

# HOUSE JOURNAL

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EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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FIFTY-SIXTH DAY — FRIDAY, APRIL 24, 2009

The house met at 9 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 265).

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; 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; 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; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Absent, Excused — Hilderbran; Olivo.

Absent — Truitt; Vaught.

The invocation was offered by Robert Sutton, Jr., First Baptist Church, Portland, as follows:

Our dear Heavenly Father, we thank thee for thy bountiful blessings. We thank thee for these, thy servants, who are gathered to serve thy people. We pray for wisdom, for discernment, and for listening ears as we seek to better the people of this great state.

Help us, O Lord, to become students of each other so that we might be understanding of those things needed to aid and assist the needs of our people whom we serve. Give us a sense of righteousness, that our nation might be exalted. Give us a sense of morality, that our society may be exemplary. Give us

a sense of justice so that our men and women, boys and girls might be able to lead a life of liberty and pursuit of happiness. We seek patience with one another, principle for each other, and promise on behalf of everyone.

As a nation under God, we ask your favor for the day in such a way that we all will look back on this day as a day the Lord has made and we all rejoiced and were glad in it. God bless America, God bless Texas, and God bless all of us. Amen.

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

#### **CAPITOL PHYSICIAN**

The speaker recognized Representative Giddings who presented Dr. John Richmond of Dallas as the "Doctor for the Day."

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

#### **MESSAGE FROM THE SENATE**

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

#### **LEAVES OF ABSENCE GRANTED**

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

Hilderbran on motion of Corte.

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

Olivo on motion of Miklos.

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

Veasey on motion of Walle.

#### **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. 19 and Senate List No. 19).

(Truitt now present)

#### **HR 1536 - ADOPTED (by T. King)**

Representative T. King moved to suspend all necessary rules to take up and consider at this time **HR 1536**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1536**, Honoring Hondo Municipal Airport for being named the 2009 General Aviation Airport of the Year by the Texas Department of Transportation Aviation Division.

**HR 1536** was adopted.

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

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

Rios Ybarra on motion of Marquez.

#### **HR 1499 - ADOPTED (by Truitt)**

Representative Truitt moved to suspend all necessary rules to take up and consider at this time **HR 1499**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1499**, Welcoming the graduates of the Local Leadership and Advocacy training project of The Arc of Greater Tarrant County to the State Capitol.

**HR 1499** was adopted.

#### **HR 1560 - ADOPTED (by Gutierrez)**

Representative Gutierrez moved to suspend all necessary rules to take up and consider at this time **HR 1560**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1560**, Honoring the staff and volunteers of the City of San Antonio Municipal Teen Court.

**HR 1560** was adopted.

#### **GENERAL STATE CALENDAR HOUSE BILLS THIRD READING**

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

#### **HB 1462 ON THIRD READING (by Pickett, Herrero, Moody, and Guillen)**

**HB 1462**, A bill to be entitled An Act relating to leave for certain state employees who volunteer or participate in training for Court Appointed Special Advocates.

Representative Geren moved to postpone consideration of **HB 1462** until 10 a.m. Monday, April 27.

The motion prevailed.

**HB 8 ON THIRD READING****(by Otto, Oliveira, Darby, Quintanilla, Elkins, et al.)**

**HB 8**, A bill to be entitled An Act relating to certain studies and reviews of appraisal districts conducted by the comptroller of public accounts.

**HB 8** was passed by (Record 266): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Olivo; Rios Ybarra; Veasey.

Absent — Mallory Caraway; Pitts; Smithee; Vaught.

**LEAVES OF ABSENCE GRANTED**

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

Pickett on motion of Solomons.

Smithee on motion of Swinford.

**HB 1804 ON THIRD READING****(by Hughes)**

**HB 1804**, A bill to be entitled An Act relating to service of process for delinquent taxes on a nonresident.

**HB 1804** was passed by (Record 267): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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.; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Davis, Y.; Mallory Caraway; Vaught.

**HB 1831 ON THIRD READING**  
**(by Corte, Edwards, and Eiland)**

**HB 1831**, A bill to be entitled An Act relating to emergency management.

**HB 1831** was passed by (Record 268): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Castro; Mallory Caraway; Vaught.

### STATEMENT OF VOTE

When Record No. 268 was taken, I was temporarily out of the house chamber. I would have voted yes.

Castro

### LEAVE OF ABSENCE GRANTED

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

Mallory Caraway on motion of Allen.

### HB 1579 ON THIRD READING

(by Gonzales)

**HB 1579**, A bill to be entitled An Act relating to a county's removal of flood water resulting from a natural disaster in certain communities.

**HB 1579** was passed by (Record 269): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Giddings; Vaught.

**STATEMENT OF VOTE**

When Record No. 269 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

**HB 415 ON THIRD READING  
(by Villarreal, Naishtat, and Leibowitz)**

**HB 415**, A bill to be entitled An Act relating to the regulation of employer-based day-care facilities.

**HB 415** was passed by (Record 270): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; 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; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Legler; Morrison; Vaught.

**STATEMENT OF VOTE**

When Record No. 270 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

**HB 2440 ON THIRD READING  
(by McCall)**

**HB 2440**, A bill to be entitled An Act relating to scholarships for fifth-year accounting students.

**HB 2440** was passed by (Record 271): 134 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; 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; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Burnam; Coleman; Dunnam; Gutierrez.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Brown, F.; Legler; Martinez Fischer; Vaught.

### STATEMENT OF VOTE

When Record No. 271 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

### HB 108 ON THIRD READING (by Phillips)

**HB 108**, A bill to be entitled An Act relating to persons eligible to be appointed as a receiver for certain mineral interests.

**HB 108** was passed by (Record 272): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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 Tourelles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez;



Herrero; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Vaught.

### LEAVE OF ABSENCE GRANTED

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

T. Smith on motion of Anderson.

### HB 2066 ON THIRD READING (by Gallego, Moody, Bolton, et al.)

**HB 2066**, A bill to be entitled An Act relating to enhancing penalties for assaulting a family member by strangulation or suffocation.

Representative Geren moved to postpone consideration of **HB 2066** until the end of the third reading bills on today's General State Calendar.

The motion prevailed.

### HB 2032 ON THIRD READING (by England)

**HB 2032**, A bill to be entitled An Act relating to the authority of certain municipalities to use hotel occupancy tax revenue for certain venue projects.

**HB 2032** was passed by (Record 273): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Castro; Edwards; McClendon; Vaught.

### STATEMENT OF VOTE

When Record No. 273 was taken, I was temporarily out of the house chamber. I would have voted yes.

Castro

### HB 2086 ON THIRD READING (by Moody)

**HB 2086**, A bill to be entitled An Act relating to the prosecution and punishment of the offense of engaging in organized criminal activity.

**HB 2086** was passed by (Record 274): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Vaught.

**HB 1866 ON THIRD READING**  
**(by Solomons)**

**HB 1866**, A bill to be entitled An Act relating to distributed renewable generation of electric power.

**HB 1866** was passed by (Record 275): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Vaught.

**HB 2249 ON THIRD READING**  
**(by Hunter and Harless)**

**HB 2249**, A bill to be entitled An Act relating to the regulation of staff leasing services.

**HB 2249** was passed by (Record 276): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; 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; 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; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Coleman; Martinez Fischer; Paxton; Vaught.

### STATEMENT OF VOTE

When Record No. 276 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

### HB 2304 ON THIRD READING

(by Lewis, Cook, Guillen, and Gonzalez Toureilles)

**HB 2304**, A bill to be entitled An Act relating to tuition and fee exemptions at public institutions of higher education for students who have been under the conservatorship of the Department of Family and Protective Services.

#### Amendment No. 1

Representative Lewis offered the following amendment to **HB 2304**:

Amend **HB 2304**, on third reading, on page 2, line 16, by striking "21st birthday" and substituting "25th [~~24th~~] birthday".

Amendment No. 1 was adopted.

**HB 2304**, as amended, was passed by (Record 277): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Edwards; Vaught.

### HB 3004 ON THIRD READING

(by Coleman)

**HB 3004**, A bill to be entitled An Act relating to animal shelter standards; providing a civil penalty.

**HB 3004** was passed by (Record 278): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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 Tourelles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Hughes; Vaught.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 278. I intended to vote no.

Christian

I was shown voting yes on Record No. 278. I intended to vote no.

Laubenberg

**HB 3309 ON THIRD READING**  
(by Gattis)

**HB 3309**, A bill to be entitled An Act relating to consolidation of certain proceedings on an application for a certificate of convenience and necessity.

**HB 3309** was passed by (Record 279): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; 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; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Button; Kolkhorst; Vaught.

**STATEMENTS OF VOTE**

When Record No. 279 was taken, I was in the house but away from my desk. I would have voted yes.

Button

When Record No. 279 was taken, I was temporarily out of the house chamber. I would have voted yes.

Kolkhorst

**HB 2557 ON THIRD READING**  
**(by Harper-Brown, et al.)**

**HB 2557**, A bill to be entitled An Act relating to the evaluation of highway or other mobility projects as toll projects by the Texas Department of Transportation.

**HB 2557** was passed by (Record 280): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Hancock; Vaught.

**HB 281 ON THIRD READING**  
**(by Anchia, Zerwas, S. King, Coleman, Guillen, et al.)**

**HB 281**, A bill to be entitled An Act relating to grants for school-based health centers.

**Amendment No. 1**

Representative Coleman offered the following amendment to **HB 281**:

Amend **HB 281** on third reading by striking the SECTION of the bill amending Section 38.064, Education Code, and substituting the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. Section 38.064, Education Code, is amended to read as follows:

Sec. 38.064. REPORT TO LEGISLATURE. (a) Based on statistics obtained from every school-based health center in this state that receives funding through the Department of State Health Services, the Department of State Health Services ~~[commissioner of public health]~~ shall issue a biennial ~~[an annual]~~ report to the legislature about the relative efficacy of services delivered by the ~~[school-based health]~~ centers during the preceding two years and any increased academic success of students at campuses served by those centers, with special emphasis on any:

- (1) increased attendance, including attendance information regarding students with chronic illnesses;
- (2) decreased drop-out rates;
- (3) improved student health; ~~[and]~~
- (4) increased student immunization rates;
- (5) increased student participation in preventive health measures, including routine physical examinations and checkups conducted in accordance with the Texas Health Steps program; and
- (6) improved performance on student assessment instruments administered under Subchapter B, Chapter 39.

(b) The Department of State Health Services may modify any requirement imposed by Subsection (a) if necessary to comply with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) ~~[In obtaining statistics for preparation of the report required by this section, the commissioner of public health shall ensure that data is collected for each county and aggregated appropriately according to geographical region].~~

Amendment No. 1 was adopted.

**HB 281**, as amended, was passed by (Record 281): 95 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Bohac; Bolton; Branch; Brown, F.; Burnam; Callegari; Castro; Chavez; Cohen; Coleman; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; England; Farabee; Farias; Farrar; Fletcher; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Isett; Jones; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Leibowitz; Lewis; Maldonado; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Paxton; Peña; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Shelton; Solomons; Strama; Thibaut; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Woolley; Zerwas.



Nays — Aycock; Berman; Bonnen; Brown, B.; Button; Chisum; Christian; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Eissler; Elkins; Flynn; Gattis; Geren; Hancock; Hardcastle; Harless; Harper-Brown; Howard, C.; Hughes; Jackson; Keffer; Kolkhorst; Kuempel; Legler; Madden; Parker; Patrick; Phillips; Sheffield; Smith, W.; Swinford; Taylor; Truitt; Weber.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Laubenberg; Lucio; Martinez Fischer; Thompson; Vaught.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 281. I intended to vote yes.

Crownover

I was shown voting no on Record No. 281. I intended to vote yes.

Darby

I was shown voting no on Record No. 281. I intended to vote yes.

Harper-Brown

I was shown voting no on Record No. 281. I intended to vote yes.

Kolkhorst

When Record No. 281 was taken, I was in the house but away from my desk. I would have voted yes.

Laubenberg

When Record No. 281 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

I was shown voting no on Record No. 281. I intended to vote yes.

Taylor

### HB 2318 ON THIRD READING (by Swinford and Guillen)

**HB 2318**, A bill to be entitled An Act relating to the fuel ethanol and biodiesel incentive program of the Department of Agriculture.

**HB 2318** was passed by (Record 282): 132 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; Dunnam; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Gallego; Gattis; Geren; Giddings; Gonzales;

Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jones; Keffer; Kent; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Dukes; Dutton; Frost; Jackson; King, P.; Laubenberg; Morrison; Paxton; Vaught.

### STATEMENTS OF VOTE

When Record No. 282 was taken, my vote failed to register. I would have voted yes.

Frost

When Record No. 282 was taken, I was in the house but away from my desk. I would have voted yes.

Laubenberg

When Record No. 282 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

### HB 2491 ON THIRD READING (by Patrick)

**HB 2491**, A bill to be entitled An Act relating to disclosure of certain personal information of applicants for employment with and current and former employees of public school entities.

**HB 2491** was passed by (Record 283): 107 Yeas, 18 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Bolton; Bonnen; Branch; Brown, B.; Button; Callegari; Castro; Chavez; Cohen; Cook; Craddick; Creighton; Crownover; Darby; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Edwards; Eiland; Eissler; England; Farabee; Farrar; Fletcher; Flores; Frost; Gallego; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jones; Keffer; Kent; King, T.; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; McCall; McReynolds; Menendez; Merritt; Miklos; Miller,

D.; Miller, S.; Moody; Naishtat; Oliveira; Orr; Ortiz; Otto; Patrick; Peña; Phillips; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Woolley; Zerwas.

Nays — Berman; Brown, F.; Chisum; Christian; Corte; Crabb; Davis, J.; Elkins; Flynn; Geren; Hancock; Jackson; Kleinschmidt; Kolkhorst; Kuempel; Legler; Parker; Weber.

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

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Anderson; Burnam; Coleman; Dunnam; Farias; Gutierrez; Hodge; King, S.; Laubenberg; Martinez Fischer; McClendon; Morrison; Paxton; Pierson; Vaught.

### STATEMENTS OF VOTE

When Record No. 283 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

I was shown voting yes on Record No. 283. I intended to vote no.

Eiland

I was shown voting no on Record No. 283. I intended to vote yes.

Geren

I was shown voting yes on Record No. 283. I intended to vote no.

Harper-Brown

When Record No. 283 was taken, I was in the house but away from my desk. I would have voted yes.

Hodge

When Record No. 283 was taken, I was in the house but away from my desk. I would have voted no.

Laubenberg

I was shown voting yes on Record No. 283. I intended to vote no.

Madden

When Record No. 283 was taken, my vote failed to register. I would have voted yes.

Martinez Fischer

When Record No. 283 was taken, I was in the house but away from my desk. I would have voted yes.

McClendon

When Record No. 283 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

I was shown voting no on Record No. 283. I intended to vote yes.

Parker

I was shown voting yes on Record No. 283. I intended to vote no.

Taylor

**GENERAL STATE CALENDAR  
SENATE BILLS  
THIRD READING**

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

**SB 346 ON THIRD READING  
(Kolkhorst and D. Howard - House Sponsors)**

**SB 346**, A bill to be entitled An Act relating to information submitted to and maintained in the immunization registry after an individual becomes an adult.

**SB 346** was passed by (Record 284): 134 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Burnam; Corte; Farrar; Geren; Gutierrez; Kolkhorst; Vaught.

**STATEMENT OF VOTE**

When Record No. 284 was taken, my vote failed to register. I would have voted yes.

Kolkhorst

**POSTPONED BUSINESS**

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

**HB 2066 ON THIRD READING  
(by Gallego, Moody, Bolton, et al.)**

**HB 2066**, A bill to be entitled An Act relating to enhancing penalties for assaulting a family member by strangulation or suffocation.

**HB 2066** was read third time earlier today and was postponed until this time.

Representative Gallego moved to postpone consideration of **HB 2066** until 10:45 a.m. today.

The motion prevailed.

**HR 1196 - ADOPTED  
(by Gallego)**

Representative Gallego moved to suspend all necessary rules to take up and consider at this time **HR 1196**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1196**, Congratulating Robert J. Mallouf on his retirement as director of the Center for Big Bend Studies at Sul Ross State University.

**HR 1196** was adopted.

On motion of Representatives Hodge and Merritt, the names of all the members of the house were added to **HR 1196** as signers thereof.

(Moody in the chair)

**INTRODUCTION OF GUESTS**

The chair recognized Representative Gallego who introduced Robert J. Mallouf and his wife.

**HR 1579 - ADOPTED  
(by Gallego)**

Representative Gallego moved to suspend all necessary rules to take up and consider at this time **HR 1579**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1579**, Honoring Colonel John W. Doucette of the U.S. Air Force for his service as the commander of the 47th Flying Training Wing at Laughlin Air Force Base.

**HR 1579** was adopted.

On motion of Representative Gutierrez, the names of all the members of the house were added to **HR 1579** as signers thereof.

**HCR 176 - ADOPTED**  
**(by Edwards)**

Representative Edwards moved to suspend all necessary rules to take up and consider at this time **HCR 176**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 176**, Expressing continued support for the establishment of a Juneteenth memorial monument on the grounds of the State Capitol at the location previously approved by the State Preservation Board.

**HCR 176** was adopted.

**SCR 62 - ADOPTED**  
**(Chavez - House Sponsor)**

Representative Chavez moved to suspend all necessary rules to take up and consider at this time **SCR 62**.

The motion prevailed.

The following resolution was laid before the house:

**SCR 62**, Honoring the life and legacy of former Texas railroad commissioner and state representative Lena Guerrero.

**SCR 62** was read and was unanimously adopted by a rising vote.

On motion of Representatives Dutton and Gallego, the names of all the members of the house were added to **SCR 62** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Chavez who introduced family members of the Honorable Lena Guerrero.

**POSTPONED BUSINESS**

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

**CSHB 3971 ON SECOND READING**  
**(by Ritter, Lucio, Homer, Bonnen, and Peña)**

**CSHB 3971**, A bill to be entitled An Act relating to the funding of certain activities of the General Land Office pertaining to the management of coastal public land.

**CSHB 3971** was read second time on April 23 and was postponed until 10 a.m. today.

Representative Ritter moved to postpone consideration of **CSHB 3971** until 10 a.m. Monday, April 27.

The motion prevailed.

(Speaker in the chair)

**MAJOR STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**CSHB 51 ON SECOND READING**

**(by Branch, McCall, Coleman, McClendon, Madden, et al.)**

**CSHB 51**, A bill to be entitled An Act relating to funding and incentives to support emerging public research universities in developing and maintaining programs of the highest tier.

Representative McCall moved to postpone consideration of **CSHB 51** until 1 p.m. today.

The motion prevailed.

**CSHB 1736 ON SECOND READING**

**(by Anchia, Y. Davis, Branch, Hodge, Isett, et al.)**

**CSHB 1736**, A bill to be entitled An Act relating to compensation of persons wrongfully imprisoned.

**CSHB 1736** was passed to engrossment.

**POSTPONED BUSINESS**

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

**HB 2066 ON THIRD READING**

**(by Gallego, Moody, Bolton, et al.)**

**HB 2066**, A bill to be entitled An Act relating to enhancing penalties for assaulting a family member by strangulation or suffocation.

**HB 2066** was read third time earlier today and was postponed until this time.

Representative Gallego moved to postpone consideration of **HB 2066** until 1 p.m. today.

The motion prevailed.

(Farabee in the chair)

**CONSTITUTIONAL AMENDMENTS CALENDAR  
HOUSE JOINT RESOLUTIONS  
SECOND READING**

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

**HJR 58 ON SECOND READING  
(by Thompson, et al.)**

**HJR 58**, A joint resolution proposing a constitutional amendment authorizing the governor to grant one or more reprieves in a capital case.

**HJR 58** was adopted by (Record 285): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smith, T.; Smithee; Veasey.

Absent — Alvarado; Quintanilla; Vaught.

**STATEMENT OF VOTE**

When Record No. 285 was taken, I was in the house but away from my desk. I would have voted yes.

Quintanilla

**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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



**HB 207 ON SECOND READING**  
**(by Jackson and Creighton)**

**HB 207**, A bill to be entitled An Act relating to enforcement of commercial motor vehicle safety standards in certain counties.

**Amendment No. 1**

Representative Aycock offered the following amendment to **HB 207**:

Amend **HB 207** (House committee printing) as follows:

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

SECTION 1. Section 644.101, Transportation Code, is amended by amending Subsection (c) and adding Subsection (f) to read as follows:

(2) On page 1, between lines 10 and 11, insert the following:

(f) A municipal police officer, sheriff, or a deputy sheriff certified under this section may not enforce this chapter in regards to a vehicle transporting agricultural products that were produced or grown in this state.

**Amendment No. 1 - Point of Order**

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

The point of order was withdrawn.

Amendment No. 1 was withdrawn.

Representative Jackson moved to postpone consideration of **HB 207** until the end of today's calendar.

The motion prevailed.

**HB 1325 ON SECOND READING**  
**(by Rios Ybarra, Lucio, et al.)**

**HB 1325**, A bill to be entitled An Act relating to the degrees awarded by the Texas State Technical College System.

Representative Lucio moved to postpone consideration of **HB 1325** until 10 a.m. Monday, April 27.

The motion prevailed.

**CSHB 1490 ON SECOND READING**  
**(by Driver, Menendez, et al.)**

**CSHB 1490**, A bill to be entitled An Act relating to injury leave and related benefits for certain state peace officers injured in the course of performance of duty.

Representative Menendez moved to postpone consideration of **CSHB 1490** until 10 a.m. Monday, April 27.

The motion prevailed.

**CSHB 1303 ON SECOND READING**  
**(by Menendez, Homer, Geren, Gattis, Pitts, et al.)**

**CSHB 1303**, A bill to be entitled An Act relating to continued health insurance coverage for eligible survivors of certain public servants killed in the line of duty.

Representative Menendez moved to postpone consideration of **CSHB 1303** until 12 p.m. Monday, May 4.

The motion prevailed.

**CSHB 1093 ON SECOND READING**  
**(by Pickett)**

**CSHB 1093**, A bill to be entitled An Act relating to oversight of regional poison control centers and the poison control network.

Representative Solomons moved to postpone consideration of **CSHB 1093** until 10 a.m. Monday, April 27.

The motion prevailed.

**HB 677 ON SECOND READING**  
**(by Hartnett)**

**HB 677**, A bill to be entitled An Act relating to liability for a respondent's attorney's fees and costs incurred in defending against a sworn complaint filed with the Texas Ethics Commission.

(Speaker in the chair)

Representative Hartnett moved to postpone consideration of **HB 677** until 10 a.m. Monday, April 27.

The motion prevailed.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative McCall requested permission for the Committee on Calendars to meet while the house is in session, at 12 p.m. today, in 2W.6, for a formal meeting, to consider the calendar.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, 12 p.m. today, 2W.6, for a formal meeting, to consider the calendar.

**HB 2202 ON SECOND READING**  
**(by Castro, Martinez Fischer, Lucio, Bolton, Leibowitz, et al.)**

**HB 2202**, A bill to be entitled An Act relating to protective orders against dating violence.

**Amendment No. 1**

Representative Bolton offered the following amendment to **HB 2202**:

Amend **HB 2202** as follows:

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

SECTION \_\_\_\_\_. Chapter 81, Family Code, is amended by adding Section 81.010 to read as follows:

Sec. 81.010. COURT ENFORCEMENT. (a) A court of this state with jurisdiction of proceedings arising under this title may enforce a protective order rendered by another court in the same manner that the court that rendered the order could enforce the order, regardless of whether the order is transferred under Subchapter D, Chapter 85.

(b) A court's authority under this section includes the authority to enforce a protective order through contempt.

SECTION \_\_\_\_\_. Section 82.002(b), Family Code, is amended to read as follows:

(b) With regard to family violence under Section 71.004(3), an application for a protective order to protect the applicant may be filed by a [an adult] member of the dating relationship, regardless of whether the member is an adult or a child.

SECTION \_\_\_\_\_. Sections 85.065(a) and (b), Family Code, are repealed.

(2) On page 1, lines 16 and 17, strike "change in law made by this Act to Section 71.0021, Family Code, applies" and substitute "changes in law made by this Act to Sections 71.0021 and 82.002, Family Code, apply".

Amendment No. 1 was adopted.

**HB 2202**, as amended, was passed to engrossment.

**CSHB 2109 ON SECOND READING**  
**(by Geren)**

**CSHB 2109**, A bill to be entitled An Act relating to the requirement that certain applicants for a vehicle dealer general distinguishing number complete a dealer education course.

**CSHB 2109 - POINT OF ORDER**

Representative Gattis raised a point of order against further consideration of **CSHB 2109** under Rule 4, Section 41 of the House Rules on the grounds that the committee substitute is not germane to the bill.

The speaker sustained the point of order.

**CSHB 2109** was returned to the Committee on Calendars.

**CSHB 2097 ON SECOND READING**  
**(by Hodge and Madden)**

**CSHB 2097**, A bill to be entitled An Act relating to the personal and official use of state vehicles.

**Amendment No. 1**

Representatives Hodge and Isett offered the following amendment to **CSHB 2097**:

Amend **CSHB 2097** (house committee report) as follows:

(1) On page 1, line 19, between "vehicle" and the period, insert "at the state mileage reimbursement rate established as provided by Section 660.042".

(2) On page 3, lines 1 and 2, strike "a peace officer by the Public Safety Commission or the director of the Department of Public Safety" and substitute the following:

∴

(1) a peace officer by the Public Safety Commission or the director of the Department of Public Safety;

(2) a peace officer by the executive director of the Parks and Wildlife Department; or

(3) an inspector or representative by the Texas Alcoholic Beverage Commission or the administrator of the Texas Alcoholic Beverage Commission

(3) On page 3, line 4, strike "Subsection (c-1)" and substitute "Subsections (c-1) and (c-2)".

(4) On page 3, insert the following between lines 18 and 19:

(c-2) An individual described by Section 2113.013(i) is not required to include in a report filed under this section a detailed point by point accounting of the mileage between stops and the purpose for each stop.

Amendment No. 1 was adopted.

**CSHB 2097**, as amended, was passed to engrossment.

**HB 2071 ON SECOND READING**  
(by Oliveira)

**HB 2071**, A bill to be entitled An Act relating to the reporting of certain inventories for ad valorem tax purposes; providing penalties.

**HB 2071** was passed to engrossment.

**HB 2502 ON SECOND READING**  
(by Hartnett)

**HB 2502**, A bill to be entitled An Act relating to the adoption of a nonsubstantive revision of provisions of the Texas Probate Code relating to decedents' estates and the redesignation of certain other provisions of the Texas Probate Code, including conforming amendments and repeals.

**Amendment No. 1**

Representative Hartnett offered the following amendment to **HB 2502**:

Amend **HB 2502** (introduced version) as follows:

(1) On page 1, line 7, strike "AND GUARDIANSHIPS".

(2) On page 1, lines 7-8, strike "and Guardianships".

(3) On page 1, line 9, strike "AND GUARDIANSHIPS".

(4) On page 8, lines 2-3, strike "and Guardianships".

- (5) On page 8, lines 5-6, strike "and Guardianships".
- (6) On page 8, line 11, strike "and Guardianships".
- (7) On page 506, line 20, strike "and Guardianships".
- (8) On page 506, line 22, strike "and Guardianships".
- (9) On page 506, line 25, strike "and Guardianships".
- (10) On page 506, line 27, strike "and Guardianships".
- (11) On page 507, lines 2-3, strike "and Guardianships".
- (12) On page 507, line 5, strike "and Guardianships".
- (13) On page 507, line 7, strike "and Guardianships".
- (14) On page 507, line 10, strike "and Guardianships".
- (15) On page 507, line 13, strike "and Guardianships".
- (16) On page 509, lines 5-6, strike "and Guardianships".
- (17) On page 509, lines 17-18, strike "and Guardianships".
- (18) On page 510, lines 1-2, strike "and Guardianships".
- (19) On page 510, line 20, strike "AND GUARDIANSHIPS".

Amendment No. 1 was adopted.

**HB 2502**, as amended, was passed to engrossment.

### **HB 2502 - RULES SUSPENDED**

Representative Hartnett moved to suspend Rule 2, Section 1(a)(9) of the House Rules to permit **HB 2502** to be sent to the senate in the form of engrossed riders in lieu of a full engrossment.

The motion prevailed.

### **HB 2619 ON SECOND READING** **(by Frost)**

**HB 2619**, A bill to be entitled An Act relating to the nonsubstantive revision of certain local laws concerning special districts, including conforming amendments.

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

Representative Swinford offered the following committee amendment to **HB 2619**:

Amend **HB 2619** as follows:

(1) On page 759, line 24, strike "8848, and 8849" and substitute "and 8848".

(2) Strike page 893, line 7, through page 899, line 26.

(3) Strike page 938, line 2, through page 940, line 7, and substitute the following:

SECTION 2.05. Section 1(a), Chapter 1331, Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

(a) The following groundwater conservation districts are created:

- (1) Cow Creek Groundwater Conservation District;
- (2) Brazos Valley Groundwater Conservation District;
- (3) Crossroads Groundwater Conservation District;
- (4) Hays Trinity Groundwater Conservation District;

- (5) ~~[Lone Wolf Groundwater Conservation District;~~  
~~[(6)]~~ Lost Pines Groundwater Conservation District;  
 (6) ~~[(7)]~~ McMullen Groundwater Conservation District;  
 (7) ~~[(8)]~~ Middle Pecos Groundwater Conservation District;  
 (8) ~~[(9)]~~ Red Sands Groundwater Conservation District;  
 (9) ~~[(10)]~~ Refugio Groundwater Conservation District;  
 (10) ~~[(11)]~~ Southeast Trinity Groundwater Conservation District; and  
 (11) ~~[(12)]~~ Texana Groundwater Conservation District.

SECTION 2.06. Section 2(a), Chapter 1331, Acts of the 76th Legislature, Regular Session, 1999, is amended to read as follows:

(a) The boundaries of the following groundwater conservation districts are coextensive with county boundaries as follows:

(1) the boundaries of the Cow Creek Groundwater Conservation District are coextensive with the boundaries of Kendall County;

(2) the boundaries of the Brazos Valley Groundwater Conservation District are coextensive with the boundaries of Robertson and Brazos Counties;

(3) the boundaries of the Crossroads Groundwater Conservation District are coextensive with the boundaries of Victoria County;

(4) ~~the boundaries of the Lone Wolf Groundwater Conservation District are coextensive with the boundaries of Mitchell County;~~

~~[(5)]~~ the boundaries of the Lost Pines Groundwater Conservation District are coextensive with the boundaries of Bastrop and Lee Counties, but if the voters of only one county confirm the creation of the district under Section 10 of this Act, the boundaries of the district are coextensive with the boundaries of that county;

(5) ~~[(6)]~~ the boundaries of the McMullen Groundwater Conservation District are coextensive with the boundaries of McMullen County;

(6) ~~[(7)]~~ the boundaries of the Middle Pecos Groundwater Conservation District are coextensive with the boundaries of Pecos County;

(7) ~~[(8)]~~ the boundaries of the Refugio Groundwater Conservation District are coextensive with the boundaries of Refugio County; and

(8) ~~[(9)]~~ the boundaries of the Texana Groundwater Conservation District are coextensive with the boundaries of Jackson County.

(4) On page 948, line 20, after the semicolon, add "and".

(5) On page 948, line 22, strike the semicolon and substitute a period.

(6) On page 948, strike lines 23-26.

Amendment No. 1 was adopted.

**HB 2619**, as amended, was passed to engrossment.

### **HB 2619 - RULES SUSPENDED**

Representative Frost moved to suspend Rule 2, Section 1(a)(9) of the House Rules to permit **HB 2619** to be sent to the senate in the form of engrossed riders in lieu of a full engrossment.

The motion prevailed.

**HB 3545 ON SECOND READING**  
**(by Leibowitz)**

**HB 3545**, 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, to conforming codifications enacted by the 80th Legislature to other Acts of that legislature, and to the repeal of certain unconstitutional laws.

Representative Leibowitz moved to postpone consideration of **HB 3545** until 10 a.m. Tuesday, April 28.

The motion prevailed.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Rose requested permission for the Committee on Human Services to meet while the house is in session, at 12 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Human Services, 12 p.m. today, 3W.9, for a formal meeting, to consider pending bills.

**CSHB 2219 ON SECOND READING**  
**(by Phillips)**

**CSHB 2219**, A bill to be entitled An Act relating to the public transportation advisory committee.

**Amendment No. 1**

Representative Phillips offered the following amendment to **CSHB 2219**:

Amend **CSHB 2219** (house committee printing) as follows:

- (1) On page 1, line 16, strike "and" and substitute "~~and~~".
- (2) On page 1, line 18, between "commission" and the period, insert:  
"; and  
(5) reflect the diversity of the state".

Amendment No. 1 was adopted.

**CSHB 2219**, as amended, was passed to engrossment.

**HB 2987 ON SECOND READING**  
**(by Phillips)**

**HB 2987**, A bill to be entitled An Act relating to a nonsubstantive revision of statutes relating to railroads; including conforming amendments.

Representative Phillips moved to postpone consideration of **HB 2987** until 10 a.m. Tuesday, April 28.

The motion prevailed.

**HB 2168 ON SECOND READING**  
**(by Chavez, Frost, Vo, and Miklos)**

**HB 2168**, A bill to be entitled An Act relating to the powers of a sheriff's department civil service commission in certain counties regarding an appeal of a disciplinary action.

**HB 2168** was passed to engrossment.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Keffer requested permission for the Committee on Energy Resources to meet while the house is in session, at 1 p.m. today, in 3W.9, for a formal meeting, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Energy Resources, 1 p.m. today, 3W.9, for a formal meeting, to consider pending business.

**HB 2187 ON SECOND READING**  
**(by Moody, Leibowitz, et al.)**

**HB 2187**, A bill to be entitled An Act relating to the prosecution and punishment of offenses involving coercing, inducing, or soliciting membership in a criminal street gang.

**HB 2187** was passed to engrossment.

**CSHB 2139 ON SECOND READING**  
**(by McClendon, Alonzo, Gutierrez, Farias, et al.)**

**CSHB 2139**, A bill to be entitled An Act relating to the establishment, operation, and funding of pretrial victim-offender mediation programs.

**Amendment No. 1**

Representative Farias offered the following amendment to **CSHB 2139**:

Amend **CSHB 2139** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Title 3, Family Code, is amended by adding Chapter 62 to read as follows:

CHAPTER 62. JUVENILE VICTIM-OFFENDER MEDIATION PILOT  
PROGRAM

Sec. 62.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Juvenile Probation Commission.

(2) "Department" means the Bexar County Juvenile Probation Department.

(3) "Program" means the juvenile victim-offender mediation pilot program created under this chapter.



Sec. 62.002. ESTABLISHMENT AND IMPLEMENTATION OF PILOT PROGRAM. (a) The commission shall establish a juvenile victim-offender mediation pilot program for children in Bexar County using funds appropriated for that purpose.

(b) In implementing the program, the commission shall require the department to:

(1) establish a resource network on the subject of victim-offender mediation that includes representatives from the department, the local dispute resolution center, the juvenile courts, the district attorney's office, and the local juvenile defense bar association;

(2) develop the program consistent with best practices identified by the commission; and

(3) identify outcome measures that may be used to measure the effectiveness of the program.

Sec. 62.003. REPORT. Not later than December 1, 2010, the department shall submit a report to the commission regarding the program. The report must include:

(1) a comprehensive analysis of the effectiveness of the program; and

(2) the department's findings and recommendations regarding continuation or expansion of the program.

Sec. 62.004. PROGRAM FUNDING. Subject to Section 62.005, the commission shall provide sufficient funds to the department for the program and report, if funds are appropriated for purposes of this chapter.

Sec. 62.005. IMPLEMENTATION CONTINGENT ON FEDERAL FUNDING. The commission is required to implement this chapter only if the commission receives, for the purpose of implementing this chapter, federal supplemental appropriations under the American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) or any other similar federal legislation that is enacted on or after January 1, 2009.

Sec. 62.006. EXPIRATION. This chapter expires September 2, 2011.

Amendment No. 1 was adopted.

**CSHB 2139**, as amended, was passed to engrossment.

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Truitt requested permission for the Committee on Pensions, Investments, and Financial Services to meet while the house is in session, at 12:15 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Pensions, Investments, and Financial Services, 12:15 p.m. today, 3W.9, for a formal meeting, to consider pending business.

**HB 2100 ON SECOND READING**  
**(by Martinez Fischer and Gonzalez Tourelles)**

**HB 2100**, A bill to be entitled An Act relating to procedures for certain persons charged with certain new offenses or an administrative violation of a condition of release from the Texas Department of Criminal Justice on parole or to mandatory supervision.

**HB 2100** was passed to engrossment. (Phillips recorded voting no.)

(Martinez Fischer in the chair)

**CSHB 2039 ON SECOND READING**  
**(by Truitt)**

**CSHB 2039**, A bill to be entitled An Act relating to the transfer of certain state property from the Department of Aging and Disability Services to certain community mental health and mental retardation centers.

**CSHB 2039** was passed to engrossment.

**HB 1949 ON SECOND READING**  
**(by Rios Ybarra)**

**HB 1949**, A bill to be entitled An Act relating to the issuance and execution of agriculture warrants; creating an offense.

Representative Eiland moved to postpone consideration of **HB 1949** until 10 a.m. Monday, April 27.

The motion prevailed.

**CSHB 1861 ON SECOND READING**  
**(by Eiland, Gonzales, and Flores)**

**CSHB 1861**, A bill to be entitled An Act relating to the operation and administration of the judiciary in the event of a disaster.

**CSHB 1861** was passed to engrossment.

**CSHB 1924 ON SECOND READING**  
**(by Heflin)**

**CSHB 1924**, A bill to be entitled An Act relating to the performance of pharmacy services in certain rural areas.

**CSHB 1924** was passed to engrossment.

**CSHB 1793 ON SECOND READING**  
**(by Farrar, Gallego, and Marquez)**

**CSHB 1793**, A bill to be entitled An Act relating to judicial instruction for judges who hear complaints against children alleging violations of certain misdemeanor offenses.

**Amendment No. 1**

Representative Farrar offered the following amendment to **CSHB 1793**:

Amend **CSHB 1793** as follows:

1. On page 1, line 14 strike "annually"
2. On page 1, line 16 add "every judicial academic year that ends in a 0 or a 5" between the word "Act" and "(20 U.S.C. Section 1400 et seq.)"
3. On page 1, line 20 strike "annually"
4. On page 1, line 20 add "every judicial academic year that ends in a 0 or a 5" between "training" and "as"
5. On page 2, line 4 strike "December 1, 2009" and replace with "March 10, 2010"
6. On page 2, line 11 strike "January 1, 2010" and replace with "September 1, 2010"

Amendment No. 1 was adopted.

**CSHB 1793**, as amended, was passed to engrossment. (Phillips recorded voting no.)

### **CSHB 1711 ON SECOND READING**

**(by S. Turner, Guillen, Martinez, Veasey, and Marquez)**

**CSHB 1711**, A bill to be entitled An Act relating to requiring the Texas Department of Criminal Justice to establish a comprehensive reentry and reintegration plan for offenders released or discharged from a correctional facility.

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

Representative S. Turner offered the following amendment to **CSHB 1711**:

Amend **CSHB 1711** (house committee printing) as follows:

(1) On page 4 of the bill, between lines 15 and 16, insert the following:

Sec. 501.098. REENTRY TASK FORCE. (a) The department by rule shall enter into a memorandum of understanding with the following entities to establish a reentry task force in the office of the governor:

(1) the Texas Youth Commission;

(2) the Texas Workforce Commission;

(3) the Department of Public Safety;

(4) the Texas Department of Housing and Community Affairs;

(5) the Texas Correctional Office on Offenders with Medical or Mental

Impairments;

(6) the Health and Human Services Commission;

(7) the Texas Judicial Council; and

(8) an organization selected by the department that advocates for or provides reentry or reintegration services to offenders following their release or discharge from a correctional facility.

(b) The reentry task force established under Subsection (a) may:

(1) identify gaps in services for offenders following their release or discharge to rural or urban communities in the areas of employment, housing, substance abuse treatment, medical care, and any other areas in which the offenders need special services; and

(2) coordinate with providers of existing local reentry and reintegration programs, including programs operated by a municipality or county, to make recommendations regarding the provision of comprehensive services to offenders following their release or discharge to rural or urban communities.

(2) On page 4, line 16, strike "501.098" and substitute "501.099".

(3) On page 5, line 4, strike "501.099" and substitute "501.100".

(4) On page 5, line 8, strike "501.098" and substitute "501.099".

(5) On page 5, line 16, between "(a)" and "Not later than", insert the following:

As soon as practicable after the effective date of this Act, the Texas Department of Criminal Justice shall enter into a memorandum of understanding as required by Section 501.098, Government Code, as added by this Act.

(b)

(6) On page 5, line 18, strike "501.098" and substitute "501.099".

(7) On page 5, line 20, strike "(b)" and substitute "(c)".

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative S. Turner offered the following amendment to **CSHB 1711**:

Amend **CSHB 1711** (house committee printing) on page 3, lines 15 and 16, by striking "(29 U.S.C. Section 1181 et seq.)" and substituting "(Pub. L. No. 104-191)".

Amendment No. 2 was adopted.

**CSHB 1711**, as amended, was passed to engrossment. (Cook, Flynn, Laubenberg, and Phillips recorded voting no.)

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative McClendon requested permission for the Committee on Rules and Resolutions to meet while the house is in session, at 12:30 p.m. today, in 1W.14, for a formal meeting, to consider the calendar.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Rules and Resolutions, 12:30 p.m. today, 1W.14, for a formal meeting, to consider the calendar.

### **PROVIDING FOR A CONGRATULATORY AND MEMORIAL CALENDAR**

Representative McClendon moved to set a congratulatory and memorial calendar for 10 a.m. Monday, April 27.

The motion prevailed.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Kolkhorst requested permission for the Committee on Public Health to meet while the house is in session, at 1 p.m. today, in 3W.15, for a formal meeting, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Public Health, 1 p.m. today, 3W.15, for a formal meeting.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Hunter requested permission for the Committee on Judiciary and Civil Jurisprudence to meet while the house is in session, at 1:30 p.m. today, in 3W.15, for a formal meeting, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Judiciary and Civil Jurisprudence, 1:30 p.m. today, 3W.15, for a formal meeting, to consider pending business.

**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).

**CSHB 1728 ON SECOND READING  
(by Madden)**

**CSHB 1728**, A bill to be entitled An Act relating to the authority of the inspector general of the Texas Department of Criminal Justice to issue administrative subpoenas for certain communication records.

**Amendment No. 1**

Representative Madden offered the following amendment to **CSHB 1728**:

Amend **CSHB 1728** (house committee printing) as follows:

(1) On page 1, lines 11 and 16, strike "service" and substitute "service provider".

(2) On page 1, lines 11 and 14, strike "service's" and substitute "service provider's".

(3) Strike the text on page 1, line 21, through page 2, line 3, and substitute the following:

(1) "Communications common carrier" means a person that:

(A) for a fee, provides directly to the public or to certain members of the public the ability to transmit between or among points specified by the person who uses that ability, regardless of the technology used, information of the person's choosing without change in the form or content of the information transmitted; or

(B) a provider that bills customers for services described by Paragraph (A).

(2) "Electronic communications service provider" means a service provider that provides to users of the service the ability to send or receive wire or electronic communications, as those terms are defined by Article 18.20, Code of Criminal Procedure.

Amendment No. 1 was adopted.

**CSHB 1728**, as amended, was passed to engrossment.

**CSHB 1814 ON SECOND READING**  
**(by Vo, Callegari, et al.)**

**CSHB 1814**, A bill to be entitled An Act relating to the ballot language for junior college district annexation elections.

**CSHB 1814** was passed to engrossment.

**CSHB 1707 ON SECOND READING**  
**(by Geren)**

**CSHB 1707**, A bill to be entitled An Act relating to the required disclosure under the public information law of information pertaining to an employee or trustee of a public employee pension system.

Representative Geren moved to postpone consideration of **CSHB 1707** until 10 a.m. Tuesday, April 28.

The motion prevailed.

**CSHB 1693 ON SECOND READING**  
**(by Hochberg)**

**CSHB 1693**, A bill to be entitled An Act relating to adoption of standards for school district financial accounting and attendance reporting software.

**Amendment No. 1**

Representative Hochberg offered the following amendment to **CSHB 1693**:

Amend **CSHB 1693** on page 1, lines 7 and 8, by striking "commissioner, in consultation with the Department of Information Resources" and substituting "Department of Information Resources, in cooperation with the commissioner".

Amendment No. 1 was adopted.

**CSHB 1693**, as amended, was passed to engrossment.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Cook requested permission for the Committee on Environmental Regulation to meet while the house is in session, at 12:30 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Environmental Regulation, 12:30 p.m. today, 3W.15, for a formal meeting, to consider pending business.

**CSHB 1678 ON SECOND READING**

**(by Hilderbran, Gallego, T. King, D. Miller, Rose, et al.)**

**CSHB 1678**, A bill to be entitled An Act relating to the Hill Country local mental health authority crisis stabilization unit.

Representative McCall moved to postpone consideration of **CSHB 1678** until 10 a.m. Thursday, April 30.

The motion prevailed.

**CSHB 1633 ON SECOND READING**

**(by Walle, Martinez Fischer, Moody, Ortiz, Leibowitz, et al.)**

**CSHB 1633**, A bill to be entitled An Act relating to the prosecution and punishment of the offense of graffiti and to certain conditions imposed on defendants convicted of that offense or on juveniles adjudicated as having engaged in conduct in violation of that offense.

**Amendment No. 1**

Representative Walle offered the following amendment to **CSHB 1633**:

Amend **CSHB 1633** (house committee printing) on page 5, line 25, between "section" and the underlined semicolon, by inserting "committed when the person was older than 17 years of age".

Amendment No. 1 was adopted.

**CSHB 1633**, as amended, was passed to engrossment.

**CSHB 1365 ON SECOND READING**

**(by Eissler)**

**CSHB 1365**, A bill to be entitled An Act relating to service records of professional staff employed by school districts and payment of compensation based on those records.

**CSHB 1365** was passed to engrossment.

**CSHB 1322 ON SECOND READING**

**(by Hochberg)**

**CSHB 1322**, A bill to be entitled An Act relating to the establishment of an online resource for teachers of students with special health needs.

**Amendment No. 1**

Representative Lucio offered the following amendment to **CSHB 1322**:

Amend **CSHB 1322** as follows:

(1) On page 1, line 12, between "about" and "the", insert the following:

":  
-

(1)".

(2) On page 1, line 14, between "school" and the period, insert the following:

"; and

(2) food allergies that are common among students, including information about preventing exposure to a specific food when necessary to protect a student's health and information about treating a student suffering from an allergic reaction to a food".

Amendment No. 1 was adopted.

**CSHB 1322**, as amended, was passed to engrossment.

**HB 1013 ON SECOND READING**  
**(by Corte and Leibowitz)**

**HB 1013**, A bill to be entitled An Act relating to the authority of a county to regulate the installation and use of lighting in certain areas.

**HB 1013** was passed to engrossment.

**HB 888 ON SECOND READING**  
**(by Naishtat)**

**HB 888**, A bill to be entitled An Act relating to the detention and examination of certain persons accepted for a preliminary mental health examination.

**HB 888** was passed to engrossment.

**CSHB 704 ON SECOND READING**  
**(by Rose)**

**CSHB 704**, A bill to be entitled An Act relating to the jurisdiction of a court over a child in the managing conservatorship of the state after the child's 18th birthday.

**CSHB 704** was passed to engrossment.

**HB 774 ON SECOND READING**  
**(by T. Smith)**

**HB 774**, A bill to be entitled An Act relating to procedures for the adoption of a municipal zoning regulation or zoning district boundary.

Representative Menendez moved to postpone consideration of **HB 774** until 10 a.m. Monday, April 27.

The motion prevailed.

**CSHB 673 ON SECOND READING**  
**(by Solomons)**

**CSHB 673**, A bill to be entitled An Act relating to certain services provided by the office of injured employee counsel under the workers' compensation program of this state.

**CSHB 673** was passed to engrossment.



**CSHB 533 ON SECOND READING****(by Anchia, Hughes, Lucio, Alvarado, and Weber)**

**CSHB 533**, A bill to be entitled An Act relating to civil liability for the trafficking of persons.

**CSHB 533** was passed to engrossment.

**CSHB 449 ON SECOND READING****(by Jackson, Truitt, Chisum, Sheffield, and Zerwas)**

**CSHB 449**, A bill to be entitled An Act relating to the regulation of laser hair removal facilities; providing penalties.

**CSHB 449** was passed to engrossment.

**HB 409 ON SECOND READING****(by Isett and Heflin)**

**HB 409**, A bill to be entitled An Act relating to an award of additional periods of possession of or access to a child for certain conservators who have returned from active military deployment.

**HB 409** was passed to engrossment.

(Speaker in the chair)

**CSHB 492 ON SECOND READING****(by Zerwas and Kolkhorst)**

**CSHB 492**, A bill to be entitled An Act relating to the expansion of faith- and community-based health and human services and social services initiatives.

**CSHB 492** was passed to engrossment. (Flynn recorded voting no.)

**CSHB 217 ON SECOND READING****(by Menendez and Lucio)**

**CSHB 217**, A bill to be entitled An Act relating to prohibiting the use of unsafe children's products in certain nonresidential child-care facilities.

Representative Menendez moved to postpone consideration of **CSHB 217** until 2 p.m. Monday, May 4.

The motion prevailed.

**CSHB 406 ON SECOND READING****(by Rodriguez)**

**CSHB 406**, A bill to be entitled An Act relating to claims for excess proceeds of a tax sale of real property.

**Amendment No. 1**

Representative Rodriguez offered the following amendment to **CSHB 406**:

Amend **CSHB 406** (House Committee Printing) by adding the following appropriately numbered SECTION of the bill to read as follows and renumbering subsequent SECTIONS of the bill accordingly:

Sec. 34.021. DISTRIBUTION OF EXCESS PROCEEDS IN OTHER TAX FORECLOSURE PROCEEDINGS. A person conducting a sale for the foreclosure of a tax lien under Rule 736 of the Texas Rules of Civil Procedure shall, within ten days of the sale, pay any excess proceeds after payment of all amounts due all participants in the sale to the clerk of the court that issued the order authorizing the sale.

The excess proceeds from such a sale shall be handled according to Sections 34.03 and 34.04 of the Tax Code.

Amendment No. 1 was adopted.

**CSHB 406**, as amended, was passed to engrossment.

**CSHB 392 ON SECOND READING**

**(by Bohac, Castro, and Leibowitz)**

**CSHB 392**, A bill to be entitled An Act relating to the availability and use of automated external defibrillators in nursing homes and related institutions.

**Amendment No. 1**

Representative Vo offered the following amendment to **CSHB 392**:

Amend **CSHB 392** on page 1, between lines 15 and 16, by inserting the following:

(c) Each institution shall at all times have at least one employee present at the institution who is trained in the proper use of an automated external defibrillator.

Amendment No. 1 was adopted.

**CSHB 392**, as amended, was passed to engrossment.

**CSHB 63 ON SECOND READING**

**(by Aycock, Sheffield, Leibowitz, Gonzalez Toureilles, et al.)**

**CSHB 63**, A bill to be entitled An Act relating to possession of or access to a child by a parent who is deployed by the military.

**CSHB 63** was passed to engrossment.

**CSHB 669 ON SECOND READING**

**(by Solomons, et al.)**

**CSHB 669**, A bill to be entitled An Act relating to liability arising out of the filing of a mechanic's, contractor's, or materialman's lien.

**Amendment No. 1**

Representative Solomons offered the following amendment to **CSHB 669**:

Amend **CSHB 669** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 12.002, Civil Practice and Remedies Code, is amended by adding Subsection (c) to read as follows:

(c) A person claiming a lien under Chapter 53, Property Code, is not liable under this section for the making, presentation, or use of a document or other record in connection with the assertion of the claim unless the person acts with intent to defraud.

SECTION 2. The change in law made by this Act applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrues before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2009.

Amendment No. 1 was adopted.

CSHB 669, as amended, was passed to engrossment.

### **HB 530 ON SECOND READING**

**(by Anchia, Lucio, Alvarado, Weber, and Menendez)**

HB 530, A bill to be entitled An Act relating to law enforcement training relating to the trafficking of persons.

HB 530 was passed to engrossment.

### **HB 549 ON SECOND READING**

**(by Raymond)**

HB 549, A bill to be entitled An Act relating to an affirmative defense to prosecution for certain sex offenses.

HB 549 was passed to engrossment.

### **CSHB 655 ON SECOND READING**

**(by Solomons)**

CSHB 655, A bill to be entitled An Act relating to payment to a trustee or substitute trustee after public sale of foreclosed property.

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

Representative Solomons offered the following amendment to CSHB 655:

Amend CSHB 655, beginning on line nine by striking ", on the purchaser's request, within a reasonable period after acceptance of the bid agreed to by the trustee or substitute trustee and the purchaser" and replace with "within such reasonable time as may be agreed upon by the purchaser and the trustee or substitute trustee if the purchaser makes such request for additional time to deliver the purchase price"

Amendment No. 1 was adopted.

CSHB 655, as amended, was passed to engrossment.

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Eissler requested permission for the Committee on Public Education to meet while the house is in session, at 1:30 p.m. today, in 3W.9, for a formal meeting, to consider pending business.

Permission to meet was granted.

## COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Education, 1:30 p.m. today, 3W.9, for a formal meeting, to consider pending business.

### COMMITTEE GRANTED PERMISSION TO MEET

Representative Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, during bill referral today, in 2W.6, for a formal meeting, to consider the calendar.

Permission to meet was granted.

### HB 28 ON SECOND READING

(by Leibowitz)

**HB 28**, A bill to be entitled An Act relating to requiring notice by a seller of real property of potential annexation of the property by a municipality.

#### Amendment No. 1

Representative Leibowitz offered the following amendment to **HB 28**:

Amend **HB 28** (house committee printing) as follows:

(1) On page 1, line 9, strike "Section 5.0111" and substitute "Section 5.008 or 5.0111, as applicable".

(2) On page 1, line 16, between "seller of property" and "shall give", insert "that is new construction described by Section 5.008(e)(10)".

(3) On page 2, line 2, between "seller of" and "property", insert "certain types of".

(4) On page 2, line 24, strike "before the date the executory contract binds" and substitute "on or before the effective date of an executory contract binding".

(5) On page 3, strike lines 1 through 22 and substitute the following:

(c) This section does not apply to a transfer described by Section 5.008(e), other than a transfer described by Section 5.008(e)(10).

(6) Insert the following appropriately numbered SECTION and renumber existing SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 5.008(b), Property Code, as amended by Chapters 448 (**HB 271**), 1051 (**HB 2118**), and 1256 (**HB 2819**), Acts of the 80th Legislature, Regular Session, 2007, is reenacted and amended to read as follows:

(b) The notice must be executed and must, at a minimum, read substantially similar to the following:

SELLER'S DISCLOSURE NOTICE  
CONCERNING THE PROPERTY AT \_\_\_\_\_

(Street Address and City)

THIS NOTICE IS A DISCLOSURE OF SELLER'S  
KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF  
THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE

FOR ANY INSPECTIONS OR WARRANTIES THE PURCHASER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller \_\_ is \_\_ is not occupying the Property.

If unoccupied, how long since Seller has occupied the Property?

1. The Property has the items checked below:

Write Yes (Y), No (N), or Unknown (U).

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Range                                | <input type="checkbox"/> Oven                              | <input type="checkbox"/> Microwave                     |
| <input type="checkbox"/> Dishwasher                           | <input type="checkbox"/> Trash Compactor                   | <input type="checkbox"/> Disposal                      |
| <input type="checkbox"/> Washer/Dryer                         | <input type="checkbox"/> Window                            | <input type="checkbox"/> Rain Gutters                  |
| <input type="checkbox"/> Hookups                              | <input type="checkbox"/> Screens                           |  |
| <input type="checkbox"/> Security System                      | <input type="checkbox"/> Fire Detection Equipment          | <input type="checkbox"/> Intercom System               |
|   | <input type="checkbox"/> Smoke Detector                    |  |
|   | <input type="checkbox"/> Smoke Detector - Hearing Impaired |  |
|   | <input type="checkbox"/> Carbon Monoxide Alarm             |  |
|   | <input type="checkbox"/> Emergency Escape Ladder(s)        |  |
| <input type="checkbox"/> TV Antenna                           | <input type="checkbox"/> Cable TV Wiring                   | <input type="checkbox"/> Satellite Dish                |
| <input type="checkbox"/> Ceiling Fan(s)                       | <input type="checkbox"/> Attic Fan(s)                      | <input type="checkbox"/> Exhaust Fan(s)                |
| <input type="checkbox"/> Central A/C                          | <input type="checkbox"/> Central Heating                   | <input type="checkbox"/> Wall/Window Air Conditioning  |
| <input type="checkbox"/> Plumbing System                      | <input type="checkbox"/> Septic System                     | <input type="checkbox"/> Public Sewer System           |
| <input type="checkbox"/> Patio/Decking                        | <input type="checkbox"/> Outdoor Grill                     | <input type="checkbox"/> Fences                        |
| <input type="checkbox"/> Pool                                 | <input type="checkbox"/> Sauna                             | <input type="checkbox"/> Spa                           |
| <input type="checkbox"/> Pool Equipment                       | <input type="checkbox"/> Pool Heater                       | <input type="checkbox"/> Hot Tub                       |
|   | <input type="checkbox"/> Sprinkler System                  | <input type="checkbox"/> Automatic Lawn                |
| <input type="checkbox"/> Fireplace(s) & Chimney (Woodburning) |  | <input type="checkbox"/> Fireplace(s) & Chimney (Mock) |
| <input type="checkbox"/> Gas Lines (Nat./LP)                  |  | <input type="checkbox"/> Gas Fixtures                  |
| Garage: <input type="checkbox"/> Attached                     | <input type="checkbox"/> Not Attached                      | <input type="checkbox"/> Carport                       |
| Garage Door Opener(s):  | <input type="checkbox"/> Electronic                        | <input type="checkbox"/> Control(s)                    |
| Water Heater:   | <input type="checkbox"/> Gas                               | <input type="checkbox"/> Electric                      |
| Water Supply: <input type="checkbox"/> City                   | <input type="checkbox"/> Well <input type="checkbox"/> MUD | <input type="checkbox"/> Co-op                         |
| Roof Type: _____  |  | Age: _____ (approx)                                    |

Are you (Seller) aware of any of the above items that are not in working condition, that have known defects, or that are in need of repair?  Yes  No  Unknown.

If yes, then describe. (Attach additional sheets if necessary):

\_\_\_\_\_

\_\_\_\_\_

2. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766, Health and Safety Code?  Yes  No  Unknown.

If the answer to the question above is no or unknown, explain. (Attach additional sheets if necessary): \_\_\_\_\_

\_\_\_\_\_

3. Are you (Seller) aware of any known defects/malfunctions in any of the following?

Write Yes (Y) if you are aware, write No (N) if you are not aware.

<input type="checkbox"/> Interior Walls	<input type="checkbox"/> Ceilings	<input type="checkbox"/> Floors
<input type="checkbox"/> Exterior Walls	<input type="checkbox"/> Doors	<input type="checkbox"/> Windows
<input type="checkbox"/> Roof	<input type="checkbox"/> Foundation/ Slab(s)	<input type="checkbox"/> Basement
<input type="checkbox"/> Walls/Fences	<input type="checkbox"/> Driveways	<input type="checkbox"/> Sidewalks
<input type="checkbox"/> Plumbing/Sewers/ Septics	<input type="checkbox"/> Electrical Systems	<input type="checkbox"/> Lighting Fixtures
<input type="checkbox"/> Other Structural Components (Describe): _____		

\_\_\_\_\_

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): \_\_\_\_\_

\_\_\_\_\_

4. Are you (Seller) aware of any of the following conditions?

Write Yes (Y) if you are aware, write No (N) if you are not aware.

<input type="checkbox"/> Active Termites (includes wood-destroying insects)	<input type="checkbox"/> Previous Structural or Roof Repair
<input type="checkbox"/> Termite or Wood Rot Damage Needing Repair	<input type="checkbox"/> Hazardous or Toxic Waste
<input type="checkbox"/> Previous Termite Damage	<input type="checkbox"/> Asbestos Components
<input type="checkbox"/> Previous Termite Treatment	<input type="checkbox"/> Urea formaldehyde Insulation
<input type="checkbox"/> Previous Flooding	<input type="checkbox"/> Radon Gas
<input type="checkbox"/> Improper Drainage	<input type="checkbox"/> Lead Based Paint
<input type="checkbox"/> Water Penetration	<input type="checkbox"/> Aluminum Wiring
<input type="checkbox"/> Located in 100-Year Floodplain	<input type="checkbox"/> Previous Fires
<input type="checkbox"/> Present Flood Insurance	<input type="checkbox"/> Unplatted Easements

Coverage  
 Landfill, Settling, Soil  
 Movement, Fault Lines

Subsurface  
 Structure or Pits  
 Previous Use of  
 Premises for  
 Manufacture of  
 Methamphetamine

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): \_\_\_\_\_

5. Are you (Seller) aware of any item, equipment, or system in or on the property that is in need of repair?  Yes (if you are aware)  No (if you are not aware). If yes, explain (attach additional sheets as necessary). \_\_\_\_\_

6. Are you (Seller) aware of any of the following?

Write Yes (Y) if you aware, write No (N) if you are not aware.

- Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at that time.
- Homeowners' Association or maintenance fees or assessments.
- Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others.
- Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- Any lawsuits directly or indirectly affecting the Property.
- Any condition on the Property which materially affects the physical health or safety of an individual.

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): \_\_\_\_\_

7 [6]. If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.

8. The seller must check which of the following options apply:

The seller has received notice under Section 43.052, Local Government Code, from a municipality that the property is included in the municipality's annexation plan and may be subject to annexation by the municipality. A copy of the notice is attached.

The seller has not received notice under Section 43.052, Local Government Code, from a municipality that the property is included in the municipality's annexation plan.

The seller is not aware whether notice has been received under Section 43.052, Local Government Code, from a municipality that the property is included in the municipality's annexation plan.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Seller

The undersigned purchaser hereby acknowledges receipt of the foregoing notice and acknowledges the property complies with the smoke detector requirements of Chapter 766, Health and Safety Code, or, if the property does not comply with the smoke detector requirements of Chapter 766, the buyer waives the buyer's rights to have smoke detectors installed in compliance with Chapter 766.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Purchaser

Amendment No. 1 was adopted.

**HB 28**, as amended, was passed to engrossment.

### POSTPONED BUSINESS

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

#### **HB 2066 ON THIRD READING** **(by Gallego, Moody, Bolton, et al.)**

**HB 2066**, A bill to be entitled An Act relating to enhancing penalties for assaulting a family member by strangulation or suffocation.

**HB 2066** was read third time earlier today and was postponed until this time.

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

Representative Gallego offered the following amendment to **HB 2066**:

Amend **HB 2066** on third reading as follows:

(1) On page 2, line 2, strike "mouth;" and substitute "mouth in a manner that, if continued, would cause the person to lose consciousness;".

(2) On page 3, line 5, strike "mouth." and substitute "mouth in a manner that, if continued, would cause the person to lose consciousness.".

Amendment No. 1 was adopted.

(T. Smith now present)

**HB 2066**, as amended, was passed by (Record 286): 111 Yeas, 26 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Burnam; Button; Castro; Chavez; Christian; Cohen; Cook; Craddick; Creighton; Crownover; Darby; Davis, Y.; Driver; Dukes; Dunnam; Eiland; Eissler; England; Farabee; Farias; Farrar; Fletcher; Frost; Gallego; Gattis; Geren; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Homer; Hopson; Howard, D.; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Leibowitz; Lewis; Lucio; Madden;



Maldonado; Marquez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Villarreal; Vo; Walle; Weber.

Nays — Allen; Anderson; Brown, B.; Brown, F.; Callegari; Chisum; Coleman; Cortez; Crabb; Davis, J.; Deshotel; Dutton; Edwards; Elkins; Flynn; Giddings; Hamilton; Hodge; Howard, C.; Isett; Laubenberg; Legler; Miller, S.; Turner, S.; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Flores; Hughes; Martinez; Paxton; Vaught.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 286. I intended to vote present, not voting.

Anchia

I was shown voting no on Record No. 286. I intended to vote yes.

Callegari

I was shown voting no on Record No. 286. I intended to vote yes.

Deshotel

### REASONS FOR VOTE

I voted yes on **HB 2066** when it passed on second reading because domestic violence is devastating to Texas families. However, I voted no on third reading and final passage because of the possibility of wrongful imprisonment of those who are not guilty. The enhancement of the penalty from a Class A misdemeanor to a felony leaves too much discretion to prosecutors. This is especially true when we know that people of color are detrimentally affected more than any other group in the State of Texas. **HB 2066** has passed and will protect women in domestic violence situations, but we must make sure that it does not disproportionately affect people of color.

Coleman

Today is undoubtedly one of those days that Dr. King talked about when he said, and I paraphrase, it doesn't matter what you do when it is convenient, or what you do when it is comfortable. What is important is what you do when the decision is controversial and the decision is not easy. This is one of those moments for me.

I am a strong advocate for victims of domestic violence, and I believe the punishment of those who commit the acts of domestic violence must be swift and certain. That is why I have authored and passed a number of bills to punish

violators and protect and offer safety to victims of domestic violence. There is nothing in this bill that will add to the security and safety of victims. This bill does not create a new penalty; this bill enhances a penalty with the punishment increasing from up to one year to a penalty of up to 10 years. Prosecutors today can charge these violators with an array of felony charges up to attempted murder, and it seems to me that strangulation, choking, and suffocation is indeed attempted murder, or at least assault or one of a number of other felonies that could be used to prosecute these perpetrators. As the author of a number of bills to protect domestic violence victims, I believe this enhanced penalty should require an outcry, some evidence, some witness, or at least the inclusion of the strangulation, choking, or suffocation in the victim's original complaint.

Each of us today should cast the vote that we believe in our hearts furthers the cause of justice. Our vote today should not be about expediency, should not be about what is popular or what is safe, but I hope that our vote will be about justice.

We have just recently recognized on the house floor the family of Timothy Cole, a person who spent many years in prison based on a charge and conviction not supported by physical evidence or witnesses. After his death, Mr. Cole was exonerated. Earlier today, we recognized 15 people who had been exonerated, having been cleared by DNA after serving many years in jail. Their wrongful convictions were not about justice. This bill allows for more of those kinds of convictions, no evidence or even an outcry. This bill should require outcry, evidence, a witness, or an allegation of choking, suffocation, or strangulation in the original complaint.

Our justice system must have the necessary precautions to eliminate the probability of repeats of the kind we have seen here today, sending innocent people to jail. I cannot vote today for political expediency, for popularity, or to put forth a safe vote. I will vote for what I believe is the cause of justice. This bill without an amendment is an erosion of the justice system. This is not an easy vote. I hope this bill is amended in the senate and that I will be able to vote for it when it returns from the senate. For today, I must vote no.

Giddings

**HB 207 ON SECOND READING**  
**(by Jackson and Creighton)**

**HB 207**, A bill to be entitled An Act relating to enforcement of commercial motor vehicle safety standards in certain counties.

**HB 207** was read second time earlier today, an amendment was offered and disposed of, and **HB 207** was postponed until this time.

Representative Jackson moved to postpone consideration of **HB 207** until 2:30 p.m. today.

The motion prevailed.

**CSHB 51 ON SECOND READING****(by Branch, McCall, Coleman, McClendon, Madden, et al.)**

**CSHB 51**, A bill to be entitled An Act relating to funding and incentives to support emerging public research universities in developing and maintaining programs of the highest tier.

**CSHB 51** was read second time earlier today and was postponed until this time.

**Amendment No. 1**

Representative Branch offered the following amendment to **CSHB 51**:

Amend **CSHB 51** as follows:

(1) Strike page 1, lines 6 through 8, and substitute the following:

SECTION 1. The heading to Chapter 62, Education Code, is amended to read as follows:

~~CHAPTER 62. CONSTITUTIONAL AND STATUTORY [DIVISION OF CONSTITUTIONALLY APPROPRIATED] FUNDS TO SUPPORT [AMONG CERTAIN] INSTITUTIONS OF HIGHER EDUCATION[; RESEARCH DEVELOPMENT FUND]~~

SECTION 2. Chapter 62, Education Code, is amended by adding Subchapters C and D to read as follows:

SUBCHAPTER C. RESEARCH UNIVERSITY DEVELOPMENT FUND

(2) On page 1, line 9, strike "61.9771" and substitute "62.051".

(3) On page 1, line 13, strike "board" and substitute "coordinating board".

(4) On page 1, between lines 20 and 21, insert the following:

(3) "Institution of higher education" has the meaning assigned by Section 61.003.

(5) On page 1, line 21, strike "61.9772" and substitute "62.052".

(6) On page 2, line 1, strike "61.9773" and substitute "62.053".

(7) On page 2, line 2, strike "board" and substitute "comptroller".

(8) On page 2, lines 10, 12, and 13, strike "board" and substitute "coordinating board".

(9) On page 2, between lines 13 and 14, insert the following:

(c) The legislature may not appropriate money for purposes of this subchapter in a state fiscal year unless the legislature appropriates an equal amount of money for that fiscal year for the Texas Research Incentive Program under Subchapter D.

(10) On page 2, line 14, strike "61.9774" and substitute "62.054".

(11) On page 2, line 18, strike "61.9775" and substitute "62.055".

(12) On page 2, lines 18 and 20, strike "board" and substitute "coordinating board".

(13) On page 2, line 21, strike "Subchapter GG" and substitute "Subchapter D".

(14) On page 2, line 22, strike "61.9791" and substitute "62.071".

(15) On page 2, line 26, strike "board" and substitute "coordinating board".

(16) On page 3, between lines 6 and 7, insert the following:

(3) "Institution of higher education" has the meaning assigned by Section 61.003.

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

(18) On page 3, line 9, strike "61.9792" and substitute "62.072".

(19) On page 3, line 9, strike "The board" and substitute "(a) The coordinating board".

(20) On page 3, at the end of line 13, add "The comptroller shall deliver any payment of matching funds to which an eligible institution is entitled under the program."

(21) On page 3, between lines 13 and 14, insert the following:

(b) The legislature may not appropriate money for purposes of this subchapter in a state fiscal year unless the legislature appropriates an equal amount of money for that fiscal year for the Research University Development Fund under Subchapter C.

(22) On page 3, line 14, strike "61.9793" and substitute "62.073".

(23) On page 4, lines 14, 15, and 23, strike "board" and substitute "coordinating board".

(24) On page 4, lines 23 and 24, strike "provide" and substitute "authorize".

(25) On page 5, line 10, strike "61.9794" and substitute "62.074".

(26) On page 5, line 16, strike "61.9795" and substitute "62.075".

(27) On page 5, lines 16 and 18, strike "board" and substitute "coordinating board".

(28) Strike page 5, line 19, through page 9, line 20, and substitute the following:

SECTION 3. Chapter 62, Education Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. NATIONAL RESEARCH UNIVERSITY FUND

Sec. 62.121. PURPOSE. The purpose of this subchapter is to allocate appropriations from the national research university fund to provide a dedicated, independent, and equitable source of funding to enable emerging research universities in this state to achieve national prominence as major research universities.

Sec. 62.122. DEFINITIONS. In this subchapter:

(1) "Eligible institution" means a general academic teaching institution that is eligible to receive distributions of money under this subchapter.

(2) "Fund" means the national research university fund.

(3) "General academic teaching institution" has the meaning assigned by Section 61.003.

Sec. 62.123. ADMINISTRATION AND INVESTMENT OF FUND.

(a) The national research university fund is a fund outside the state treasury in the custody of the comptroller.

(b) The comptroller shall administer and invest the fund in accordance with Section 20, Article VII, Texas Constitution.

Sec. 62.124. FUNDING. (a) The fund consists of any amounts appropriated or transferred to the credit of the fund under the Texas Constitution or otherwise appropriated or transferred to the credit of the fund under this section or another law.

(b) The comptroller shall deposit to the credit of the fund all interest, dividends, and other income earned from investment of the fund.

(c) The comptroller may accept gifts or grants from any public or private source for the fund.

Sec. 62.125. ELIGIBILITY TO RECEIVE DISTRIBUTIONS FROM FUND. (a) A general academic teaching institution is eligible to receive a distribution of money under this subchapter for each year of a state fiscal biennium if:

(1) the institution is designated as an emerging research university under the coordinating board's accountability system;

(2) in each of the two state fiscal years preceding the state fiscal biennium, the institution expended at least \$45 million in restricted research funds; and

(3) the institution satisfies at least four of the following criteria:

(A) the aggregate value of the institution's endowment funds is at least \$400 million;

(B) the institution awarded at least 200 doctor of philosophy degrees during each of the two academic years preceding the state fiscal biennium;

(C) the entering freshman class of the institution for each of those two academic years demonstrated high academic achievement, as determined according to standards prescribed by the coordinating board by rule, giving consideration to the future educational needs of the state as articulated in the coordinating board's "Closing the Gaps" report;

(D) the institution is designated as a member of the Association of Research Libraries or has a Phi Beta Kappa chapter or has received an equivalent recognition of research capabilities and scholarly attainment as determined according to standards prescribed by the coordinating board by rule;

(E) the faculty of the institution for each of those two academic years was of high quality, as determined according to coordinating board standards based on the professional achievement and recognition of the institution's faculty, including the election of faculty members to national academies; and

(F) the institution has demonstrated a commitment to high quality graduate education, as determined according to standards prescribed by the coordinating board by rule, including the number of graduate-level programs at the institution, the institution's admission standards for graduate programs, and the level of institutional support for graduate students.

(b) A general academic teaching institution that becomes eligible to receive a distribution of money under this subchapter remains eligible to receive a distribution in each subsequent state fiscal year.

Sec. 62.126. ACCOUNTING STANDARDS; VERIFICATION OF INFORMATION. (a) The coordinating board, in consultation with the State Auditor's Office, by rule shall prescribe standard methods of accounting and standard methods of reporting information for the purpose of determining the eligibility of institutions under Section 62.125.

(b) As soon as practicable in each even-numbered year, based on information submitted by the institutions to the coordinating board as required by the coordinating board, the coordinating board shall certify to the comptroller the institutions that are determined to be initially eligible for distributions of money from the fund for the following state fiscal biennium.

(c) At the request of the coordinating board, the State Auditor's Office shall verify the information supporting the coordinating board's determination under Subsection (b).

Sec. 62.127. INELIGIBILITY OF INSTITUTIONS RECEIVING PERMANENT UNIVERSITY FUND SUPPORT AND MAINTENANCE. The University of Texas at Austin, Texas A&M University, and Prairie View A&M University are ineligible to receive money under this subchapter.

Sec. 62.128. ALLOCATION OF APPROPRIATED FUNDS TO ELIGIBLE INSTITUTIONS. In each state fiscal year, the comptroller shall distribute to eligible institutions the total amount appropriated from the fund for that fiscal year. The amount allocated to the eligible institutions shall be based on an equitable formula adopted by the legislature to carry out the purposes of the fund as established by Section 20, Article VII, Texas Constitution. In adopting the allocation formula, the legislature shall consider the recommendations of the coordinating board, including recommendations on the appropriate elements and relative weights of elements of the formula.

Sec. 62.129. USE OF ALLOCATED AMOUNTS. (a) An eligible institution may use money received under this subchapter only for the support and maintenance of educational and general activities that promote increased research capacity at the institution.

(b) For purposes of Subsection (a), permitted activities include the use of the money to:

- (1) provide faculty support and pay faculty salaries;
- (2) purchase equipment or library materials;
- (3) pay graduate stipends; and
- (4) support research performed at the institution, including undergraduate research.

(c) Money received in a fiscal year by an institution under this subchapter that is not used in that fiscal year by the institution may be held and used by the institution in subsequent fiscal years for the purposes prescribed by this section.

SECTION 4. Section 62.094, Education Code, is amended to read as follows:

Sec. 62.094. FUNDING. (a) The research development fund consists of the ~~[amount deposited to the credit of the fund under Section 62.025 in each state fiscal year, the amount appropriated or transferred to the credit of the fund by the legislature under Subsection (b), and any other]~~ amounts appropriated or transferred to the credit of the fund under this section or other law.

(b) ~~[In each state fiscal year, the legislature may appropriate or provide for the transfer to the credit of the research development fund of an amount not less than the amount deposited to the credit of the fund under Section 62.025 in that fiscal year.~~

~~(c)~~ The comptroller shall deposit all interest, dividends, and other income earned from investment of the research development fund to the credit of the fund.

~~(c)~~ ~~(d)~~ The comptroller may accept gifts or grants from any public or private source for the research development fund.

SECTION 5. Sections 62.025 and 62.026, Education Code, are repealed.

(29) On page 9, line 21, strike "SECTION 2" and substitute "SECTION 6".

(30) On page 9, lines 22 and 23, strike "Subchapters FF, GG, and HH, Chapter 61, Education Code" and substitute "Subchapters C, D, and F, Chapter 62, Education Code".

(31) On page 9, strike line 25 and substitute the following:

SECTION 7. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2009.

(b) Sections 3, 4, and 5 of this Act take effect January 1, 2010, but only if the constitutional amendment proposed by the 81st Legislature, Regular Session, 2009, establishing the national research university fund to enable emerging research universities in this state to achieve national prominence as major research universities and transferring the balance of the higher education fund to the national research university fund is approved by the voters. If that constitutional amendment is not approved by the voters, Sections 3, 4, and 5 of this Act do not take effect.

Amendment No. 1 was adopted.

## **Amendment No. 2**

On behalf of Representative Alonzo, Representative Branch offered the following amendment to **CSHB 51**:

Amend **CSHB 51** by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.0585 to read as follows:

Sec. 61.0585. BONDS TO SUPPORT DEVELOPMENT OF TIER ONE RESEARCH UNIVERSITIES. The board may direct the Texas Public Finance Authority to issue bonds in an amount necessary to provide funds appropriated by the legislature to develop and maintain public research universities in this state of the highest tier.

SECTION \_\_\_\_\_. Notwithstanding Section 3 of this Act, Section 61.0585, Education Code, as added by this Act, takes effect January 1, 2010, but only if the constitutional amendment proposed by the 81st Legislature, Regular Session, 2009, providing for the issuance of general obligation bonds to provide funding to develop and maintain research universities in this state of the highest tier is approved by the voters. If that amendment is not approved by the voters, Section 61.0585, Education Code, as added by this Act, has no effect.

Amendment No. 2 was withdrawn.

**CSHB 51**, as amended, was passed to engrossment.

### **COMMITTEE GRANTED PERMISSION TO MEET**

Representative Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 2:05 p.m. today, in 2W.6, to consider pending business.

Permission to meet was granted.

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Local and Consent Calendars, 2:05 p.m. today, 2W.6, for a formal meeting, to consider the calendar.

### **CONSTITUTIONAL RULE SUSPENDED**

Representative Dunnam moved to suspend the constitutional rule requiring bills to be read on three several days and to place **HB 1736, HB 2202, HB 2097, HB 2071, HB 2502, HB 2619, HB 2219, HB 2168, HB 2187, HB 2139, HB 2100, HB 2039, HB 1861, HB 1924, HB 1793, HB 1711, HB 1728, HB 1814, HB 1693, HB 1633, HB 1365, HB 1322, HB 1013, HB 888, HB 704, HB 673, HB 533, HB 449, HB 409, HB 492, HB 406, HB 392, HB 63, HB 669, HB 530, HB 549, HB 655, HB 28**, and **HB 51** on third reading and final passage.

The motion prevailed by (Record 287): 95 Yeas, 20 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Button; Callegari; Castro; Chavez; Cohen; Coleman; Cook; Craddick; Creighton; Crownover; Davis, Y.; Deshotel; Dukes; Dunnam; England; Farabee; Farrar; Frost; Gallego; Geren; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Isett; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Leibowitz; Lucio; Maldonado; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Ortiz; Parker; Peña; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Sheffield; Smith, T.; Solomons; Strama; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Woolley; Zerwas.



Nays — Anderson; Chisum; Christian; Crabb; Dutton; Eiland; Elkins; Fletcher; Flynn; Hancock; Heflin; Howard, C.; Legler; Miller, S.; Orr; Otto; Phillips; Riddle; Smith, W.; Swinford.

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

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Aycock; Berman; Bonnen; Burnam; Corte; Darby; Davis, J.; Driver; Edwards; Eissler; Farias; Flores; Gattis; Giddings; Hughes; Hunter; Jackson; Kuempel; Lewis; Madden; Martinez Fischer; Patrick; Paxton; Shelton; Vaught; Weber.

### STATEMENTS OF VOTE

When Record No. 287 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

I was shown voting yes on Record No. 287. I intended to vote no.

Hochberg

I was shown voting present, not voting on Record No. 287. I intended to vote yes.

Marquez

When Record No. 287 was taken, I was in the house but away from my desk. I would have voted yes.

Patrick

### 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).

### GENERAL STATE CALENDAR

#### HOUSE BILLS

#### THIRD READING

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

#### HB 1736 ON THIRD READING

(by Anchia, Y. Davis, Branch, Hodge, Isett, et al.)

**HB 1736**, A bill to be entitled An Act relating to compensation of persons wrongfully imprisoned.

Representative Strama moved to postpone consideration of **HB 1736** until the end of today's third reading bills.

The motion prevailed.

(Bohac in the chair)

**HB 2202 ON THIRD READING****(by Castro, Martinez Fischer, Lucio, Bolton, Leibowitz, et al.)**

**HB 2202**, A bill to be entitled An Act relating to protective orders against dating violence.

**HB 2202** was passed by (Record 288): 133 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Bohac(C); Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; 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; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Berman; Burnam; Driver; Howard, C.; Laubenberg; Leibowitz; Lewis; Paxton; Vaught.

**STATEMENT OF VOTE**

When Record No. 288 was taken, I was in the house but away from my desk. I would have voted yes.

Laubenberg

**HB 2097 ON THIRD READING****(by Hodge and Madden)**

**HB 2097**, A bill to be entitled An Act relating to the personal and official use of state vehicles.

**HB 2097** was passed by (Record 289): 131 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver;

Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Peña; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker; Smith, T.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Corte; Edwards; Giddings; Hamilton; Hernandez; Laubenberg; Merritt; Paxton; Phillips; Vaught.

#### STATEMENTS OF VOTE

When Record No. 289 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

When Record No. 289 was taken, I was in the house but away from my desk. I would have voted yes.

Laubenberg

When Record No. 289 was taken, I was in the house but away from my desk. I would have voted yes.

Merritt

#### HB 2071 ON THIRD READING (by Oliveira)

**HB 2071**, A bill to be entitled An Act relating to the reporting of certain inventories for ad valorem tax purposes; providing penalties.

**HB 2071** was passed by (Record 290): 132 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard,

D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Burnam; Driver; Dunnam; Edwards; Giddings; Gutierrez; Laubenberg; Oliveira; Paxton; Vaught.

### STATEMENTS OF VOTE

When Record No. 290 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

When Record No. 290 was taken, I was in the house but away from my desk. I would have voted yes.

Laubenberg

### HB 2502 ON THIRD READING (by Hartnett)

**HB 2502**, A bill to be entitled An Act relating to the adoption of a nonsubstantive revision of provisions of the Texas Probate Code relating to decedents' estates and the redesignation of certain other provisions of the Texas Probate Code, including conforming amendments and repeals.

**HB 2502** was passed by (Record 291): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr;

Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Driver; Edwards; Giddings; Vaught.

### STATEMENT OF VOTE

When Record No. 291 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

### HB 2619 ON THIRD READING (by Frost)

**HB 2619**, A bill to be entitled An Act relating to the nonsubstantive revision of certain local laws concerning special districts, including conforming amendments.

**HB 2619** was passed by (Record 292): 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; 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; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Driver; Edwards; Giddings; Madden; Orr; Quintanilla; Smith, T.; Vaught.

### STATEMENT OF VOTE

When Record No. 292 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

#### HB 2219 ON THIRD READING (by Phillips)

**HB 2219**, A bill to be entitled An Act relating to the public transportation advisory committee.

**HB 2219** was passed by (Record 293): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; Dukes; Dunnam; Dutton; 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; 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; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Driver; Edwards; Madden; Vaught.

#### HB 2168 ON THIRD READING (by Chavez, Frost, Vo, and Miklos)

**HB 2168**, A bill to be entitled An Act relating to the powers of a sheriff's department civil service commission in certain counties regarding an appeal of a disciplinary action.

**HB 2168** was passed by (Record 294): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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;

Dukes; Dunnam; Dutton; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Driver; Edwards; Vaught.

**HB 2187 ON THIRD READING**  
**(by Moody, Leibowitz, et al.)**

**HB 2187**, A bill to be entitled An Act relating to the prosecution and punishment of offenses involving coercing, inducing, or soliciting membership in a criminal street gang.

**HB 2187** was passed by (Record 295): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Edwards; Isett; Vaught.

### STATEMENT OF VOTE

When Record No. 295 was taken, I was in the house but away from my desk. I would have voted yes.

Isett

### HB 2139 ON THIRD READING

(by McClendon, Alonzo, Gutierrez, Farias, et al.)

**HB 2139**, A bill to be entitled An Act relating to the establishment, operation, and funding of pretrial victim-offender mediation programs.

**HB 2139** was passed by (Record 296): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; 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; 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; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Edwards; Keffer; Vaught.

### HB 2100 ON THIRD READING

(by Martinez Fischer and Gonzalez Toureilles)

**HB 2100**, A bill to be entitled An Act relating to procedures for certain persons charged with certain new offenses or an administrative violation of a condition of release from the Texas Department of Criminal Justice on parole or to mandatory supervision.



**HB 2100** was passed by (Record 297): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Edwards; King, S.; Kleinschmidt; Vaught.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 297. I intended to vote no.

Fletcher

I was shown voting yes on Record No. 297. I intended to vote no.

Phillips

#### HB 2039 ON THIRD READING (by Truitt)

**HB 2039**, A bill to be entitled An Act relating to the transfer of certain state property from the Department of Aging and Disability Services to certain community mental health and mental retardation centers.

**HB 2039** was passed by (Record 298): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; Hochberg; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Edwards; Hodge; King, S.; Vaught.

**HB 1861 ON THIRD READING**  
**(by Eiland, Gonzales, and Flores)**

**HB 1861**, A bill to be entitled An Act relating to the operation and administration of the judiciary in the event of a disaster.

**HB 1861** was passed by (Record 299): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; Dukes; Dunnam; Dutton; 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; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Driver; Edwards; Hunter; Vaught.

### STATEMENT OF VOTE

When Record No. 299 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

### LEAVE OF ABSENCE GRANTED

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

Driver on motion of Hunter.

### HB 1924 ON THIRD READING

(by Heflin)

**HB 1924**, A bill to be entitled An Act relating to the performance of pharmacy services in certain rural areas.

**HB 1924** was passed by (Record 300): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Vaught.

### HB 1793 ON THIRD READING

(by Farrar, Gallego, and Marquez)

**HB 1793**, A bill to be entitled An Act relating to judicial instruction for judges who hear complaints against children alleging violations of certain misdemeanor offenses.

**HB 1793** was passed by (Record 301): 138 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Phillips.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Taylor; Vaught.

### **HB 1711 ON THIRD READING**

**(by S. Turner, Guillen, Martinez, Veasey, and Marquez)**

**HB 1711**, A bill to be entitled An Act relating to requiring the Texas Department of Criminal Justice to establish a comprehensive reentry and reintegration plan for offenders released or discharged from a correctional facility.

**HB 1711** was passed by (Record 302): 101 Yeas, 38 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac(C); Bolton; Branch; Burnam; Callegari; Castro; Chavez; Cohen; Coleman; Corte; Crownover; Davis, Y.; Deshotel; Dukes; Dunnam; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kuempel; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Ortiz; Otto;

Peña; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Solomons; Strama; Taylor; Thibaut; Thompson; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Woolley; Zerwas.

Nays — Anderson; Aycock; Berman; Bonnen; Brown, B.; Brown, F.; Button; Chisum; Christian; Cook; Crabb; Craddick; Creighton; Darby; Davis, J.; Flynn; Gattis; Hancock; Hardcastle; Harless; Howard, C.; Isett; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Miller, S.; Orr; Parker; Patrick; Paxton; Phillips; Riddle; Sheffield; Smith, W.; Swinford; Truitt; Weber.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Dutton; Vaught.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 302. I intended to vote yes.

Christian

I was shown voting yes on Record No. 302. I intended to vote no.

Fletcher

I was shown voting yes on Record No. 302. I intended to vote no.

Heflin

I was shown voting yes on Record No. 302. I intended to vote no.

Hunter

I was shown voting yes on Record No. 302. I intended to vote no.

Keffer

I was shown voting yes on Record No. 302. I intended to vote no.

D. Miller

### HB 1728 ON THIRD READING

(by Madden)

**HB 1728**, A bill to be entitled An Act relating to the authority of the inspector general of the Texas Department of Criminal Justice to issue administrative subpoenas for certain communication records.

**HB 1728** was passed by (Record 303): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Quintanilla; Vaught.

**HB 1814 ON THIRD READING**  
**(by Vo, Callegari, et al.)**

**HB 1814**, A bill to be entitled An Act relating to the ballot language for junior college district annexation elections.

**HB 1814** was passed by (Record 304): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Lewis; Vaught.

**HB 1693 ON THIRD READING**  
**(by Hochberg)**

**HB 1693**, A bill to be entitled An Act relating to adoption of standards for school district financial accounting and attendance reporting software.

**HB 1693** was passed by (Record 305): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Herrero; Vaught.

**STATEMENT OF VOTE**

When Record No. 305 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

**HB 1633 ON THIRD READING**  
**(by Walle, Martinez Fischer, Moody, Ortiz, Leibowitz, et al.)**

**HB 1633**, A bill to be entitled An Act relating to the prosecution and punishment of the offense of graffiti and to certain conditions imposed on defendants convicted of that offense or on juveniles adjudicated as having engaged in conduct in violation of that offense.

**HB 1633** was passed by (Record 306): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Vaught.

### **HB 1365 ON THIRD READING** (by Eissler)

**HB 1365**, A bill to be entitled An Act relating to service records of professional staff employed by school districts and payment of compensation based on those records.

**HB 1365** was passed by (Record 307): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose;



Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Lucio; Vaught.

**HB 1322 ON THIRD READING**  
**(by Hochberg)**

**HB 1322**, A bill to be entitled An Act relating to the establishment of an online resource for teachers of students with special health needs.

**HB 1322** was passed by (Record 308): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; 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; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Corte; Jackson; Quintanilla; Vaught.

**HB 1013 ON THIRD READING**  
**(by Corte and Leibowitz)**

**HB 1013**, A bill to be entitled An Act relating to the authority of a county to regulate the installation and use of lighting in certain areas.

**HB 1013** was passed by (Record 309): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Vaught.

### **HB 888 ON THIRD READING** (by Naishtat)

**HB 888**, A bill to be entitled An Act relating to the detention and examination of certain persons accepted for a preliminary mental health examination.

**HB 888** was passed by (Record 310): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose;

Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Chisum; Vaught.

### **HB 704 ON THIRD READING**

**(by Rose)**

**HB 704**, A bill to be entitled An Act relating to the jurisdiction of a court over a child in the managing conservatorship of the state after the child's 18th birthday.

**HB 704** was passed by (Record 311): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; Dukes; Dunnam; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Dutton; Oliveira; Vaught.

### **HB 673 ON THIRD READING**

**(by Solomons)**

**HB 673**, A bill to be entitled An Act relating to certain services provided by the office of injured employee counsel under the workers' compensation program of this state.

**HB 673** was passed by (Record 312): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Vaught.

### **HB 533 ON THIRD READING**

**(by Anchia, Hughes, Lucio, Alvarado, and Weber)**

**HB 533**, A bill to be entitled An Act relating to civil liability for the trafficking of persons.

**HB 533** was passed by (Record 313): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr;

Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — King, S.; Maldonado; Vaught.

### **HB 449 ON THIRD READING**

**(by Jackson, Truitt, Chisum, Sheffield, and Zerwas)**

**HB 449**, A bill to be entitled An Act relating to the regulation of laser hair removal facilities; providing penalties.

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

Representative Laubenberg offered the following amendment to **HB 449**:

Amend **HB 449** (house committee report) on page 9 by striking line 16 and substituting the following:

the person is:

(1) a physician;

(2) acting under a physician's order; or

(3) authorized under other law to treat the illness, disease, injury, or physical defect or deformity in that manner.

Amendment No. 1 was adopted.

**HB 449**, as amended, was passed by (Record 314): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Allen; Hughes; Vaught.

**HB 409 ON THIRD READING**  
**(by Isett and Heflin)**

**HB 409**, A bill to be entitled An Act relating to an award of additional periods of possession of or access to a child for certain conservators who have returned from active military deployment.

**HB 409** was passed by (Record 315): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Turner, S.; Vaught; Zerwas.

**HB 492 ON THIRD READING**  
**(by Zerwas and Kolkhorst)**

**HB 492**, A bill to be entitled An Act relating to the expansion of faith- and community-based health and human services and social services initiatives.

**Amendment No. 1**

Representative Burnam offered the following amendment to **HB 492**:

Amend **HB 492** (House Committee printing) as follows:

(1) On page 8, line 24, insert "or to engage in any form of proselytization" between "purpose" and ".".

(2) On page 8, between lines 24 and 25, insert the following:

"(8) establish policies and procedures to ensure that any money appropriated from the account to the commission that is allocated to an organization or initiative that receives a grant or assistance under this chapter may not discriminate on the basis of race, religion, color, national origin, sex, age, sexual orientation, political affiliation, or on the basis of disability, against:

(A) an employee or volunteer of such organization or initiative; or

(B) a recipient of services provided by such organization or initiative."

Amendment No. 1 was adopted. (Anderson, Aycock, Berman, Bohac, Bonnen, Button, Chisum, Christian, Cook, Corte, Crabb, Craddick, Crownover, Darby, J. Davis, Eissler, Elkins, Fletcher, Flynn, Gattis, Geren, Hamilton, Hancock, Hardcastle, Harless, Harper-Brown, Hilderbran, Homer, Hopson, Hunter, Jones, Keffer, S. King, Kleinschmidt, Kuempel, Laubenberg, Lewis, Madden, McReynolds, Merritt, D. Miller, S. Miller, Orr, Otto, Parker, Paxton, Phillips, Shelton, T. Smith, Smithee, Solomons, Swinford, Taylor, Truitt, Woolley, and Zerwas recorded voting no.)

**HB 492**, as amended, was passed by (Record 316): 119 Yeas, 15 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac(C); Bolton; Branch; Brown, F.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Craddick; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rose; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vo; Walle; Woolley; Zerwas.

Nays — Anderson; Berman; Bonnen; Brown, B.; Callegari; Crabb; Creighton; Gattis; Howard, C.; King, P.; Legler; Morrison; Riddle; Sheffield; Weber.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Harper-Brown; Heflin; Isett; Naishtat; Rodriguez; Vaught; Villarreal.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 316. I intended to vote no.

Aycock, Bohac, Button, Chisum, Christian, Cook, Corte, Craddick, Crownover, Darby, Eissler, Elkins, Fletcher, Flynn, Geren, Hancock, Hamilton, Hardcastle, Harless, Homer, Hopson, Hunter, Jones, Keffer, S. King, Kleinschmidt, Kuempel, Laubenberg, Lewis, Madden, McReynolds, Merritt, D. Miller, S. Miller, Orr, Otto, Parker, Patrick, Paxton, Phillips, Shelton, Solomons, Swinford, Taylor, and Truitt

When Record No. 316 was taken, I was in the house but away from my desk. I would have voted no.

Harper-Brown

When Record No. 316 was taken, I was excused because of important business. Had I been present I would have voted no.

Hilderbran

When Record No. 316 was taken, I was excused because of important business in the district. Had I been present I would have voted no.

Smithee

**REASONS FOR VOTE**

In consideration of **HB 492** (relating to faith- and community-based initiatives), an amendment was added on third reading. I believe adoption of the amendment was in violation of Rule 11, Section 5 of the House Rules: "When a bill has been taken up on its third reading, amendments shall be in order, but shall require a two-thirds vote of the members present for their adoption." There was no record vote on the amendment offered. Furthermore, the amendment itself seems to be in violation of Rule 11, Section 3 of the House Rules: "No bill shall be amended in its passage through either house so as to change its original purpose."

The bill was intended to foster and encourage faith-based groups to effectively assist people in need. The HRO analysis clearly states that **CSHB 492** "would enhance the capacity of faith- and community-based organizations to provide charitable services to Texans through training and assistance programs for these organizations as well as through coordination with state agencies." Nonetheless, the amendment would prevent faith-based groups that receive grants under this legislation from maintaining their core beliefs, and open those organizations to legal action if even one person finds offence with those beliefs.

The amendment is contrary to a provision of the bill which would conform the program to federal law. 42 U.S.C. Section 604a reads: "The purpose of this section is to allow states to contract with religious organizations, or to allow religious organizations to accept certificates, vouchers, or other forms of disbursement under any program described in Subsection (a)(2) of this section,



on the same basis as any other nongovernmental provider without impairing the religious character of such organizations, and without diminishing the religious freedom of beneficiaries of assistance funded under such program."

I believe the amendment is contrary to the letter and spirit of the first amendment of the constitution guaranteeing religious liberty, and therefore I want the record to reflect that I am opposed to passage of **HB 492** as long as the amendment remains on the legislation.

Bohac and Christian

### **HB 406 ON THIRD READING**

**(by Rodriguez)**

**HB 406**, A bill to be entitled An Act relating to claims for excess proceeds of a tax sale of real property.

**HB 406** was passed by (Record 317): 136 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycoc; Berman; Bohac(C); 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; 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; Hernandez; Herrero; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Rios Ybarra; Smithee; Veasey.

Absent — Heflin; Naishtat; Rodriguez; Vaught; Villarreal.

### **LEAVE OF ABSENCE GRANTED**

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

Riddle on motion of Anderson.

**HB 392 ON THIRD READING**  
**(by Bohac, Castro, and Leibowitz)**

**HB 392**, A bill to be entitled An Act relating to the availability and use of automated external defibrillators in nursing homes and related institutions.

**HB 392** was passed by (Record 318): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Riddle; Rios Ybarra; Smithee; Veasey.

Absent — Phillips; Vaught.

**STATEMENT OF VOTE**

When Record No. 318 was taken, my vote failed to register. I would have voted yes.

Phillips

**HB 63 ON THIRD READING**  
**(by Aycock, Sheffield, Leibowitz, Gonzalez Toureilles, et al.)**

**HB 63**, A bill to be entitled An Act relating to possession of or access to a child by a parent who is deployed by the military.

**HB 63** was passed by (Record 319): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; Hernandez; Herrero; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Riddle; Rios Ybarra; Smithee; Veasey.

Absent — Heflin; Vaught.

### **HB 669 ON THIRD READING**

**(by Solomons, et al.)**

**HB 669**, A bill to be entitled An Act relating to liability arising out of the filing of a mechanic's, contractor's, or materialman's lien.

**HB 669** was passed by (Record 320): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; Hernandez; Herrero; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Riddle; Rios Ybarra; Smithee; Veasey.

Absent — Heflin; Rodriguez; Vaught.

### **HB 530 ON THIRD READING**

**(by Anchia, Lucio, Alvarado, Weber, and Menendez)**

**HB 530**, A bill to be entitled An Act relating to law enforcement training relating to the trafficking of persons.

**HB 530** was passed by (Record 321): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); Bolton; Bonnen; Branch; Brown, B.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Riddle; Rios Ybarra; Smithee; Veasey.

Absent — Brown, F.; Callegari; Vaught.

### **HB 549 ON THIRD READING**

**(by Raymond)**

**HB 549**, A bill to be entitled An Act relating to an affirmative defense to prosecution for certain sex offenses.

**HB 549** was passed by (Record 322): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); 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; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Riddle; Rios Ybarra; Smithee; Veasey.

Absent — Hochberg; Vaught.

### **HB 655 ON THIRD READING** **(by Solomons)**

**HB 655**, A bill to be entitled An Act relating to payment to a trustee or substitute trustee after public sale of foreclosed property.

**HB 655** was passed by (Record 323): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Riddle; Rios Ybarra; Smithee; Veasey.

Absent — Castro; Rose; Vaught.

**HB 28 ON THIRD READING****(by Leibowitz)**

**HB 28**, A bill to be entitled An Act relating to requiring notice by a seller of real property of potential annexation of the property by a municipality.

**HB 28** was passed by (Record 324): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; 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; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Riddle; Rios Ybarra; Smithee; Veasey.

Absent — Callegari; Vaught.

**HB 51 ON THIRD READING****(by Branch, McCall, Coleman, McClendon, Madden, et al.)**

**HB 51**, A bill to be entitled An Act relating to funding and incentives to support emerging public research universities in developing and maintaining programs of the highest tier.

**Amendment No. 1**

Representative Alonzo offered the following amendment to **HB 51**:

Amend **HB 51** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.0585 to read as follows:

Sec. 61.0585. BONDS TO SUPPORT DEVELOPMENT OF TIER ONE RESEARCH UNIVERSITIES. The board may direct the Texas Public Finance Authority to issue bonds in an amount necessary to provide funds appropriated by the legislature to develop and maintain public research universities in this state of the highest tier.

SECTION \_\_\_\_\_. Notwithstanding Section 3 of this Act, Section 61.0585, Education Code, as added by this Act, takes effect January 1, 2010, but only if the constitutional amendment proposed by the 81st Legislature, Regular Session, 2009, providing for the issuance of general obligation bonds to provide funding to develop and maintain research universities in this state of the highest tier is approved by the voters. If that amendment is not approved by the voters, Section 61.0585, Education Code, as added by this Act, has no effect.

Amendment No. 1 failed of adoption.

**HB 51** was passed by (Record 325): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; 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; Hefflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Riddle; Rios Ybarra; Smithee; Veasey.

Absent — Chavez; King, S.; Vaught.

### **HB 1736 ON THIRD READING**

**(by Anchia, Y. Davis, Branch, Hodge, Isett, et al.)**

**HB 1736**, A bill to be entitled An Act relating to compensation of persons wrongfully imprisoned.

**HB 1736** was passed by (Record 326): 136 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac(C); Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, Y.; Deshotel; 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; Hochberg; 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; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Swinford.

Present, not voting — Mr. Speaker.

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Riddle; Rios Ybarra; Smithee; Veasey.

Absent — Davis, J.; Hodge; Vaught.

### STATEMENT OF VOTE

I was shown voting yes on Record No. 326. I intended to vote no.

Darby

### POSTPONED BUSINESS

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

#### **HB 207 ON SECOND READING** **(by Jackson and Creighton)**

**HB 207**, A bill to be entitled An Act relating to enforcement of commercial motor vehicle safety standards in certain counties.

**HB 207** was read second time earlier today, an amendment was offered and disposed of, and **HB 207** was postponed until this time.

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

Representative Aycock offered the following amendment to **HB 207**:

Amend **HB 207** (House committee printing) as follows:

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

SECTION 1. Section 644.101, Transportation Code, is amended by amending Subsection (c) and adding Subsection (f) to read as follows:

(2) On page 1, between lines 10 and 11, insert the following:



(f) A sheriff or a deputy sheriff certified under Subsection (c) may not enforce this chapter in regards to a vehicle transporting agricultural products that were produced or grown in this state.

**Amendment No. 2 - Point of Order**

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

The chair sustained the point of order.

The ruling precluded further consideration of Amendment No. 2.

**HB 207** failed to pass to engrossment by (Record 327): 20 Yeas, 100 Nays, 2 Present, not voting.

Yeas — Bonnen; Crabb; Creighton; Davis, Y.; Edwards; Farias; Giddings; Gonzalez Toureilles; Harper-Brown; Hartnett; Hunter; Jackson; Kent; Laubenberg; Miklos; Paxton; Phillips; Thompson; Truitt; Turner, C.

Nays — Allen; Anderson; Aycock; Berman; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Chisum; Christian; Cohen; Coleman; Cook; Corte; Craddick; Crownover; Darby; Davis, J.; Deshotel; Dukes; Dunnam; Dutton; Eissler; Elkins; Farabee; Farrar; Fletcher; Flynn; Frost; Gallego; Gattis; Geren; Gonzales; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Isett; Jones; Keffer; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miller, D.; Miller, S.; Moody; Morrison; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Peña; Pitts; Quintanilla; Raymond; Ritter; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Vo; Walle; Weber; Woolley.

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

Absent, Excused — Driver; Hilderbran; Mallory Caraway; Olivo; Pickett; Riddle; Rios Ybarra; Smithee; Veasey.

Absent — Alonzo; Alvarado; Anchia; Castro; Chavez; Eiland; England; Flores; Heflin; Hughes; King, S.; McClendon; Naishtat; Pierson; Rodriguez; Turner, S.; Vaught; Villarreal; Zerwas.

**STATEMENT OF VOTE**

When Record No. 327 was taken, I was in the house but away from my desk. I would have voted no.

Pierson

**FIVE-DAY POSTING RULE SUSPENDED**

Representative T. Smith moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Elections to consider **HB 1821**, **HB 1927**, **HB 2574**, **HB 3337**, and previously posted business at 2 p.m. or upon final adjournment Monday, April 27 in E2.028.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Elections, 2 p.m. or upon final adjournment Monday, April 27, E2.028, for a public hearing, to consider **HB 1821**, **HB 1927**, **HB 2574**, **HB 3337**, and previously posted business.

**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. Monday, April 27 in memory of the Honorable Alfonso Ramirez of Edinburg and the Honorable Lena Guerrero of Austin.

The motion prevailed.

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

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. 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.)

(McClendon in the chair)

**ADJOURNMENT**

In accordance with a previous motion, the house, at 3:12 p.m., adjourned until 10 a.m. Monday, April 27.

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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 4815** (By Gattis), Relating to certain procedures regarding dissolution of the Ranch at Cypress Creek Municipal Utility District No. 1.

To Natural Resources.

**HB 4816** (By Herrero), Relating to the juvenile board of Nueces County.

To Judiciary and Civil Jurisprudence.

**HB 4817** (By Gattis), Relating to the creation of the Goodwater Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Natural Resources.

**HB 4818** (By Harper-Brown), Relating to the Dallas County Utility and Reclamation District.

To County Affairs.

**HCR 187** (By Strama), Directing House Video/Audio and Senate Media Services to pursue appropriate avenues to implement upgrades to the systems that provide broadcasts of legislative meetings to provide for enhanced search options.

To House Administration.

**HCR 190** (By Homer), In memory of volunteer firefighter Joe Pat Jordan of Pine Forest.

To Rules and Resolutions.

**HCR 191** (By Homer), Honoring the memory of William S. "Pete" Long of Hopkins County.

To Rules and Resolutions.

**HCR 192** (By Allen), Congratulating Duncan Elementary School in Fort Hood on its receipt of the 2009 Texas State School of Character Award.

To Rules and Resolutions.

**HR 1383** (By Dunnam), Reaffirming the pride of all Texans in our one and indivisible National Union and State.

To State Affairs.

**HR 1438** (By Farrar), Urging the Texas Education Agency to implement the U.S. Department of Education's final regulations, 34 C.F.R. Section 200.19, which describes other academic indicators that may be used to demonstrate adequate yearly progress.

To Public Education.

**HR 1495** (By Chisum), Congratulating Don and Shirley Creacy of Fritch on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1496** (By Crownover), Congratulating Mike Trimble of the Denton Record-Chronicle on his receipt of the Otis L. Fowler Award from the Denton Chamber of Commerce.

To Rules and Resolutions.

**HR 1497** (By Crownover), Congratulating Kathy King Gilbert on being named the 2009 Lake Cities Chamber of Commerce Citizen of the Year.

To Rules and Resolutions.

**HR 1498** (By Parker), Honoring the city of Roanoke as an exceptional Texas dining destination.

To Rules and Resolutions.

**HR 1500** (By Quintanilla), Congratulating the counseling team of Ernesto Serna School on earning the CREST award.

To Rules and Resolutions.

**HR 1501** (By Quintanilla), Congratulating the counseling team of El Dorado High School on earning the CREST award.

To Rules and Resolutions.

**HR 1502** (By Quintanilla), Congratulating the counseling team of Paso Del Norte School on earning the CREST award.

To Rules and Resolutions.

**HR 1503** (By Quintanilla), Congratulating the counseling team of Sun Ridge Middle School on earning the CREST award.

To Rules and Resolutions.

**HR 1504** (By Quintanilla), Congratulating the counseling team of John Drugan School on earning the CREST award.

To Rules and Resolutions.

**HR 1505** (By Quintanilla), Honoring Jennifer Abrams on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1506** (By Quintanilla), Honoring Katie Grandle on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1507** (By Quintanilla), Honoring Jessica Alvarado on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1508** (By Quintanilla), Congratulating the counseling team of Jane A. Hambric School on earning the CREST award.

To Rules and Resolutions.

**HR 1509** (By Quintanilla), Honoring Kimberly Acker on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1510** (By P. King), In memory of Michael Brent Jones.

To Rules and Resolutions.

**HR 1511** (By P. King), Congratulating Randall J. Hayes on his retirement from the Texas Parks and Wildlife Department.

To Rules and Resolutions.

**HR 1512** (By Castro), Honoring the South Texas Blood & Tissue Center National Marrow Donor Program on its record-setting donor registry.

To Rules and Resolutions.

**HR 1513** (By Castro), Congratulating George McKnight of San Antonio on his receipt of the 2009 Outstanding Educator Award from the Texas Caucus of Black School Board Members.

To Rules and Resolutions.

**HR 1514** (By Anderson), Honoring the life of Thomas Champe Fitzhugh, Jr., of Waco.

To Rules and Resolutions.

**HR 1515** (By Anderson), Congratulating Gladys and George Picha of Waco on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1516** (By Anderson), Congratulating Garrett Jaynes of Hewitt on becoming an Eagle Scout.

To Rules and Resolutions.

**HR 1517** (By Anderson), Congratulating Sam H. Shurtleff, Jr., and Glen Rose Shurtleff of Waco on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 1518** (By Anderson), Congratulating the Baylor University men's basketball team on its successful 2008-2009 season.

To Rules and Resolutions.

**HR 1519** (By Anderson), Congratulating Johnny and Dorothy Vanek of Robinson on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1520** (By Anderson), Congratulating Edward and Billie Brem of Lorena on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1521** (By Anderson), Honoring Edward and Edna Thompson of Woodway on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1522** (By Anderson), Congratulating Marty and Marilyn Ginnane of Waco on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1523** (By Anderson), Congratulating Al and Mary Helen Dees of Waco on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1524** (By Anderson), Congratulating George and Dorcas Simpson of Lorena on their 50th wedding anniversary in 2007.

To Rules and Resolutions.

**HR 1525** (By Anderson), Congratulating Lieutenant Jeff Lewellen on his receipt of a Life-Saving Award from the Robinson Police Department.

To Rules and Resolutions.

**HR 1526** (By Anderson), Congratulating Barry Gann on his receipt of a Distinguished Service Award from the Robinson Police Department.

To Rules and Resolutions.

**HR 1527** (By Anderson), Congratulating John "D. J." and Marillyn Nystrom on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 1528** (By Anderson), Congratulating Jessica Dumesnil on her receipt of a Life-Saving Award from the Robinson Police Department.

To Rules and Resolutions.

**HR 1529** (By Kent), Honoring St. Alcuin Montessori School in Dallas.

To Rules and Resolutions.

**HR 1530** (By Kent), Honoring the Dallas organization, High Adventure Treks for Dads and Daughters.

To Rules and Resolutions.

**HR 1531** (By Kent), Honoring the League of Women Voters of Dallas and its president-elect, Sandy Greyson.

To Rules and Resolutions.

**HR 1534** (By Dutton), Commemorating the 2009 National Convention of the Junior Knights and Junior Daughters of the Knights of Peter Claver, Inc.

To Rules and Resolutions.

**HR 1535** (By Dutton), Honoring Bishop Amos York, Sr., of Pillar of Glory Christian Tabernacle in Houston.

To Rules and Resolutions.

**HR 1537** (By Walle), Honoring the boys' basketball team from the Sam Houston Math, Science, and Technology Center in Houston on qualifying for the UIL 5A state playoffs.

To Rules and Resolutions.

**HR 1538** (By Walle), Congratulating the boys' varsity soccer team from the Sam Houston Math, Science, and Technology Center in Houston on its first-round victory in the UIL 5A state playoffs.

To Rules and Resolutions.

**HR 1539** (By Chavez), Commending Anita Blair of El Paso for her decades of service to her fellow Texans.

To Rules and Resolutions.

**HR 1540** (By Chavez), Honoring Mary Russell on her receipt of a 2009 Lucy G. Acosta Humanitarian Award.

To Rules and Resolutions.

**HR 1541** (By Chavez), Honoring George Yapor on his receipt of a 2009 Lucy G. Acosta Humanitarian Award.

To Rules and Resolutions.

**HR 1542** (By Chavez), Honoring the Education Service Center Region 19 Head Start program and its executive director, Dr. Blanca Estela Enriquez, on receiving a 2009 Lucy G. Acosta Humanitarian Award.

To Rules and Resolutions.

**HR 1543** (By Chavez), Honoring Nolan Richardson on the occasion of his keynote address at the 2009 Lucy G. Acosta Humanitarian Awards Dinner.

To Rules and Resolutions.

**HR 1544** (By Chavez), Congratulating La Mujer Obrera on the development of Centro Mayapan Festival Marketplace in El Paso.

To Rules and Resolutions.

**HR 1545** (By Chavez), In memory of Donald Lee Haskins, former head basketball coach of The University of Texas at El Paso.

To Rules and Resolutions.

**HR 1546** (By Chavez), In memory of Chicano and civil rights activist Benito R. Abeytia of Phoenix, Arizona.

To Rules and Resolutions.

**HR 1547** (By Castro), Recognizing the Corporate Work Study Program of San Juan Diego Catholic High School in Austin.

To Rules and Resolutions.

**HR 1548** (By Harper-Brown), Commemorating the grand opening of the North Lake College South Campus in Irving.

To Rules and Resolutions.

**HR 1549** (By Bohac), Commemorating the renaming of the Town and Country Campus of Houston Community College as the Spring Branch Campus.

To Rules and Resolutions.

**HR 1550** (By Herrero), Recognizing the members of the Coastal Bend Advocates for their many worthy endeavors.

To Rules and Resolutions.

**HR 1551** (By Coleman), Recognizing April 27, 2009, as Texas Southern University Day at the State Capitol.

To Rules and Resolutions.

**HR 1552** (By Marquez), Honoring the life and work of El Paso artist Manuel Gregorio Acosta.

To Rules and Resolutions.

**HR 1553** (By Kent), Congratulating Gwendolynn J. Murray of Dallas on her 63rd birthday.

To Rules and Resolutions.

**HR 1554** (By Marquez), Honoring Kimberly Acker on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1555** (By Hughes), In memory of Herbert L. Young of Gilmer.

To Rules and Resolutions.

**HR 1556** (By Marquez), Honoring Jennifer Abrams on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1557** (By Marquez), Honoring Katie Grandle on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1558** (By Marquez), Honoring Jessica Alvarado on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1559** (By Gonzales), Honoring Ford Sasser of McAllen for being named the 2009 District Financial Services Champion of the Year by the U.S. Small Business Administration's Lower Rio Grande Valley District Office.

To Rules and Resolutions.

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

**SB 809** to Licensing and Administrative Procedures.

#### **SIGNED BY THE SPEAKER**

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

#### **House List No. 19**

**HB 2594, HCR 40, HCR 43, HCR 44, HCR 45, HCR 68, HCR 69, HCR 99, HCR 100, HCR 102, HCR 103, HCR 105, HCR 106, HCR 132**

#### **Senate List No. 19**

**SCR 41**

#### **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

Friday, April 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 31** Zaffirini

Relating to financial assistance for students who complete certain coursework at two-year public institutions of higher education.

**SB 187** Deuell

Relating to a Medicaid buy-in program for certain children with disabilities.

**SB 712** Hegar

Relating to the requirement that certain defendants in a criminal case undergo testing for HIV infection and other diseases.

**SB 871** Lucio

Relating to the state employee wellness program, including health risk assessments of state employees.

**SB 894** Nelson

Relating to municipal investment of public funds received from the management and development of mineral rights.

**SB 935** Seliger

Relating to authorizing a judge of a municipal court to conduct a marriage ceremony.

**SB 1106** Van de Putte

Relating to payment of claims to pharmacies and pharmacists.

**SB 1166** Duncan

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.

**SB 1188** Estes

Relating to the interstate purchase of certain firearms.

**SB 1200** Ogden

Relating to disclosure of contracts between a member of the legislature, or a business entity in which the member has a substantial interest, and a state agency.

**SB 1212** West

Relating to granting limited state law enforcement authority to special agents of the Office of Inspector General of the United States Department of Veterans Affairs.

**SB 1246** Jackson, Mike

Relating to fees for certain licenses issued by the Parks and Wildlife Department.

**SB 1271** Uresti

Relating to the requirement that an orthotist or a prosthetist be licensed as a device manufacturer if fabricating or assembling without an order from certain health care professionals.

**SB 1299** Watson

Relating to the regulation of stormwater management by certain counties.

**SB 1432** Nichols

Relating to the investigation, prosecution, and punishment of criminal Medicaid fraud and certain other offenses related to Medicaid fraud; providing penalties.

**SB 1945** West

Relating to the issuance of a citation to an owner of real property for a violation of a county or municipal rule or ordinance.

**SB 2225** Carona

Relating to the civil and criminal consequences of engaging in certain conduct involving the transporting or transferring of a firearm and to creating the offense of firearm smuggling.

**SJR 25** Harris

Proposing a constitutional amendment requiring certain revenue collected by a public entity from the use of a tolled highway project in this state to be used only for transportation projects.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Friday, April 24, 2009 - 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:

**SB 921** Fraser

Relating to access by the members of electric cooperatives to meetings of the boards of directors and certain information of the electric cooperatives.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 3**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Friday, April 24, 2009 - 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 REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

**SB 1**

Senate Conferees: Ogden - Chair/Hinojosa/Shapiro/West/Williams

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 23**

Agriculture and Livestock - **HB 2925, SB 684**

Border and Intergovernmental Affairs - **SB 1526**

Business and Industry - **HB 2706, HB 2795**

County Affairs - **HB 736, HB 1270, HB 2529, HB 2710, HB 2737, HB 2874, HB 3003, HB 3058, HB 4474**

Criminal Jurisprudence - **HB 111, HB 1472, HB 1531, HB 1865, HB 2002, HB 2059, HB 2067, HB 2130, HB 2145, HB 2240, HB 2371, HB 2584, HB 3585**

Defense and Veterans' Affairs - **HB 2248, HB 2728, HB 3452, HB 3950**

Elections - **HB 252, HB 567, HB 1493, HB 3216, HB 3921, HB 3922**

Higher Education - **HB 2075**

Human Services - **HB 614, HB 892, HB 1055, SB 1850**

Judiciary and Civil Jurisprudence - **HB 1460, HB 4126**

Land and Resource Management - **SB 803, SB 1149, SB 2043**

Licensing and Administrative Procedures - **HB 4323**

Natural Resources - **HB 3256, HB 3818, HB 4376, HB 4723, HB 4726, HB 4727, HB 4728, HB 4736, HB 4749, HB 4754**

Pensions, Investments, and Financial Services - **HB 1554, HB 3338, HB 3634**

Public Education - **HB 626, HB 3700**

Public Health - **HB 1358, HB 3259, HB 4341**

Public Safety - **HB 2033, HB 2378, HB 2870, HB 3385, HB 4406**

State Affairs - **HB 230, HB 632**

Technology, Economic Development, and Workforce - **HB 2519**

Ways and Means - **HB 770, HB 1229, HB 1328, HB 4265, HB 4270, HJR 112**

#### **ENGROSSED**

**April 23 - HB 77, HB 432, HB 846, HB 857, HB 1513, HB 1881, HB 1965, HB 1979, HB 1990, HB 1998, HB 2018, HB 2027, HB 2527, HB 2591, HB 3108, HB 3347, HB 3413, HB 3661, HB 4471, HB 4607**

#### **SIGNED BY THE GOVERNOR**

**April 23 - HB 873**