

HOUSE JOURNAL

EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-EIGHTH DAY — TUESDAY, APRIL 28, 2009

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

The roll of the house was called and a quorum was announced present (Record 334).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Aycoc; 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; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardecastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

RULES SUSPENDED

Representative Geren moved to suspend all necessary rules to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed.

MOTION FOR ONE RECORD VOTE

On motion of Representative Geren and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

**LOCAL, CONSENT, AND RESOLUTIONS CALENDAR
THIRD READING**

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by the following record vote (members registering votes and the results of the vote are shown following bill number).

(Record 335): 149 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

HB 144

HB 236

HB 383

HB 408

HB 473

HB 527

HB 529

HB 635

HB 715

HB 749

HB 768

HB 807 (Craddick, Flynn, Parker, and Swinford - no) (145 - 4 - 1)

HB 965

HB 1029 (Bohac, Harper-Brown, and Madden - no) (146 - 3 - 1)

HB 1095

HB 1096 (Craddick, Flynn, Parker, Sheffield, and Swinford - no) (144-5-1)

HB 1115

HB 1134

HB 1177

HB 1183

HB 1257

HB 1272

HB 1286

HB 1294

HB 1342

HB 1366

HB 1452

HB 1517

HB 1556

HB 1568

HB 1623

HB 1680

HB 1770 (Craddick, Flynn, Parker, and Swinford - no) (145 - 4 - 1)

HB 1789

HB 1832

HB 1884

HB 1945

HB 1969

HB 1972

HB 2031

HB 2065

HB 2082

HB 2107

HB 2201

HB 2307

HB 2314

HB 2333

HB 2385

HB 2401

HB 2436

HB 2450 (Flynn - no) (148 - 1 - 1)

HB 2521

HB 2530

HB 2549

HB 2642

HB 2644

HB 2724

HB 2748

HB 2803

HB 2808

HB 2822

HB 2827 (Flynn - no) (148 - 1 - 1)

HB 2829

HB 2840

HB 2908

HB 2916

HB 2988

HB 3031

HB 3032

HB 3041

HB 3080

HB 3139

HB 3246

HB 3308

HB 3333 (Aycock, Chisum, Christian, Craddick, Crownover, Flynn, Gattis, Harper-Brown, Parker, Sheffield, and Swinford - no) (138 - 11 - 1)

HB 3340

HB 3479

HB 3593

HB 3597

HB 3599

HB 3625

HB 3654 (Flynn and Phillips - no) (147 - 2 - 1)

HB 3756

HB 3851

HB 3866 (Crownover, Flynn, and Phillips - no) (146 - 3 - 1)

HB 4100 (Christian - no) (148 - 1 - 1)

HB 4114

HB 4476 (Christian, Craddick, Gattis, Parker, Sheffield, and Swinford - no)
(143 - 6 - 1)

HB 4529

HB 4657

HB 4712

HB 4718

SB 715

REGULAR ORDER OF BUSINESS SUSPENDED

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

MAJOR STATE CALENDAR

HOUSE BILLS

THIRD READING

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

HB 10 ON THIRD READING

(by Solomons)

HB 10, A bill to be entitled An Act relating to the regulation of residential mortgage loan originators; providing a penalty.

HB 10 was passed by (Record 336): 148 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis;

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

Present, not voting — Mr. Speaker.

Absent — King, S.

HB 2447 ON THIRD READING

(by Flynn, Otto, Kolkhorst, McClendon, and Harper-Brown)

HB 2447, A bill to be entitled An Act relating to the abolition of the Board of Tax Professional Examiners and the transfer of its functions to the Texas Department of Licensing and Regulation.

HB 2447 was passed by (Record 337): 145 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — Howard, C.; King, S.; Martinez Fischer; Smith, W.

STATEMENTS OF VOTE

When Record No. 337 was taken, I was in the house but away from my desk. I would have voted yes.

C. Howard

When Record No. 337 was taken, I was temporarily out of the house chamber. I would have voted yes.

W. Smith

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 2774 ON THIRD READING
(by Truitt)**

HB 2774, A bill to be entitled An Act relating to the licensing and regulation of certain persons involved in residential mortgage lending; providing a penalty.

HB 2774 was passed by (Record 338): 147 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — King, S.; Martinez Fischer.

**HB 1325 ON THIRD 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.

HB 1325 was passed by (Record 339): 148 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — King, S.

HB 1093 ON THIRD READING
(by Pickett)

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

HB 1093 was passed by (Record 340): 148 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton;

Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — King, S.

HB 677 ON THIRD 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.

Amendment No. 1

Representative Heflin offered the following amendment to **HB 677**:

Amend **HB 677** on third reading, on page 2, line 21, by striking "may be" and substituting "is".

Amendment No. 1 was adopted.

HB 677, as amended, was passed by (Record 341): 107 Yeas, 36 Nays, 2 Present, not voting.

Yeas — Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Chisum; Christian; Coleman; Cook; Corte; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Edwards; Eissler; Elkins; Farias; Fletcher; Flores; Flynn; Frost; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Kleinschmidt; Kuempel; Laubenberg; Legler; Lewis; Madden; Mallory Caraway; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Pickett; Pierson; Pitts; Quintanilla; Riddle; Rios Ybarra; Ritter; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Taylor; Thompson; Truitt; Turner, S.; Veasey; Villarreal; Walle; Weber; Woolley; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Chavez; Cohen; Crabb; Deshotel; Dutton; England; Farabee; Farrar; Gallego; Geren; Guillen; Herrero; Hochberg; Kent; Kolkhorst; Leibowitz; Lucio; Maldonado; Marquez; Martinez; Menendez; Miklos; Olivo; Ortiz; Phillips; Raymond; Rodriguez; Rose; Strama; Thibaut; Turner, C.; Vo.

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

Absent — Bolton; Castro; King, S.; Peña; Vaught.

STATEMENTS OF VOTE

When Record No. 341 was taken, I was in the house but away from my desk. I would have voted no.

Castro

I was shown voting yes on Record No. 341. I intended to vote no.

Dunnam

I was shown voting yes on Record No. 341. I intended to vote no.

Frost

I was shown voting yes on Record No. 341. I intended to vote no.

Hernandez

I was shown voting yes on Record No. 341. I intended to vote no.

Homer

I was shown voting yes on Record No. 341. I intended to vote no.

Hopson

I was shown voting yes on Record No. 341. I intended to vote no.

Moody

I was shown voting yes on Record No. 341. I intended to vote no.

Naishtat

When Record No. 341 was taken, I was in the house but away from my desk. I would have voted yes.

Peña

When Record No. 341 was taken, I was in the house but away from my desk. I would have voted yes.

Vaught

I was shown voting yes on Record No. 341. I intended to vote no.

Walle

HB 1949 ON THIRD 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.

HB 1949 was passed by (Record 342): 148 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(C); Eissler; Elkins; England;

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

Present, not voting — Mr. Speaker.

Absent — King, S.

HB 774 ON THIRD 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.

HB 774 was passed by (Record 343): 148 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — King, S.

HB 3147 ON THIRD READING
(by T. Smith, Guillen, and Fletcher)

HB 3147, A bill to be entitled An Act relating to taking or attempting to take a weapon from a commissioned security officer.

HB 3147 was passed by (Record 344): 148 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — King, S.

HB 2004 ON THIRD READING
(by McCall)

HB 2004, A bill to be entitled An Act relating to a breach of computer security involving sensitive personal information.

Amendment No. 1

Representative McCall offered the following amendment to **HB 2004**:

Amend **HB 2004** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 181, Health and Safety Code, is amended by adding Section 181.006 to read as follows:

Sec. 181.006. PROTECTED HEALTH INFORMATION NOT PUBLIC.
For a covered entity that is a governmental unit, an individual's protected health information:

(1) includes any information that reflects that an individual received health care from the covered entity; and

(2) is not public information and is not subject to disclosure under Chapter 552, Government Code.

Amendment No. 1 was adopted.

HB 2004, as amended, was passed by (Record 345): 148 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — King, S.

HB 2465 ON THIRD READING
(by Chavez, Moody, and Guillen)

HB 2465, A bill to be entitled An Act relating to taking a deposition of an elderly or disabled victim of or witness to an offense.

HB 2465 was passed by (Record 346): 148 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis;

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

Present, not voting — Mr. Speaker.

Absent — King, S.

HB 2507 ON THIRD READING

(by Chisum, Gallego, Merritt, Gonzales, Corte, et al.)

HB 2507, A bill to be entitled An Act relating to the establishment of an interoperable statewide emergency radio infrastructure and the establishment of an emergency radio infrastructure account.

HB 2507 was passed by (Record 347): 148 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — King, S.

HB 3611 ON THIRD READING

(by Otto, Oliveira, Hilderbran, Heflin, Kolkhorst, et al.)

HB 3611, A bill to be entitled An Act relating to the consolidation of appraisal review boards.

HB 3611 was passed by (Record 348): 146 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — King, S.; Martinez Fischer; Veasey.

STATEMENT OF VOTE

When Record No. 348 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

HB 3612 ON THIRD READING

(by Otto, Oliveira, Villarreal, Gattis, Truitt, et al.)

HB 3612, A bill to be entitled An Act relating to the creation of a pilot program that allows taxpayer appeals from certain appraisal review board determinations in certain counties to be heard by the State Office of Administrative Hearings.

HB 3612 was passed by (Record 349): 148 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard,

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

Present, not voting — Mr. Speaker.

Absent — King, S.

HB 3613 ON THIRD READING
(by **Otto, Oliveira, Paxton, Taylor, Peña, et al.**)

HB 3613, A bill to be entitled An Act relating to the determination of the market value of a residence homestead for ad valorem tax purposes on the basis of the property's value as a residence homestead.

HB 3613 was passed by (Record 350): 142 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; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Edwards; Eiland(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — Burnam; Coleman; Dunnam; Gutierrez; King, S.; Martinez Fischer; Veasey.

HB 3595 ON THIRD READING
(by McReynolds and Guillen)

HB 3595, A bill to be entitled An Act relating to the provision of drug court programs in this state.

HB 3595 was passed by (Record 351): 147 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, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland(C); 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; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent — Davis, J.; Hancock.

HB 3231 ON THIRD READING
(by J. Davis and Guillen)

HB 3231, A bill to be entitled An Act relating to clarification of legislative intent regarding enrollment of newborns in Medicaid managed care plans and validating related acts and decisions.

HB 3231 was passed by (Record 352): 149 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(C); Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard,

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

Present, not voting — Mr. Speaker.

(Speaker in the chair)

HB 3025 ON THIRD READING
(by Coleman, Leibowitz, and Naishtat)

HB 3025, A bill to be entitled An Act relating to regulation by a property owners' association of certain religious displays.

Amendment No. 1

Representative Paxton offered the following amendment to **HB 3025**:

Strike page 1, lines 7-13 and replace with the following:

"Section 202.018. REGULATION OF DISPLAY OF CERTAIN RELIGIOUS ITEMS. (a) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner or resident from displaying or affixing on the entry to the owner's or resident's dwelling one or more religious items that reflect a tenet of the owner's or resident's religion."

Amendment No. 1 was adopted.

HB 3025, as amended, was passed by (Record 353): 148 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; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla;

Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Corte.

HB 2532 ON THIRD READING
(by Bonnen)

HB 2532, A bill to be entitled An Act relating to coordinating information regarding the location of infrastructure to which the supply of electric service is critical to the public health and safety or for emergency management purposes.

HB 2532 was passed by (Record 354): 146 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; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; 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; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Davis, Y.; Gallego; Thompson.

STATEMENT OF VOTE

When Record No. 354 was taken, I was in the house but away from my desk. I would have voted yes.

Thompson

HB 2571 ON THIRD READING
(by Gonzales, T. Smith, Lucio, Martinez, and Leibowitz)

HB 2571, A bill to be entitled An Act relating to the licensing and regulation of towing companies and vehicle storage facilities; providing penalties.

HB 2571 was passed by (Record 355): 147 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent — Brown, B.; King, S.

STATEMENT OF VOTE

I was shown voting yes on Record No. 355. I intended to vote no.

Heflin

HB 2806 ON THIRD READING

(by Maldonado, Corte, Fletcher, Peña, Edwards, et al.)

HB 2806, A bill to be entitled An Act relating to the reinstatement of a firefighter or police officer to a previously held position based on seniority on the return of another firefighter or police officer from a military leave of absence.

HB 2806 was passed by (Record 356): 147 Yeas, 0 Nays, 2 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; Crossover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.;

Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent — King, S.

HB 2779 ON THIRD READING

(by Truitt)

HB 2779, A bill to be entitled An Act relating to the regulation of certain mortgage banker employees who are residential mortgage loan originators; providing penalties.

HB 2779 was passed by (Record 357): 146 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; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — King, S.; Legler; Morrison.

STATEMENT OF VOTE

When Record No. 357 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

HB 2580 ON THIRD READING (by Frost)

HB 2580, A bill to be entitled An Act relating to the establishment of a peace officer employment opportunity Internet website by the Commission on Law Enforcement Officer Standards and Education.

HB 2580 was passed by (Record 358): 142 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Berman; Bohac; Bolton; Bonnen; Branch; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; 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; Hardcastle; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Aycock; Brown, B.; Christian; Harless.

Present, not voting — Mr. Speaker(C).

Absent — Driver; Hancock; King, S.

HB 2667 ON THIRD READING (by Ritter and Creighton)

HB 2667, A bill to be entitled An Act relating to performance standards for plumbing fixtures sold in this state.

HB 2667 was passed by (Record 359): 114 Yeas, 33 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Bolton; Branch; Burnam; Callegari; Castro; Chavez; Christian; Cohen; Coleman; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; England; Farabee; Farias; Farrar;

Flores; Flynn; Frost; Gallego; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hardcastle; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kuempel; Laubenberg; Legler; Leibowitz; Lucio; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Naishtat; Oliveira; Olivo; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Zerwas.

Nays — Anderson; Berman; Bonnen; Brown, B.; Brown, F.; Button; Chisum; Cook; Corte; Crabb; Elkins; Fletcher; Geren; Hancock; Harless; Harper-Brown; Hartnett; Hilderbran; Isett; Kleinschmidt; Kolkhorst; Lewis; Madden; Miller, S.; Morrison; Orr; Phillips; Riddle; Sheffield; Smithee; Truitt; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent — Hughes; King, S.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 359. I intended to vote no.

Laubenberg

I was shown voting yes on Record No. 359. I intended to vote no.

Taylor

HB 960 ON THIRD READING

(by Anchia, Lucio, Leibowitz, Castro, et al.)

HB 960, A bill to be entitled An Act relating to providing municipalities and counties access to criminal history record information for sexually oriented business license applicants.

HB 960 was passed by (Record 360): 148 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; Hilderbran; 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; Mallory Caraway; Marquez; Martinez; Martinez

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

Present, not voting — Mr. Speaker(C).

Absent — King, S.

HB 3076 ON THIRD READING
(by Deshotel, Eissler, et al.)

HB 3076, A bill to be entitled An Act relating to a parenting and paternity awareness program used in the health curriculum for public schools.

Amendment No. 1

Representative Chisum offered the following amendment to **HB 3076**:

Amend **HB 3076** on third reading as follows:

(1) In SECTION 1 of the bill, in the introductory language, strike "and (p-3)" and substitute "(p-3), and (p-4)".

(2) In SECTION 1 of the bill, immediately following added Section 28.002(p-3), Education Code, insert the following:

(p-4) A student under 14 years of age may not participate in a program developed under Subsection (p) without the permission of the student's parent or person standing in parental relation to the student.

Amendment No. 1 was adopted.

HB 3076, as amended, was passed by (Record 361): 113 Yeas, 35 Nays, 1 Present, not voting. (The vote was reconsidered on April 29, and **HB 3076** was further amended and was passed, as amended, by Record No. 389.)

Yeas — Allen; Alonzo; Alvarado; Anchia; Bolton; Burnam; Button; Castro; Chavez; Chisum; Cohen; Coleman; Cook; Corte; Crownover; Darby; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; England; Farabee; Farias; Farrar; Fletcher; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hancock; Hardcastle; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kuempel; Legler; Leibowitz; Lewis; Lucio; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Paxton; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Woolley; Zerwas.

Nays — Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Christian; Crabb; Craddick; Creighton; Davis, J.; Elkins; Flynn; Gattis; Geren; Hamilton; Harless; Hilderbran; Howard, C.; Isett; Kolkhorst; Laubenberg; Madden; Miller, S.; Parker; Phillips; Riddle; Sheffield; Smith, W.; Smithee; Truitt; Weber.

Present, not voting — Mr. Speaker(C).

Absent — King, S.

STATEMENT OF VOTE

I was shown voting no on Record No. 361. I intended to vote yes.

Branch

HB 1506 ON THIRD READING

(by Herrero, Leibowitz, Bolton, Gattis, et al.)

HB 1506, A bill to be entitled An Act relating to the imposition of conditions on certain defendants charged with an offense involving family violence.

HB 1506 was passed by (Record 362): 146 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.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Deshotel; King, S.; Strama.

STATEMENT OF VOTE

When Record No. 362 was taken, I was temporarily out of the house chamber. I would have voted yes.

Strama

HB 2317 ON THIRD READING
(by Villarreal, Flores, et al.)

HB 2317, A bill to be entitled An Act relating to the qualifications and training of appraisal review board members.

Amendment No. 1

Representative Villarreal offered the following amendment to **HB 2317**:

Amend **HB 2317** on third reading, as follows:

(1) In amended Subsection 5.041(a), Tax Code, at the end of added Subdivision (3) (second reading engrossment page 1, line 16), strike "and".

(2) In amended Subsection 5.041(a), Tax Code, at the end of added Subdivision (4) between "issues" and the period (second reading engrossment page 1, line 20), insert the following:
; and

(5) provide, as feasible, online technological assistance to improve the operations of appraisal review boards and appraisal districts

Amendment No. 1 was adopted.

Amendment No. 2

Representative C. Howard offered the following amendment to **HB 2317**:

Amend **HB 2317** on third reading as follows:

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

SECTION _____. Sections 6.41(d), (e), and (f), Tax Code, are amended to read as follows:

(d) Members of the board are appointed by resolution of a majority of the appraisal district board of directors, except that the members of the board for an appraisal district established in a county with a population of 300,000 or more are appointed by order or resolution of the commissioners court of the county. A vacancy on the board is filled in the same manner for the unexpired portion of the term.

(e) Members of the board hold office for terms of two years beginning January 1. The appraisal district board of directors by resolution shall provide for staggered terms, so that the terms of as close to one-half of the members as possible expire each year. In making the initial or subsequent appointments, the board of directors or commissioners court, as applicable, shall designate those members who serve terms of one year as needed to comply with this subsection.

(f) A member of the board may be removed from the board by a majority vote of the appraisal district board of directors or by the commissioners court, as applicable. Grounds for removal are:

- (1) a violation of Section 6.412, 6.413, 41.66(f), or 41.69; or
- (2) good cause relating to the attendance of members at called meetings of the board as established by written policy adopted by a majority of the appraisal district board of directors.

SECTION _____. (a) As soon as practicable on or after January 1, 2010, the commissioners court of each county with a population of 300,000 or more shall in the manner provided by Section 6.41, Tax Code, as amended by this Act, appoint the members of the appraisal review board for the appraisal district established in the county. In making the initial appointments, the commissioners court shall designate those members who serve terms of one year as necessary to comply with Section 6.41(e), Tax Code, as amended by this Act.

(b) The term of a member of an appraisal review board established in a county with a population of 300,000 or more serving on December 31, 2009, expires on January 1, 2010.

(2) Strike Section 4 of the bill and substitute the following:

SECTION 4. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2009.

(b) Sections 6.41(d), (e), and (f), Tax Code, as amended by this Act, take effect January 1, 2010.

Amendment No. 2 was adopted.

HB 2317, as amended, was passed by (Record 363): 134 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Branch; Brown, B.; 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; Eissler; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Jackson; Jones; Kent; King, P.; King, S.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Leibowitz; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Nays — Bonnen; Brown, F.; Driver; Eiland; Elkins; Hartnett; Isett; Keffer; Laubenberg; Lewis; Otto; Smithee.

Present, not voting — Mr. Speaker(C).

Absent — King, T.; Turner, S.; Zerwas.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 363. I intended to vote no.

Anchia

I was shown voting yes on Record No. 363. I intended to vote no.

Gonzales

I was shown voting yes on Record No. 363. I intended to vote no.

Herrero

I was shown voting yes on Record No. 363. I intended to vote no.

Maldonado

I was shown voting yes on Record No. 363. I intended to vote no.

Ortiz

I was shown voting yes on Record No. 363. I intended to vote no.

Strama

COMMITTEE GRANTED PERMISSION TO MEET

Representative McCall requested permission for the Committee on Calendars to meet while the house is in session, at 4 p.m. today, in 2W.6, for a formal meeting.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 4 p.m. today, 2W.6, for a formal meeting, to consider the Committee on Calendars rule.

HB 4031 ON THIRD READING

(by McCall)

HB 4031, A bill to be entitled An Act relating to the agricultural biomass and landfill diversion incentive program.

HB 4031 was passed by (Record 364): 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; 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; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, P.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler;

Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Callegari; Farabee; Hartnett; Isett; King, S.; King, T.; Marquez; Miller, S.; Oliveira; Pierson.

STATEMENTS OF VOTE

When Record No. 364 was taken, I was in the house but away from my desk. I would have voted yes.

Farabee

When Record No. 364 was taken, I was in the house but away from my desk. I would have voted yes.

Marquez

When Record No. 364 was taken, I was in the house but away from my desk. I would have voted yes.

S. Miller

When Record No. 364 was taken, my vote failed to register. I would have voted yes.

Pierson

HB 4577 ON THIRD READING (by Martínez and Leibowitz)

HB 4577, A bill to be entitled An Act relating to the seizure and destruction of certain plants.

HB 4577 was passed by (Record 365): 145 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; 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; Maldonado;

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

Present, not voting — Mr. Speaker(C).

Absent — Hartnett; Hilderbran; King, S.; McReynolds.

HB 2225 ON THIRD READING
(by Parker, Hughes, Rose, Legler, Lucio, et al.)

HB 2225, A bill to be entitled An Act relating to creating a committee to review the process for finding permanent placements for children in the conservatorship of the state.

Amendment No. 1

Representative Parker offered the following amendment to **HB 2225**:

Amend **HB 2225** on third reading in SECTION 1 of the bill, by striking Subsection (b)(2) (page 2, lines 10 and 11, second reading engrossment), and substituting the following:

(2) five members who have expertise in or a demonstrated commitment to adoption issues, three of whom are appointed by the governor, one of whom is appointed by the lieutenant governor, and one of whom is appointed by the speaker of the house of representatives.

Amendment No. 1 was adopted.

HB 2225, as amended, was passed by (Record 366): 147 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; Hilderbran; 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; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.;

Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — King, S.; Patrick.

HB 3961 ON THIRD READING
(by McReynolds and Peña)

HB 3961, A bill to be entitled An Act relating to the regulation of nursing.

HB 3961 was passed by (Record 367): 147 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; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Dutton; King, S.

HB 887 ON THIRD READING
(by Naishtat and Menendez)

HB 887, A bill to be entitled An Act relating to a court's authority to order a proposed patient to receive extended outpatient mental health services.

HB 887 was passed by (Record 368): 145 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; 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; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Corte; Frost; Harless; Howard, C.

STATEMENT OF VOTE

When Record No. 368 was taken, I was in the house but away from my desk. I would have voted yes.

Frost

HB 1109 ON THIRD READING (by Anchia, et al.)

HB 1109, A bill to be entitled An Act relating to late fees under a residential lease.

HB 1109 was passed by (Record 369): 145 Yeas, 0 Nays, 2 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; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios

Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent — Howard, C.; King, S.; Smith, W.

HB 1509 ON THIRD READING
(by Bonnen)

HB 1509, A bill to be entitled An Act relating to motor vehicles used for fire, emergency, or disaster response purposes.

HB 1509 was passed by (Record 370): 146 Yeas, 0 Nays, 2 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; Hilderbran; 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; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent — King, S.; Smith, W.

HB 1721 ON THIRD READING
(by Bohac and Leibowitz)

HB 1721, A bill to be entitled An Act relating to taking or attempting to take a weapon from an employee or official of a correctional facility that is operated by a county or municipality.

HB 1721 was passed by (Record 371): 144 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; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smithee; Solomons; Strama; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Howard, C.; Isett; King, S.; Smith, W.; Swinford.

HB 2389 ON THIRD READING
(by Hernandez)

HB 2389, A bill to be entitled An Act relating to supplemental breath alcohol testing court costs and the distribution of those costs in certain counties.

HB 2389 was passed by (Record 372): 143 Yeas, 0 Nays, 2 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; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent — Burnam; Dunnam; Gutierrez; Isett; King, S.

STATEMENTS OF VOTE

I was shown voting present, not voting on Record No. 372. I intended to vote yes.

Driver

When Record No. 372 was taken, I was in the house but away from my desk. I would have voted yes.

Isett

HB 2515 ON THIRD READING

(by T. Smith)

HB 2515, A bill to be entitled An Act relating to the minimum dollar amount for certain requirements to apply to certain public contracts.

HB 2515 was passed by (Record 373): 147 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent — Aycock; King, S.

HB 2480 ON THIRD READING

(by Hochberg and Guillen)

HB 2480, A bill to be entitled An Act relating to agreements with public junior colleges for courses for joint high school and junior college credit.

HB 2480 was passed by (Record 374): 148 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; Hilderbran; 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; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — King, S.

HB 3515 ON THIRD READING (by Dunnam)

HB 3515, A bill to be entitled An Act relating to the creation of the offense of failure to report barratry and solicitation of employment.

Amendment No. 1

Representative Hartnett offered the following amendment to **HB 3515**:

Amend **HB 3515** on third reading (second reading engrossment, page 1, lines 14 and 15), by striking "appropriate prosecuting attorney and the".

Amendment No. 1 was adopted.

HB 3515, as amended, was passed by (Record 375): 138 Yeas, 6 Nays, 3 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; 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; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran;

Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Allen; McClendon; Miller, S.; Riddle; Thompson; Truitt.

Present, not voting — Mr. Speaker(C); Mallory Caraway; Sheffield.

Absent — Callegari; Guillen; King, S.

STATEMENT OF VOTE

I was shown voting no on Record No. 375. I intended to vote yes.

Truitt

PROVIDING FOR A LOCAL, CONSENT, AND RESOLUTIONS CALENDAR

Representative Thompson moved to suspend all necessary rules to set a local, consent, and resolutions calendar for 9 a.m. Thursday, April 30.

The motion prevailed.

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 2:45 p.m. today, in 2W.6, to consider the calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, 2:45 p.m. today, 2W.6, for a formal meeting, to consider the calendar.

HB 3103 ON THIRD READING (by Leibowitz)

HB 3103, A bill to be entitled An Act relating to a change in ownership of entities awarded grants from the Texas Enterprise Fund.

HB 3103 was passed by (Record 376): 148 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; Hilderbran; 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; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — King, S.

HB 2729 ON THIRD READING **(by Pitts and Edwards)**

HB 2729, A bill to be entitled An Act relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.

HB 2729 was passed by (Record 377): 148 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent — King, S.

The speaker stated that **HB 2729** was passed subject to the provisions of Article III, Section 49a of the Texas Constitution.

HB 4102 ON THIRD READING
(by Eiland and Guillen)

HB 4102, A bill to be entitled An Act relating to the disaster contingency fund.

Representative Eiland moved to postpone consideration of **HB 4102** until 3 p.m. today.

The motion prevailed.

HB 2932 ON THIRD READING
(by Vaught, Pierson, Miklos, Fletcher, et al.)

HB 2932, A bill to be entitled An Act relating to including in the computerized criminal history system certain forensic DNA test results that indicate the person committed another offense.

HB 2932 was passed by (Record 378): 145 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; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Harless; Howard, C.; King, S.; Smith, W.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Rose requested permission for the Committee on Human Services to meet while the house is in session, at 2:50 p.m. today, in 3W.9, to consider pending bills.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Human Services, 2:50 p.m. today, 3W.9, for a formal meeting, to consider pending bills.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative McClendon moved to set a congratulatory and memorial calendar for 10 a.m. Thursday, April 30.

The motion prevailed.

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 3 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, 3 p.m. today, 1W.14, for a formal meeting, to consider the calendar.

**HB 3632 ON THIRD READING
(by Geren)**

HB 3632, A bill to be entitled An Act relating to the authority of the state to acquire, sell, or exchange certain land.

HB 3632 was passed by (Record 379): 144 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; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden;

Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Howard, C.; King, S.; Patrick; Quintanilla; Smith, W.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Deshotel requested permission for the Committee on Business and Industry to meet while the house is in session, at 3 p.m. today, in 3W.9, for a formal meeting.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Business and Industry, 3 p.m. today, 3W.9, for a formal meeting, to consider pending business.

HB 4293 ON THIRD READING (by Branch)

HB 4293, A bill to be entitled An Act relating to notice to the attorney general of an action, suit, or proceeding challenging the validity of a Texas statute or rule.

HB 4293 was passed by (Record 380): 145 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; Hilderbran; 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; Mallory Caraway; Marquez; Martinez; McCall; McClendon; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios

Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — King, S.; Martinez Fischer; McReynolds; Veasey.

(T. Smith in the chair)

HB 2572 ON THIRD READING
(by Gonzalez Tourelles)

HB 2572, A bill to be entitled An Act relating to the authority of a gas corporation to use a public right-of-way.

HB 2572 was passed by (Record 381): 146 Yeas, 0 Nays, 2 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; Hilderbran; 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; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent — King, S.; Martinez Fischer.

HB 2037 ON THIRD READING
(by D. Howard, Anchia, Branch, Eissler, Guillen, et al.)

HB 2037, A bill to be entitled An Act relating to the creation of the Permanent School Fund Management Council to manage the permanent school fund; providing a criminal penalty.

HB 2037 was passed by (Record 382): 104 Yeas, 42 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Berman; Bolton; Branch; Burnam; Button; Castro; Chavez; Cohen; Coleman; Cook; Corte; Darby; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler;

England; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hardcastle; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, T.; Kuempel; Leibowitz; Lewis; Lucio; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Solomons; Strama; Thibaut; Thompson; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Zerwas.

Nays — Anderson; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Crabb; Craddick; Creighton; Crownover; Davis, J.; Elkins; Fletcher; Hamilton; Hancock; Harper-Brown; Howard, C.; Hughes; King, P.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Madden; Miller, D.; Miller, S.; Morrison; Parker; Paxton; Phillips; Riddle; Sheffield; Shelton; Smith, W.; Smithee; Swinford; Taylor; Truitt; Weber; Woolley.

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

Absent — Harless; King, S.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 382. I intended to vote no.

Berman

I was shown voting yes on Record No. 382. I intended to vote no.

Corte

I was shown voting yes on Record No. 382. I intended to vote no.

Flynn

When Record No. 382 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

I was shown voting yes on Record No. 382. I intended to vote no.

Hilderbran

GENERAL STATE CALENDAR

SENATE BILLS

THIRD READING

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

SB 482 ON THIRD READING

(Chisum and Cohen - House Sponsors)

SB 482, A bill to be entitled An Act relating to the Texas Holocaust and Genocide Commission.

SB 482 was passed by (Record 383): 145 Yeas, 0 Nays, 2 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; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent — Farrar; Harless; King, S.

STATEMENT OF VOTE

When Record No. 383 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

SB 522 ON THIRD READING (Eissler - House Sponsor)

SB 522, A bill to be entitled An Act relating to the use of personal leave by a public school employee.

SB 522 was passed by (Record 384): 144 Yeas, 0 Nays, 2 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; Hilderbran; 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; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent — King, S.; Martinez Fischer; Pierson; Veasey.

STATEMENT OF VOTE

When Record No. 384 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

SB 741 ON THIRD READING (Darby - House Sponsor)

SB 741, A bill to be entitled An Act relating to jurisdiction over a wage claim filed after the deadline.

SB 741 was passed by (Record 385): 147 Yeas, 0 Nays, 2 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; Hilderbran; 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; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent — King, S.

SB 347 ON THIRD READING
(Kolkhorst and J. Davis - House Sponsors)

SB 347, A bill to be entitled An Act relating to the receipt and release of immunization information by the immunization registry in connection with a disaster; providing penalties.

SB 347 was passed by (Record 386): 144 Yeas, 0 Nays, 2 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; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent — Harless; King, S.; Martinez Fischer; Veasey.

STATEMENTS OF VOTE

When Record No. 386 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

When Record No. 386 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

POSTPONED BUSINESS

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

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.

HB 3545 was read second time on April 24 and was postponed until 10 a.m. today.

Representative Leibowitz moved to postpone consideration of **HB 3545** until 10 a.m. Friday, May 1.

The motion prevailed.

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.

HB 2987 was read second time on April 24 and was postponed until 10 a.m. today.

Representative Phillips moved to postpone consideration of **HB 2987** until 10 a.m. Friday, May 1.

The motion prevailed.

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.

CSHB 1707 was read second time on April 24 and was postponed until 10 a.m. today.

Representative Geren moved to postpone consideration of **CSHB 1707** until 10 a.m. Tuesday, May 5.

The motion prevailed.

HB 2347 ON SECOND READING
(by Thibaut and Guillen)

HB 2347, A bill to be entitled An Act relating to tuition and laboratory fee exemptions at public institutions of higher education for certain peace officers enrolled in criminal justice or law enforcement management-related course work.

HB 2347 was read second time on April 27, amendments were offered and disposed of, and **HB 2347** was postponed until 10 a.m. today.

Amendment No. 4

Representative Chisum offered the following amendment to **HB 2347**:

Amend **HB 2347** (House Committee Report) as follows:

- (1) On page 1, line 11, between "education" and "[boards", insert "may".
- (2) On page 1, line 13, strike "funds] shall" and substitute "funds shall".

Amendment No. 4 was withdrawn.

(Homer in the chair)

Representative Thibaut moved to postpone consideration of **HB 2347** until 3:45 p.m. today.

The motion prevailed.

(Speaker in the chair)

CSHB 2259 ON SECOND READING

(by **Crownover, Hardcastle, Farabee, Chisum, Gonzalez Toureilles, et al.**)

CSHB 2259, A bill to be entitled An Act relating to the plugging of certain inactive oil or gas wells.

CSHB 2259 was read second time on April 27, an amendment was offered and disposed of, and **CSHB 2259** was postponed until 10 a.m. today.

CSHB 2259 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE C. HOWARD: Ms. Crownover, I think you've got a really good bill here, but I just want to make a couple of clarifications. The way I understand it is, if a well has been inactive for 10 years or more, the operator must remove the production surface equipment associated with the inactive well. So if someone had an old well, and had an old concrete poured-in-place platform, and still had pipe laying on the ground, they would have to come in and remove that equipment, is that correct?

REPRESENTATIVE CROWNOVER: Right, and this addresses something that the landowners have never had before, where in order to delay a plugging, they have to prove that they have all the electricity disconnected because of the danger of the electricity on an inactive well.

C. HOWARD: So if they have power polls standing there with wires on them, they would be responsible for removing those, is that correct?

CROWNOVER: Right, and each year they have to go back and get permission to remain inactive because some of these wells—there's a very important thing going on right now where we're doing this enhanced oil recovery, so you might want to go back into the well—

C. HOWARD: Might want to go back, right?

CROWNOVER: Right. But after five years, if you have remained inactive, then you have to make sure that all the batteries are drained and that there's no problem with corrosion. And after 10 years, you must remove everything from the property and have it back like it was. And I don't understand—this is a small

step if—you know, I am a landowner; I do have somebody else owning the mineral under my ground. I would like to have them disappear, but that is not state law, and we need a strong, healthy energy. Our schoolchildren need energy.

C. HOWARD: Yes, like I said, I like your bill. I'm like you, I'm a surface owner, and I have a poured-in-place platform that's been there for 40 years. It needs to be removed.

REMARKS ORDERED PRINTED

Representative C. Howard moved to print remarks between Representative Crownover and Representative C. Howard.

The motion prevailed.

Amendment No. 2

Representative Gallego offered the following amendment to **CSHB 2259**:

Amend **CSHB 2259** (House Committee Printing) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 6), strike "and (13)" and substitute "(13), and (14)".

(2) In SECTION 1 of the bill, following proposed Section 89.002(a)(13), Natural Resources Code (page 2, following line 18), add the following:

(14) "Responsible party" means any person who assumed responsibility for operating a well before the current operator, as shown by forms filed with the commission, and who was responsible for operating the well within the last 10 years.

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

SECTION _____. Subchapter B, Chapter 89, Natural Resources Code, is amended by adding Section 89.013 to read as follows:

Sec. 89.013. DUTY OF RESPONSIBLE PARTY. (a) If the operator of a well fails to comply with Section 89.011 and the nonoperators fail to comply with Section 89.012, each responsible party assumes the duty to plug the well in accordance with Section 89.011. If there is more than one responsible party, each responsible party is liable for the cost of plugging the well and for reimbursing the commission for the cost of enforcing this section, provided that each responsible party who bears all or part of the costs of plugging the well and enforcement of this section has a claim against:

(1) the defaulting operator and nonoperators for the entire amount spent by the responsible party; and

(2) the other responsible parties for their proportionate shares of the costs of plugging the well and enforcement of this section.

(b) In lieu of liability for plugging the well in accordance with Subsection (a), a responsible party may elect to submit a supplemental bond, letter of credit, or cash deposit to the commission in the amount necessary for the entire cost of plugging the well and enforcing this section to be covered by current and enforceable bonds, letters of credit, or cash deposits.

(c) The commission may consider the cost of enforcing this section when determining an operator's proportionate share.

SECTION _____. Section 89.042, Natural Resources Code, is amended by adding Subsection (c) to read as follows:

(c) If the nonoperators cannot be found, or if they lack the assets or refuse to plug the well under Subsection (b), the commission shall order the responsible parties to plug the well according to the rules of the commission in effect at the time the order is issued.

SECTION _____. Section 91.002(a), Natural Resources Code, is amended to read as follows:

(a) A person who wilfully or with criminal negligence violates Section 91.019 or 91.101 ~~[of this code]~~ or a rule, order, or permit of the commission issued under one of those sections ~~[that section]~~ commits an offense.

SECTION _____. Subchapter B, Chapter 91, Natural Resources Code, is amended by adding Section 91.019 to read as follows:

Sec. 91.019. ELECTRIC LINES. (a) An operator must ensure that electric lines associated with the operator's oil or gas wells do not present an unreasonable risk of causing a fire.

(b) An operator must ensure that all electric lines associated with the operator's oil or gas wells are properly connected to equipment that requires a source of power. Live electric lines may not at any time be left in contact with the ground while unattached to equipment that requires a source of power.

SECTION _____. Section 89.011(e), Natural Resources Code, is repealed.

Amendment No. 2 - Point of Order

Representative Chisum 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 speaker overruled the point of order and submitted the following statement:

Mr. Chisum raises a point of order against further consideration of the Gallego amendment to **CSHB 2259** in that the amendment is not germane to the bill in violation of Rule 11, Section 2 of the House Rules.

The subject of **CSHB 2259** is the plugging of inactive wells. The bill establishes procedures in Chapter 89, Natural Resources Code, for proving that an operator's well is plugged and conditions renewal of an operator's certificate for active wells on the plugging of inactive wells or the granting of an extension to plug the inactive well by the commission. The bill also makes provisions for electric lines that feed inactive wells.

The amendment also amends Chapter 89 in a manner that encourages the plugging of inactive wells, albeit by another method (i.e. holding the former operator of the well responsible for plugging the well). The amendment also has provisions involving electrical lines that feed wells and requires that an operator ensure that those lines are properly connected. These provisions are clearly related to the subject or purpose of the bill, which is to encourage the plugging of inactive oil wells.

As such, the amendment is related to the purpose of the bill and is germane. See House Journal, 76th Legislature, Regular Session (1999), page 3709, in which the chair ruled that an amendment to a bill relating to procedures for summary judgement that added provisions relating to such was related to the purpose of the bill. The point of order is respectfully overruled.

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 2259 - (consideration continued)

(Anderson in the chair)

Representative Crownover moved to table Amendment No. 2.

The motion to table prevailed by (Record 387): 119 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson(C); Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Chisum; Christian; Cohen; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eissler; Elkins; England; Farabee; Fletcher; Flores; Flynn; Frost; Geren; Giddings; Gonzales; Gonzalez Tourelles; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hernandez; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; Kolkhorst; Kuempel; Laubenberg; Legler; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; McCall; McClendon; McReynolds; Merritt; Miller, D.; Miller, S.; Moody; Naishtat; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Villarreal; Weber; Woolley; Zerwas.

Nays — Castro; Chavez; Dunnam; Eiland; Farias; Farrar; Gallego; Gattis; Herrero; Hochberg; King, T.; Kleinschmidt; Leibowitz; Martinez; Martinez Fischer; Menendez; Miklos; Morrison; Olivo; Veasey; Walle.

Present, not voting — Mr. Speaker.

Absent — Anchia; Coleman; Edwards; Guillen; Gutierrez; Hartnett; King, S.; Peña; Vo.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 387. I intended to vote no.

Hilderbran

When Record No. 387 was taken, my vote failed to register. I would have voted yes.

S. King

I was shown voting yes on Record No. 387. I intended to vote no.

Maldonado

I was shown voting no on Record No. 387. I intended to vote yes.

Veasey

CSHB 2259 was passed to engrossment.

HB 4102 ON THIRD READING
(by Eiland and Guillen)

HB 4102, A bill to be entitled An Act relating to the disaster contingency fund.

HB 4102 was read third time earlier today and was postponed until this time.

Representative Coleman moved to postpone consideration of **HB 4102** until 10 a.m. tomorrow.

The motion prevailed.

HB 2347 ON SECOND READING
(by Thibaut and Guillen)

HB 2347, A bill to be entitled An Act relating to tuition and laboratory fee exemptions at public institutions of higher education for certain peace officers enrolled in criminal justice or law enforcement management-related course work.

HB 2347 was read second time on April 27, amendments were offered and disposed of, **HB 2347** was postponed until 10 a.m. today, and was again postponed until this time.

Amendment No. 5

Representatives Coleman, Bonnen, and Leibowitz offered the following amendment to **HB 2347**:

Amend **HB 2347** (house committee report) by inserting the following on page 2 between lines 1 and 2:

(c) If the legislature does not specifically appropriate funds to an institution of higher education in an amount sufficient to pay the institution's costs in complying with this section for a semester, the governing board of the institution of higher education shall report to the Senate Finance Committee and the House Appropriations Committee the cost to the institution of complying with this section for that semester.

Amendment No. 5 was adopted.

HB 2347, as amended, was passed to engrossment. (Aycock, Darby, and Flynn recorded voting no.)

(Madden in the chair)

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 67 ON SECOND READING
(by Lucio, Jackson, Martinez, Edwards, Herrero, et al.)**

HB 67, A bill to be entitled An Act relating to a medical assistance buy-in program for children with certain developmental disabilities.

Representative Lucio moved to postpone consideration of **HB 67** until 10 a.m. Friday, May 1.

The motion prevailed.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 3765 ON SECOND READING
(by Paxton)**

HB 3765, A bill to be entitled An Act relating to the use of hazardous and solid waste remediation fee funds for lead-acid battery recycling activities.

Amendment No. 1

Representative Cook offered the following amendment to **HB 3765**:

Amend **HB 3765** (house committee printing) as follows:

(1) On page 2, line 17, strike "20 percent annually" and substitute "10 percent of the annually appropriated amount".

(2) On page 2, strike lines 21-27, and substitute:

(A) for remediation; and

(B) to create incentives for the adoption of innovative technology in lead-acid battery recycling to increase the efficiency and effectiveness of the recycling process or reduce the negative environmental impacts of the recycling process.

(3) On page 3, strike lines 1-7.

(4) On page 3, line 8, strike "3." and substitute "2.".

Amendment No. 1 was adopted.

HB 3765, as amended, was passed to engrossment.

**CSHB 4435 ON SECOND READING
(by Allen)**

CSHB 4435, A bill to be entitled An Act relating to the requirement for participation by certain principals in the school leadership pilot program for principals.

CSHB 4435 was passed to engrossment. (Christian recorded voting no.)

HB 3841 ON SECOND READING**(by Hilderbran)**

HB 3841, A bill to be entitled An Act relating to requiring joint elections for trustees of common school districts.

HB 3841 was passed to engrossment.

CSHB 4451 ON SECOND READING**(by McReynolds, S. Miller, and Marquez)**

CSHB 4451, A bill to be entitled An Act relating to continuity of care services for youth with mental illness or mental retardation who are discharged or paroled from the Texas Youth Commission.

CSHB 4451 was passed to engrossment.

HB 4006 ON SECOND READING**(by Hardcastle)**

HB 4006, A bill to be entitled An Act relating to veterinarian reports of diseased animals.

HB 4006 was passed to engrossment.

HB 4386 ON SECOND READING**(by Vaught, Riddle, Fletcher, Moody, and Branch)**

HB 4386, A bill to be entitled An Act relating to the creation of DNA records for the DNA database system.

Representative Vaught moved to postpone consideration of **HB 4386** until 10 a.m. tomorrow.

The motion prevailed.

CSHB 2303 ON SECOND READING**(by Truitt, Herrero, and Isett)**

CSHB 2303, A bill to be entitled An Act relating to the scope of services of and the persons who may be provided services by a community center.

CSHB 2303 was passed to engrossment.

CSHB 2289 ON SECOND READING**(by Madden, McReynolds, and Marquez)**

CSHB 2289, A bill to be entitled An Act relating to discharging or releasing inmates from the Texas Department of Criminal Justice at or near certain department facilities.

CSHB 2289 was passed to engrossment.

(Speaker in the chair)

HB 4302 ON SECOND READING
(by Farrar)

HB 4302, A bill to be entitled An Act relating to the confidentiality of criminal history record information and related information that is obtained by a school district and that relates to an employee of the district.

HB 4302 was passed to engrossment. (Riddle recorded voting no.)

HB 4231 ON SECOND READING
(by Ritter, Callegari, and Creighton)

HB 4231, A bill to be entitled An Act relating to the conveyancing or transfer in this state of water imported into this state from a source located outside this state.

Amendment No. 1

Representative Ritter offered the following amendment to **HB 4231**:

Amend **HB 4231** (house committee printing) as follows:

(1) On page 1, strike lines 5-15 and substitute the following:

SECTION 1. Section 11.042, Water Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) With prior authorization granted under rules prescribed by the commission, a person, association of persons, corporation, water control and improvement district, water improvement district, or irrigation district supplying water imported from a source located wholly outside the boundaries of this state, except water imported from a source located in the United Mexican States, may use the bed and banks of any flowing natural stream in the state to convey water for use in this state. The authorization must:

(1) allow for the diversion of only the amount of water put into a watercourse or stream, less carriage losses; and

(2) include special conditions adequate to prevent a significant impact to the quality of water in this state.

(2) On page 2, strike lines 8-13 and substitute the following:

(5) a proposed transfer of water that is:

(A) imported from a source located wholly outside the boundaries of this state, except water that is imported from a source located in the United Mexican States;

(B) for use in this state; and

(C) transported by using the bed and banks of any flowing natural stream located in this state.

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

SECTION _____. Section 11.0237(b), Water Code, is amended to read as follows:

(b) This section does not alter the commission's obligations under Section 11.042(a-1), (b), [~~11.042(b)~~] or (c), 11.046(b), 11.085(k)(2)(F), 11.134(b)(3)(D), 11.147, 11.1471, 11.1491, 11.150, 11.152, 16.058, or 16.059.

Amendment No. 1 was adopted.

HB 4231, as amended, was passed to engrossment.

CSHB 1799 ON SECOND READING

(by Bohac, Elkins, Solomons, Hilderbran, S. Turner, et al.)

CSHB 1799, A bill to be entitled An Act relating to information that must be included on certain electric bills.

CSHB 1799 was passed to engrossment.

MESSAGE FROM THE SENATE

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

CSHB 1787 ON SECOND READING

(by Solomons and Shelton)

CSHB 1787, A bill to be entitled An Act relating to the designation or appointment of registered agents for service of process, notice, or demand on certain entities or associations.

Amendment No. 1

Representative Solomons offered the following amendment to **CSHB 1787**:

Amend **CSHB 1787** on page 6, line 5, between "(1)" and "forward", by inserting "receive or accept, and".

Amendment No. 1 was adopted.

CSHB 1787, as amended, was passed to engrossment.

HB 1659 ON SECOND READING

(by P. King)

HB 1659, A bill to be entitled An Act relating to creating an exception to the offense of unlawful installation of a tracking device.

Amendment No. 1

Representative P. King offered the following amendment to **HB 1659**:

Amend **HB 1659** (House Committee Report) as follows:

On page 2, strike lines 6-9 and substitute the following:

(e) This section does not apply to a peace officer who installed the device in the course of a criminal investigation or pursuant to an order of a court to gather information for a law enforcement agency.

Amendment No. 1 was adopted.

HB 1659, as amended, was passed to engrossment.

CSHB 1629 ON SECOND READING
(by Naishtat and Madden)

CSHB 1629, A bill to be entitled An Act relating to the care and protection of foster children committed to or released under supervision by the Texas Youth Commission.

CSHB 1629 was passed to engrossment.

FIVE-DAY POSTING RULE SUSPENDED

Representative Ritter moved to suspend the five-day posting rule to allow the Committee on Natural Resources to consider **HB 4815**, **HB 4817**, **HB 4823**, **HB 4825**, and **HB 4826**.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Natural Resources, upon final adjournment today, E2.010, for a public hearing, to consider **HB 4815**, **HB 4817**, **HB 4823**, **HB 4825**, and **HB 4826**.

(Swinford in the chair)

FIVE-DAY POSTING RULE SUSPENDED

Representative Rose moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Human Services to consider **HB 948**, **HB 1895**, **HB 4389**, and posted bills.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Human Services, 10:30 a.m. or upon final adjournment Thursday, April 30, E2.036, for a public hearing, to consider **HB 948**, **HB 1895**, **HB 4389**, and posted bills.

FIVE-DAY POSTING RULE SUSPENDED

Representative Corte moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Defense and Veterans' Affairs to consider **HB 3511** at 8 a.m. tomorrow in E2.026.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Defense and Veterans' Affairs, 8 a.m. tomorrow, E2.026, for a public hearing, to consider **HB 3511** and previously posted business.

STATEMENTS OF VOTE

When Record Nos. 336-350, 355-358, 360, 362, 364-367, 369-381, and 383-386 were taken, I was temporarily out of the house chamber. I would have voted yes.

When Record Nos. 359, 361, and 382 were taken, I was temporarily out of the house chamber. I would have voted no.

S. King

PROVIDING FOR ADJOURNMENT

Representative Dutton moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in memory of Gloria Gorham of Houston.

The motion prevailed.

RESOLUTIONS REFERRED TO COMMITTEES

Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

(Creighton in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 5:16 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 2

HCR 194 (By Homer), Commemorating the Rotary District 5830 Conference in Paris, Texas, on May 15 and 16, 2009.

To Rules and Resolutions.

HCR 195 (By Homer), In memory of Robert Dale House of Johntown.

To Rules and Resolutions.

HCR 196 (By Homer), In memory of Judy Broach Hammonds of Mount Pleasant.

To Rules and Resolutions.

HCR 197 (By Homer), In memory of Paul Alford Middleton of Annona.
To Rules and Resolutions.

HCR 198 (By Homer), In memory of Hubert H. Wiley of Clarksville.
To Rules and Resolutions.

HCR 199 (By Homer), In memory of George I. Richardson of Paris, Texas.
To Rules and Resolutions.

HCR 200 (By Homer), Honoring the life of Gratie Mae Potts of Clarksville.
To Rules and Resolutions.

HCR 201 (By Homer), In memory of Doris L. Joplin of Powderly.
To Rules and Resolutions.

HCR 202 (By Homer), In memory of Dorothy Matthews of Mount Pleasant.
To Rules and Resolutions.

HCR 203 (By Homer), In memory of Lessie Nelson of Mount Vernon.
To Rules and Resolutions.

HR 1601 (By Solomons), In memory of Timothy William Murphy of Rockport.
To Rules and Resolutions.

HR 1602 (By Gonzales), Honoring the life of William Dean "Bill" Peisen of McAllen.
To Rules and Resolutions.

HR 1603 (By Rios Ybarra), Honoring former Kenedy County Sheriff Rafael Cuellar, Jr., for his record of achievement and contributions to the community.
To Rules and Resolutions.

HR 1604 (By Rios Ybarra), Honoring the Dunlap family of La Feria for their contributions to the community.
To Rules and Resolutions.

HR 1605 (By Rios Ybarra), Commending Olga R. Serna of Sarita for her service to her community.
To Rules and Resolutions.

HR 1606 (By Rios Ybarra), Honoring U.S. Coast Guard Petty Officer James M. Russell for his exemplary rescue efforts during Hurricane Ike.
To Rules and Resolutions.

HR 1607 (By Rios Ybarra), Honoring the life of Valeria Garcia of Bluetown.
To Rules and Resolutions.

HR 1608 (By Rios Ybarra), Recognizing La Feria city commissioner John Hernandez for his contributions to his community and his country.
To Rules and Resolutions.

HR 1609 (By Hughes), Congratulating Jerry and Beth Scoggins of Mineola on their 50th wedding anniversary.
To Rules and Resolutions.

HR 1610 (By Hughes), Congratulating Bennie and Carolyn Blakey of Mineola on their 50th wedding anniversary.

To Rules and Resolutions.

HR 1612 (By Dunnam), Commending Tommy Takyi-Micah for his service as a legislative assistant.

To Rules and Resolutions.

HR 1613 (By Geren), Honoring Ronald Ray Hughes of Austin on the occasion of his retirement from the Purchasing and Supply Department of House Business Operations.

To Rules and Resolutions.

HR 1614 (By Dutton), Congratulating Horace and Mattie Johnson of Houston on their 50th wedding anniversary.

To Rules and Resolutions.

HR 1615 (By Guillen), Congratulating Lionel and Sylvia Pena of Edinburg on their 50th wedding anniversary and on their many accomplishments.

To Rules and Resolutions.

HR 1616 (By Maldonado), Honoring First Lieutenant John David Magri of the U.S. Army for his service in Iraq.

To Rules and Resolutions.

HR 1617 (By Anchia), Congratulating Ron Kirk on his confirmation as the first African American United States Trade Representative.

To Rules and Resolutions.

HR 1618 (By Anchia), In memory of Senior Corporal Norman Stephen Smith of the Dallas Police Department.

To Rules and Resolutions.

HR 1619 (By Anchia), Honoring UT Southwestern Medical Center on its selection as the top medical school in the country for Hispanic students by Hispanic Business magazine.

To Rules and Resolutions.

HR 1620 (By Gattis), Commemorating the 100th anniversary of the founding of Jarrell.

To Rules and Resolutions.

HR 1621 (By Gattis), Honoring Leander ISD, Round Rock ISD, the Cedar Park, Leander, and Round Rock police departments, and the Williamson County Sheriff's Office for their contributions to Hurricane Ike evacuees.

To Rules and Resolutions.

HR 1622 (By Parker), In memory of Paisley Jae Keehn of Flower Mound.

To Rules and Resolutions.

HR 1623 (By Coleman), Recognizing May 6, 2009, as County Government Day at the State Capitol.

To Rules and Resolutions.

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Tuesday, April 28, 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:

HB 670 Martinez Fischer SPONSOR: Ellis
Relating to a qualified privilege of a journalist not to testify.
(Committee Substitute)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Tuesday, April 28, 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 PASSED THE FOLLOWING MEASURES:

SB 45 Zaffirini
Relating to tuition exemptions at public institutions of higher education for students enrolled in certain interinstitutional academic programs.

SB 860 Hegar
Relating to the creation of the Fort Bend-Waller Counties Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

SB 1405 Shapleigh

Relating to the establishment of an advisory committee to assist the Texas Water Development Board in incorporating the potential effects of climate variability into the state water plan.

SB 1629 Wentworth

Relating to the persons exempted from the required prepayment of the personnel costs incurred by a governmental body in responding to requests from a requestor under the public information law that require large amounts of personnel time.

SB 1740 Uresti

Relating to the creation of three additional county courts at law in Bexar County.

SB 2126 Estes

Relating to the authority of owners and managers of apartment houses to assess a service charge for the submetering of water and wastewater services.

SB 2270 Gallegos

Relating to consideration of mitigating factors in determining appropriate disciplinary action to be taken against a public school student.

SB 2298 Watson

Relating to compensation of certain state employees.

SB 2522 Gallegos

Relating to the board of directors of the Greater East End Management District.

SB 2529 Estes

Relating to the creation of the Red River Groundwater Conservation District; providing authority to issue bonds; granting the power of eminent domain.

SCR 65 Shapiro

Designating May 12, 2009, as Mary Kay Ash Day in the State of Texas.

SCR 66 Van de Putte

Commending Tommy Nobis for his many notable achievements, in his remarkable football career with The University of Texas Longhorns and the Atlanta Falcons of the NFL.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 27

Agriculture and Livestock - **HB 4578**

Border and Intergovernmental Affairs - **HB 3929**

Business and Industry - HB 345, HB 2392**County Affairs - HB 1063, HB 2614, HB 2665, HB 3011, HB 3265, HB 3491, HB 3730, HB 3731, HB 3863, HB 4707, HB 4722, HB 4730, HJR 84****Criminal Jurisprudence - HB 148, HB 221, HB 1152, HB 1482, HB 1544, HB 2003, HB 2609, HB 2846, HB 3318, HB 3481, HB 4336, HB 4427****Culture, Recreation, and Tourism - HB 1739****Elections - HB 488****Higher Education - HB 2424, HB 3645, SB 43, SB 811****Human Services - HB 165, HB 324, HB 486, HB 884, HB 1398, HB 2329, HB 2860, HB 3219, HB 3225, HB 3260, HB 4154, HB 4158, HB 4202, HB 4378****Insurance - HB 969, HB 1928, HB 2000, HB 4242, HB 4338, HB 4402, HB 4410, HB 4461****Licensing and Administrative Procedures - HB 206, HB 2081, HB 3331, HB 4195, SB 529, SB 538****Natural Resources - HB 179, HB 1508, HB 1741, HB 2108, HB 2134, HB 2535, HB 2536, HB 2608, HB 3805, HB 4698, HB 4701, HB 4713, HB 4720, HB 4725, HB 4743, HB 4748, HB 4762, HB 4772, HB 4778, HJR 128, SB 1040, SB 1209, SB 1223, SB 1253, SB 1260, SB 1711, SB 1755****Pensions, Investments, and Financial Services - HB 1934, HB 1939, HB 2438, HB 2986, HB 3621, HB 3870, SB 1966****Public Education - HB 3, HB 999, HB 3421, SB 522****Public Health - HB 732, HB 808, HB 1128, HB 1218, HB 1850, HB 1966, HB 2028, HB 2154, HB 2271, HB 3270, HB 3469, HB 3623, HB 3670, HB 4029, HB 4642, SB 286****State Affairs - HB 366, HB 535, HB 1959, SB 95****Technology, Economic Development, and Workforce - HB 2492, HB 2636, HB 2745, HB 4329, HB 4525****Transportation - HB 92, HB 784, HB 1749, HB 2012, HB 2899, HB 4779, HCR 174****Urban Affairs - HB 1397, HB 1421, HB 1648, HB 1727, HB 1937, HB 2639, HB 2845, HB 3557, HB 4275****Ways and Means - HB 649, HB 1324, HB 2070, HB 2291, HB 3133, HB 3896, HB 3983, HB 4661****ENGROSSED****April 27 - HB 28, HB 51, HB 63, HB 392, HB 406, HB 449, HB 492, HB 533, HB 655, HB 669, HB 673, HB 704, HB 1322, HB 1365, HB 1633, HB 1693, HB 1711, HB 1728, HB 1736, HB 1793, HB 1814, HB 1861,**

**HB 1924, HB 2039, HB 2066, HB 2097, HB 2139, HB 2168, HB 2187,
HB 2202, HB 2219**

ENROLLED

**April 27 - HB 2457, HCR 41, HCR 60, HCR 82, HCR 101, HCR 104,
HCR 107, HCR 108, HCR 109, HCR 110, HCR 111, HCR 112, HCR 114,
HCR 128, HCR 129, HCR 130, HCR 131, HCR 140, HCR 150, HCR 154,
HCR 155, HCR 156, HCR 157, HCR 158**

SENT TO THE GOVERNOR

**April 27 - HB 2457, HCR 41, HCR 60, HCR 82, HCR 101, HCR 104,
HCR 107, HCR 108, HCR 109, HCR 110, HCR 111, HCR 112, HCR 114,
HCR 128, HCR 129, HCR 130, HCR 131, HCR 140, HCR 150, HCR 154,
HCR 155, HCR 156, HCR 157, HCR 158**