texas Commission on Environmental Quality; providing penalties.

To Natural Resources.

**HB 4281** (By S. King), Relating to continuing education requirements for physical therapists.

To Public Health.

**HB 4282** (By S. King), Relating to exemptions from the requirement to hold an investigations company license.

To Public Safety.

**HB 4283** (By Gonzalez Toureilles), Relating to applications for single certification filed under section 13.255.

To Natural Resources.

**HB 4284** (By Gonzalez Toureilles), Relating to the criminal penalty for capturing, transporting, or transplanting white-tailed or mule deer without a permit.

To Agriculture and Livestock.

**HB 4285** (By Y. Davis), Relating to the duties of the transportation commission.

To Transportation.

**HB 4286** (By Hunter), Relating to the disposal of sewage by boats.

To Environmental Regulation.

**HB 4287** (By Hunter), Relating to the discharge of firearms in certain navigable rivers or streams.

To Culture, Recreation, and Tourism.

**HB 4288** (By Hunter), Relating to health care coverage for children in Title IV-D cases.

To Judiciary and Civil Jurisprudence.

**HB 4289** (By Hunter), Relating to required procedures regarding the ranking of physicians by health benefit plan issuers.

To Public Health.

**HB 4290** (By Smithee), Relating to retrospective utilization review and utilization review to determine the experimental or investigational nature of a health care service.

To Insurance.

**HB 4291** (By Smithee), Relating to insurance charters and certificates of authority.

To Insurance.

**HB 4292** (By Branch), Relating to access to criminal history record information by the office of the attorney general.

To Judiciary and Civil Jurisprudence.

**HB 4293** (By Branch), Relating to notice to the attorney general of an action, suit, or proceeding challenging the validity of a Texas statute or rule.

To Judiciary and Civil Jurisprudence.

**HB 4294** (By Branch), Relating to instructional materials and technological equipment in public schools.

To Public Education.

**HB 4295** (By Anchia), Relating to the right of certain municipalities to maintain local control over wages, hours, and other terms and conditions of employment.

To Urban Affairs.

**HB 4296** (By Anchia), Relating to the collection of certain judgments through court proceeding.

To Judiciary and Civil Jurisprudence.

**HB 4297** (By Coleman), Relating to a change of name and vital statistics information.

To Public Health.

**HB 4298** (By Coleman), Relating to the right of certain hospital districts to maintain local control over wages, hours, and other terms and conditions of employment.

To County Affairs.

**HB 4299** (By Rose), Relating to rainwater harvesting and other water conservation initiatives.

To Natural Resources.

**HB 4300** (By Herrero), Relating to safety rules for gas pipeline facilities and public awareness.

To Energy Resources.

**HB 4301** (By Legler), Relating to the availability of certain county, municipal, and school district financial information on certain Internet websites.

To Public Education.

**HB 4302** (By Farrar), Relating to the confidentiality of criminal history record information and related information that is obtained by a school district and that relates to an employee of the district.

To Public Education.

**HB 4303** (By Legler), Relating to an adjustment to the amounts of revenue provided under the public school finance system to school districts located in certain counties.

To Public Education.

**HB 4304** (By Hilderbran), Relating to the granting or renewal of certain easements on or leases of certain university land.

To Higher Education.

**HB 4305** (By Kent), Relating to a prohibition against performing or ordering the performance of an autopsy contrary to a decedent's religious beliefs.

To Criminal Jurisprudence.

**HB 4306** (By Kuempel), Relating to authorizing the creation of a residential recreation district in certain counties.

To Culture, Recreation, and Tourism.

**HB 4307** (By Crownover), Relating to the creation of the office of inspector within the State Auditor's Office and the appointment of deputy inspectors general at the Health and Human Services Commission, Texas Youth Commission, Texas Department of Criminal Justice, Texas Education Agency, and Texas Department of Transportation; providing penalties.

To State Affairs.

**HB 4308** (By Crownover), Relating to the placement of certain persons with mental retardation.

To Human Services.

**HB 4309** (By Crownover), Relating a requirement for electric utilities to seek grants or loans related to the deployment of advanced meters and transmission for renewable energy.

To Energy Resources.

**HB 4310** (By Gallego), Relating to the investigation, prosecution, and punishment for certain gang-related and other offenses and to the civil consequences of engaging in certain activities of a criminal street gang; providing penalties.

To Criminal Jurisprudence.

**HB 4311** (By Gallego), Relating to the naming of certain Texas Department of Transportation property in Val Verde County.

To Transportation.

**HB 4312** (By Gallego), Relating to providing protections to consumers of financial services.

To Pensions, Investments, and Financial Services.

**HB 4313** (By Gallego), Relating to the creation of the Texas Legislative Fellows Program for certain students enrolled in component institutions of The University of Texas System.

To Higher Education.

**HB 4314** (By Gallego), Relating to the electronic filing of documents for capital cases in the court of criminal appeals.

To Criminal Jurisprudence.

**HB 4315** (By Gallego), Relating to the issuance of collegiate license plates.

To Transportation.

**HB 4316** (By B. Brown), Relating to the authority of Las Lomas Municipal Utility District Nos. 3 and 4 of Kaufman County to undertake road projects.

To Natural Resources.

**HB 4317** (By Callegari), Relating to certain reporting duties of the attorney general.

To Human Services.

**HB 4318** (By Callegari), Relating to allowing certain landowners to request that land be decertified from the service area of a holder of a certificate of public convenience and necessity.

To Natural Resources.

**HB 4319** (By Veasey), Relating to local regulation of the distance requirements for the sale and consumption of alcoholic beverages near certain plasma centers.

To Licensing and Administrative Procedures.

**HB 4320** (By Rios Ybarra), Relating to the integration of the application and eligibility determination processes for the child health plan and children's Medicaid programs.

To Human Services.

**HB 4321** (By P. King), Relating to the authority of the Upper Trinity Groundwater Conservation District to establish discounted production fee rates for certain municipalities.

To Natural Resources.

**HB 4322** (By W. Smith), Relating to the imposition of county or municipal occupation taxes on certain coin-operated amusement gaming devices.

To Ways and Means.

**HB 4323** (By Chisum), Relating to the regulation of multipurpose residential fire protection sprinkler specialists by the Texas State Board of Plumbing Examiners.

To Licensing and Administrative Procedures.

**HB 4324** (By Chisum), Relating to repayment assistance for certain physician education loans.

To Public Health.

**HB 4325** (By Strama), Relating to the creation of a Sunny Day Fund to attract competitive federal grants to Texas under the American Recovery and Reinvestment Act.

To Appropriations.

**HB 4326** (By Strama), Relating to the online availability of state agency reports required by law.

To State Affairs.

**HB 4327** (By Strama), Relating to incentives for Texas renewable energy jobs and manufacturing.

To Energy Resources.

**HB 4328** (By Strama), Relating to the establishment of the Interagency Literacy Council for the study, promotion, and enhancement of literacy in this state.

To Technology, Economic Development, and Workforce.

**HB 4329** (By Strama), Relating to the creation of a database to track specialized technology research projects conducted by public universities, public university research facilities, and other state institutions.

To Technology, Economic Development, and Workforce.

**HB 4330** (By Strama), Relating to a study concerning the feasibility and viability of certain time-differentiated pricing schemes for electric service.

To State Affairs.

**HB 4331** (By Quintanilla), Relating to the exemption of certain school districts from the drainage charge imposed by a municipal drainage utility system.

To Border and Intergovernmental Affairs.

**HB 4332** (By Hamilton), Relating to the certification of certain municipal police officers to enforce commercial motor vehicle safety standards.

To Transportation.

**HB 4333** (By Hamilton), Relating to training and continuing education for licensed electrical apprentices.

To Licensing and Administrative Procedures.

**HB 4334** (By Hamilton), Relating to the licensing and regulation of pain management clinics.

To Public Health.

**HB 4335** (By McClendon), Relating to the creation of and the powers of a comprehensive multimodal urban transportation authority.

To Transportation.

**HB 4336** (By Corte), Relating to the civil and criminal consequences of engaging in certain conduct creating the offense of firearm smuggling; providing penalties.

To Criminal Jurisprudence.

**HB 4337** (By Corte), Relating to an annual report by the Texas Fusion Center regarding criminal street gangs and gang-related crime.

To State Affairs.

**HB 4338** (By Smithee), Relating to insolvency requirements regarding title insurance agents.

To Insurance.

**HB 4339** (By Smithee), Relating to the establishment and operation of the unauthorized insurance guaranty fund.

To Insurance.

**HB 4340** (By Parker), Relating to the use of certain money in the state highway fund received from a project or system and held in a subaccount for the benefit of the region in which the project or system is located.

To Transportation.

**HJR 132** (By Corte), Proposing a constitutional amendment relating to municipal and county financing of the acquisition of buffer areas or open spaces adjacent to a military installation for certain purposes.

To Defense and Veterans' Affairs.

**HJR 133** (By Christian), Proposing a constitutional amendment abolishing all political subdivision ad valorem taxes.

To Ways and Means.

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

**HB 2011** (By Vaught), Relating to the issuance of specialty license plates for active and former members of the United States Army Special Forces.

To Defense and Veterans' Affairs.

**HB 2020** (By Weber), Relating to parking privileges for veterans with disabilities.

To Defense and Veterans' Affairs.

**HB 3300** (By Kolkhorst), Relating to the use of electronic prescribing data transmission systems under the state Medicaid program.

To Public Health.

### 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  
Tuesday, March 24, 2009

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 39** Zaffirini

Relating to health benefit plan coverage for routine patient care costs for enrollees participating in certain clinical trials.

**SB 576** Davis, Wendy

Relating to the implementation of a project plan or financing plan for a reinvestment zone under the Tax Increment Financing Act and the granting of exemptions from ad valorem taxes imposed on real property in a reinvestment zone under that Act.

**SB 584** Van de Putte

Relating to notification to a patient of a state-operated mental health facility or resident of a residential care facility of the exemption of certain trusts from liability to pay for support.

**SCR 41** Ellis

Commending the honorees of the 2009 Texas Medal of Arts Awards.

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:

**March 23**

Border and Intergovernmental Affairs - **HB 2208**

Licensing and Administrative Procedures - **HB 963, HB 1161, HB 1758, HB 1963, HB 2237, HB 2560**

Public Education - **HB 350, HB 374, HB 1297, HB 1332**

Urban Affairs - **HB 988, HB 1300**

