

# HOUSE JOURNAL

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EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SIXTY-SECOND DAY — SATURDAY, MAY 2, 2009

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

The roll of the house was called and a quorum was announced present (Record 497).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; 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; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; 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; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Absent, Excused — Chisum; Driver; Miller, S.; Otto.

Absent — Anderson; Gutierrez; King, S.; McCall.

The invocation was offered by Representative Dutton.

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

### LEAVES OF ABSENCE GRANTED

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

Chisum on motion of Hancock.

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

Otto on motion of Orr.

(Anderson now present)

### COMMITTEE GRANTED PERMISSION TO MEET

Representative T. Smith requested permission for the Committee on Elections to meet while the house is in session, at 9:15 a.m. today, in 3W.9, for a formal meeting, to consider **HB 2511**, **HB 2525**, **HB 3715**, and **HB 4033**.

Permission to meet was granted.

### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Elections, 9:15 a.m. today, 3W.9, for a formal meeting, to consider **HB 2511**, **HB 2525**, **HB 3715**, and **HB 4033**.

### POSTPONED BUSINESS

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

#### **HB 1833 ON SECOND READING**

**(by Hughes and Leibowitz)**

**HB 1833**, A bill to be entitled An Act relating to the electronic storage of records by the clerks of the supreme court and the courts of appeals.

**HB 1833** was read second time on April 20, postponed until April 27, postponed until April 29, postponed until April 30, and was again postponed until 10 a.m. today.

Representative Harper-Brown moved to postpone consideration of **HB 1833** until 9:30 a.m. today.

The motion prevailed.

#### **HB 2230 ON SECOND READING**

**(by Parker and Peña)**

**HB 2230**, A bill to be entitled An Act relating to liability for interest if land designated for agricultural use for ad valorem tax purposes is sold or diverted to a nonagricultural use.

**HB 2230** was read second time on May 1 and was postponed until 10 a.m. today.

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

Representative Parker offered the following amendment to **HB 2230**:

Amend **HB 2230** (House Committee Printing) as follows:

(1) Strike SECTION 2 of the bill (page 2, lines 15-18) and substitute the following SECTIONS, appropriately numbered:

SECTION \_\_\_\_\_. Sections 23.55(a), (b), (e), (f), (m), and (n), Tax Code, are amended to read as follows:

(a) If the use of land that has been appraised as provided by this subchapter changes, an additional tax is imposed on the land equal to the difference between the taxes imposed on the land for each of the five years preceding the year in

which the change of use occurs that the land was appraised as provided by this subchapter and the tax that would have been imposed had the land been taxed on the basis of market value in each of those years [~~plus interest at an annual rate of seven percent calculated from the dates on which the differences would have become due~~]. For purposes of this subsection, the chief appraiser may not consider any period during which land is owned by the state in determining whether a change in the use of the land has occurred.

(b) A tax lien attaches to the land on the date the change of use occurs to secure payment of the additional tax [~~and interest~~] imposed by this section and any penalties incurred. The lien exists in favor of all taxing units for which the additional tax is imposed.

(c) A determination that a change in use of the land has occurred is made by the chief appraiser. The chief appraiser shall deliver a notice of the determination to the owner of the land as soon as possible after making the determination and shall include in the notice an explanation of the owner's right to protest the determination. If the owner does not file a timely protest or if the final determination of the protest is that the additional taxes are due, the assessor for each taxing unit shall prepare and deliver a bill for the additional taxes [~~plus interest~~] as soon as practicable. The taxes [~~and interest~~] are due and become delinquent and incur penalties and interest as provided by law for ad valorem taxes imposed by the taxing unit if not paid before the next February 1 that is at least 20 days after the date the bill is delivered to the owner of the land.

(f) The sanctions provided by Subsection (a) [~~of this section~~] do not apply if the change of use occurs as a result of:

- (1) a sale for right-of-way;
- (2) a condemnation;
- (3) a transfer of the property to the state or a political subdivision of the state to be used for a public purpose; or
- (4) a transfer of the property from the state, a political subdivision of the state, or a nonprofit corporation created by a municipality with a population of more than one million under the Development Corporation Act (Subtitle C1, Title 12, Local Government Code) to an individual or a business entity for purposes of economic development if the comptroller determines that the economic development is likely to generate for deposit in the general revenue fund during the next two fiscal bienniums an amount of taxes and other revenues that equals or exceeds 20 times the amount of additional taxes [~~and interest~~] that would have been imposed under Subsection (a) had the sanctions provided by that subsection applied to the transfer.

(m) For purposes of determining whether a transfer of land qualifies for the exemption from additional taxes provided by Subsection (f)(4), on an application of the entity transferring or proposing to transfer the land or of the individual or entity to which the land is transferred or proposed to be transferred, the comptroller shall determine the amount of taxes and other revenues likely to be generated as a result of the economic development for deposit in the general revenue fund during the next two fiscal bienniums. If the comptroller determines that the amount of those revenues is likely to equal or exceed 20 times the

amount of additional taxes [~~and interest~~] that would be imposed under Subsection (a) if the sanctions provided by that subsection applied to the transfer, the comptroller shall issue a letter to the applicant stating the comptroller's determination and shall send a copy of the letter by regular mail to the chief appraiser.

(n) Within one year of the conclusion of the two fiscal bienniums for which the comptroller issued a letter as provided under Subsection (m), the board of directors of the appraisal district, by official board action, may direct the chief appraiser to request the comptroller to determine if the amount of revenues was equal to or exceeded 20 times the amount of taxes [~~and interest~~] that would have been imposed under Subsection (a). The comptroller shall issue a finding as to whether the amount of revenue met the projected increases. The chief appraiser shall review the results of the comptroller's finding and shall make a determination as to whether sanctions under Subsection (a) should be imposed. If the chief appraiser determines that the sanctions provided by Subsection (a) shall be imposed, the sanctions shall be based on the date of the transfer of the property under Subsection (f)(4).

SECTION \_\_\_\_\_. Sections 23.58(c) and (d), Tax Code, are amended to read as follows:

(c) A provision in an instrument pertaining to a loan secured by a lien in favor of the lender on land appraised according to this subchapter that requires the borrower to make a payment to protect the lender from loss because of the imposition of additional taxes [~~and interest~~] under Section 23.55 is void unless the provision:

(1) requires the borrower to pay into an escrow account established by the lender an amount equal to the additional taxes [~~and interest~~] that would be due under Section 23.55 if a change of use occurred on January 1 of the year in which the loan is granted or amended;

(2) requires the escrow account to bear interest to be credited to the account monthly;

(3) permits the lender to apply money in the escrow account to the payment of a bill for additional taxes [~~and interest~~] under Section 23.55 before the loan is paid and requires the lender to refund the balance remaining in the escrow account after the bill is paid to the borrower; and

(4) requires the lender to refund the money in the escrow account to the borrower on the payment of the loan.

(d) On the request of the borrower or the borrower's representative, the assessor for each taxing unit shall compute the additional taxes [~~and interest~~] that would be due that taxing unit under Section 23.55 if a change of use occurred on January 1 of the year in which the loan is granted or amended. The assessor may charge a reasonable fee not to exceed the actual cost of making the computation.

SECTION \_\_\_\_\_. Sections 23.46(c) and (d), Tax Code, as amended by this Act, apply only to a sale or diversion to a nonagricultural use of land appraised under Subchapter C, Chapter 23, Tax Code, that occurs on or after the effective date of this Act.

SECTION \_\_\_\_\_. Sections 23.55(a), (b), (e), (f), (m), and (n), Tax Code, as amended by this Act, apply only to a change of use of land appraised under Subchapter D, Chapter 23, Tax Code, that occurs on or after the effective date of this Act.

SECTION \_\_\_\_\_. Sections 23.58(c) and (d), Tax Code, as amended by this Act, apply only to a loan secured by a lien on open-space land that is contracted for on or after the effective date of this Act.

(2) Renumber the subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

**HB 2230**, as amended, was passed to engrossment. (Hochberg recorded voting no.)

**HB 4136 ON SECOND READING**  
**(by Rios Ybarra, et al.)**

**HB 4136**, A bill to be entitled An Act relating to sealing court records containing medical information for children who are victims of certain offenses.

**HB 4136** was read second time on May 1 and was postponed until 10 a.m. today.

**HB 4136** was passed to engrossment.

**HB 3006 ON SECOND READING**  
**(by Coleman and Alvarado)**

**HB 3006**, A bill to be entitled An Act relating to the authority of certain municipalities to impose term limits on the members of their governing bodies.

**HB 3006** was read second time on May 1 and was postponed until 10 a.m. today.

Representative Alvarado moved to postpone consideration of **HB 3006** until 10 a.m. today.

The motion prevailed.

**MAJOR STATE CALENDAR**  
**HOUSE BILLS**  
**SECOND READING**

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

**HB 2735 ON SECOND READING**  
**(by Flynn)**

**HB 2735**, A bill to be entitled An Act relating to the continuation and functions of the Credit Union Department and the Credit Union Commission.

**HB 2735** was passed to engrossment.

**CSHB 3391 ON SECOND READING**  
**(by Harper-Brown, Homer, Rose, et al.)**

**CSHB 3391**, A bill to be entitled An Act relating to the continuation and functions of the Parks and Wildlife Department; changing the elements of an offense.

**Amendment No. 1**

On behalf of Representative Hilderbran, Representative Isett offered the following amendment to **CSHB 3391**:

Amend **CSHB 3391** (House Committee Report, page 4, line 17) by inserting after the period "The person assigned to conduct an investigation under this section must be a licensed peace officer who is not an employee of the department and has never been employed by the department as a game warden, deputy game warden, or special game warden."

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Hughes offered the following amendment to **CSHB 3391**:

Amend **CSHB 3391** (House Committee Printing) by adding the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Section 62.021(c), Parks and Wildlife Code, is amended to read as follows:

(c) This section does not prohibit the sale of:

(1) a live game animal, a dead or live game bird, or the feathers of a game bird if the sale is conducted under authority of a license or permit issued under this code; or

(2) the following inedible parts:

(A) an inedible part, including the feathers, bones, or feet, of a game bird other than a migratory game bird that was lawfully taken or is lawfully possessed;

(B) the hair, hide, antlers, bones, horns, skull, hooves, or sinew, as applicable, of a deer, pronghorn antelope, desert bighorn sheep, collared peccary or javelina, red squirrel, or gray squirrel; or

(C) the feathers of a migratory game bird in accordance with federal law.

SECTION \_\_\_\_\_. Section 62.021(c), Parks and Wildlife Code, as amended by this Act, applies to any sale of inedible parts of an animal or bird occurring on or after the effective date of this Act, regardless of the date the parts were acquired by the seller.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative T. King offered the following amendment to **CSHB 3391**:

Amend **CSHB 3391** by adding the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Section 62.0031, Parks and Wildlife Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) This section does not apply to:

(1) the trapping of a raptor for educational or sporting purposes as provided by Chapter 49; or

(2) the capture, trapping, or hunting of a reptile, amphibian, or insect.

(c) The commission may adopt rules governing the safe participation in activities described by Subsection (b).

SECTION \_\_\_\_\_. Conduct prohibited by Section 62.0031, Parks and Wildlife Code, that involves the capture, trapping, or hunting of a reptile, amphibian, or insect may not be prosecuted after the effective date of this Act. If on the effective date of this Act a criminal action is pending for conduct prohibited by Section 62.0031 and described by this section, the action is dismissed on that date. However, a final conviction for conduct prohibited by Section 62.0031 and described by this section that exists on the effective date of this Act is unaffected by this Act.

Amendment No. 3 was adopted.

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

Representative Menendez offered the following amendment to **CSHB 3391**:

Amend **CSHB 3391** (Committee Printing) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. (a) Subchapter B, Chapter 12, Parks and Wildlife Code, is amended by adding Section 12.1045 to read as follows:

Sec. 12.1045. PILOT PROGRAM FOR FINGERPRINT IDENTIFICATION. (a) In this section:

(1) "Authorized employee" means a deputy game warden, special game warden, or other law enforcement officer commissioned by the director.

(2) "Pilot program" means the pilot fingerprint identification program established under this section.

(b) The department shall develop and implement a program in one or more counties of this state to pilot the use by authorized employees of a mobile fingerprint identification system to perform fingerprint checks in the field as an aid to the enforcement of this code, any rules adopted under this code, and other laws in the jurisdiction of the department.

(c) In implementing the pilot program, the department shall use a mobile fingerprint scanner developed for law enforcement that is portable, secure, and lightweight, uses encrypted data transmissions for protection of the public, and does not require an employee to carry any equipment other than the scanner to receive the data.

(d) The Department of Public Safety shall work cooperatively with the department as needed and make its existing automated fingerprint identification system available for use by the department during the period of the pilot program.

(e) The department shall comply with all state procurement requirements in implementing the pilot program.

(f) The department may work with and enter into memoranda of understanding with municipalities to implement the pilot program.

(g) Under the pilot program, an authorized employee may not check the fingerprint of a person without the verbal consent of that person.

(h) The department may extend the pilot program to additional counties if the department determines that the expansion would be cost-effective.

(b) The Parks and Wildlife Department shall begin implementation of the pilot program established under Section 12.1045, Parks and Wildlife Code, as added by this section, not later than January 1, 2010, and shall conduct the pilot program for at least 12 months. Not later than February 1, 2011, the department shall report to the governor, the lieutenant governor, the speaker of the house of representatives, and the Sunset Advisory Commission regarding the pilot program. The report must include the department's recommendations for continuation or expansion of the pilot program and an evaluation of the department's use of the mobile fingerprint identification system, including:

- (1) the appropriateness of conducting remote fingerprint checks;
- (2) the value of remote fingerprint checking in combating crime and enforcing department rules and other laws of this state;
- (3) the impact of using remote fingerprint checks on the efficiency of authorized employees;
- (4) the impact of using remote fingerprint checks on the safety of authorized employees; and
- (5) any reduction in inconvenience to a person who does not have a required license.

Amendment No. 4 was adopted.

**CSHB 3391**, as amended, was passed to engrossment.

**CSHB 3689 ON SECOND READING**  
**(by McClendon, Kolkhorst, Isett, and Madden)**

**CSHB 3689**, A bill to be entitled An Act relating to the functions and continuation of the Texas Youth Commission and the Texas Juvenile Probation Commission and to the functions of the Office of Independent Ombudsman for the Texas Youth Commission.

Representative Madden moved to postpone consideration of **CSHB 3689** until 10:30 a.m. today.

The motion prevailed.

(McCall now present)

**LEAVES OF ABSENCE GRANTED**

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

Eiland on motion of McCall.

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

Smithee on motion of Hopson.

Swinford on motion of Hopson.

**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**CSHB 4294 ON SECOND READING  
(by Branch, Eissler, Strama, Oliveira, Aycock, et al.)**

**CSHB 4294**, A bill to be entitled An Act relating to textbooks, electronic textbooks, instructional material, and technological equipment in public schools.

**Amendment No. 1**

Representative Branch offered the following amendment to **CSHB 4294**:

Amend **CSHB 4294** (house committee printing) on page 1, line 8, between "equipment" and the period, by inserting "necessary to support the use of electronic textbooks or instructional material included on the list adopted under Section 31.0231 or any textbook or material approved by the State Board of Education".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Patrick offered the following amendment to **CSHB 4294**:

Amend **CSHB 4294** (house committee printing) as follows:

- (1) On page 2, line 14, between "level" and "covered", insert "or levels".
- (2) On page 2, line 17, between "level" and "covered", insert "or levels".

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Eissler offered the following amendment to **CSHB 4294**:

Amend **CSHB 4294** (house committee printing) as follows:

- (1) On page 3, between lines 1 and 2, insert the following:

(f) After notice to the commissioner explaining in detail the changes, the provider of an electronic textbook or instructional material on the list adopted under Subsection (a) may update the navigational features or management system related to the electronic textbook or instructional material.

(g) After notice to the commissioner and a review by the commissioner, the provider of an electronic textbook or instructional material on the list adopted under Subsection (a) may update the content of the electronic textbook or instructional material if needed to accurately reflect current knowledge or information.

- (2) On page 3, line 2, strike "(f)" and substitute "(h)".

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Eissler offered the following amendment to **CSHB 4294**:

Amend **CSHB 4294** (house committee printing) as follows:

(1) On page 3, lines 5 and 6, strike "(b-1) and (c-1)" and substitute "(b-1), (c-1), and (e)".

(2) On page 4, between lines 23 and 24, insert the following:

(e) A school district or open-enrollment charter school that selects a subscription-based electronic textbook or instructional material on the conforming list under Section 31.023 or the list adopted under Section 31.0231 may cancel the subscription and subscribe to a new electronic textbook or instructional material on the conforming list under Section 31.023 or the list adopted under Section 31.0231 before the end of the state contract period under Section 31.026 if:

(1) the district or school has used the electronic textbook or instructional material for at least one school year; and

(2) the agency approves the change based on a written request to the agency by the district or school that specifies the reasons for changing the electronic textbook or instructional material used by the district or school.

Amendment No. 4 was adopted.

**Amendment No. 5**

Representative Hochberg offered the following amendment to **CSHB 4294**:

Amend **CSHB 4294** as follows:

(1) On page 4, line 2, strike "100 percent of" and substitute "the cost of the textbook plus textbook credits under Section 31.1011, equal to fifty percent of the difference between that cost and".

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

SECTION \_\_\_\_\_. Section 31.1011(c), Education Code, is amended to read as follows:

(c) Fifty percent of the total textbook credit of a school district or open-enrollment charter school shall be credited to the state textbook fund, and 50 percent of the credit shall be credited to the district or school to apply toward the requisition of:

(1) additional textbooks or electronic textbooks that are on the conforming or nonconforming list under Section 31.023 or the components of such textbooks, including any electronic components; ~~or~~

(2) supplemental textbooks as provided by Section 31.035; or

(3) technological equipment under Section 31.021(f).

Amendment No. 5 was adopted.

**Amendment No. 6**

Representative Martinez Fischer offered the following amendment to **CSHB 4294**:

Amend **CSHB 4294** (house committee reading) as follows:

(1) On page 1, line 6, strike "Subsection (f)" and substitute "Subsections (f) and (g)".

(2) On page 1, between lines 8 and 9, insert the following:

(g) The commissioner shall adopt rules that require the geographic socio-economic parity among school districts in the state for the purchase of technological equipment purchased with the state textbook fund.

Amendment No. 6 was adopted.

**CSHB 4294**, as amended, was passed to engrossment. (Fletcher and Riddle recorded voting no.)

**HB 3543 ON SECOND READING**  
**(by Lucio, Creighton, Herrero, et al.)**

**HB 3543**, A bill to be entitled An Act relating to the creation of a Don't Mess with Texas Water program to prevent illegal dumping that affects the surface waters of this state.

**Amendment No. 1**

Representative Lucio offered the following amendment to **HB 3543**:

Amend **HB 3543** (house committee report) on page 1, line 18, by striking "must" and substituting "may".

Amendment No. 1 was adopted.

**HB 3543**, as amended, was passed to engrossment.

**POINT OF ORDER**

Representative Dutton raised a point of order against further consideration of the calendar under Rule 4, Section 12 of the House Rules on the grounds that the Committee on Calendars met on April 29 and the meeting was not open to the public.

The point of order was withdrawn.

(Herrero in the chair)

**CSHB 3751 ON SECOND READING**  
**(by Gallego and Moody)**

**CSHB 3751**, A bill to be entitled An Act relating to the conditions of bond for a defendant charged with committing certain offenses against a child and to the denial of bail pending trial with respect to certain defendants who violate those conditions.

**CSHB 3751** was passed to engrossment.

**HB 4247 ON SECOND READING**  
**(by Keffer)**

**HB 4247**, A bill to be entitled An Act relating to the use of the proceeds of cash deposits filed with the Railroad Commission of Texas by certain persons under the jurisdiction of the commission and deposited in the oil-field cleanup fund.

**HB 4247** was passed to engrossment.

(S. King now present)

**CSHB 2972 ON SECOND READING**  
**(by Coleman)**

**CSHB 2972**, A bill to be entitled An Act relating to the definition of a controlling person with respect to the operation of certain assisted living facilities.

**CSHB 2972** was passed to engrossment.

(Gutierrez now present)

**CSHB 469 ON SECOND READING**  
**(by P. King, Anchia, Hughes, Lewis, Strama, et al.)**

**CSHB 469**, A bill to be entitled An Act relating to the establishment of incentives by this state for the implementation of certain projects to capture and sequester in geological formations carbon dioxide that would otherwise be emitted into the atmosphere.

**Amendment No. 1**

Representative Anchia offered the following amendment to **CSHB 469**:

Amend **CSHB 469** (house committee printing) on page 6 between lines 4 and 5 by inserting the following:

(c) This subsection applies only to a certificate of compliance for a clean energy project that is issued after the initial certificate of compliance for a project. Notwithstanding Subsection (a):

(1) if at the time the commission issues the certificate at least one commercially designed electric generating facility operating in the United States and using integrated gasification combined cycle technology or another pre-combustion technology is capturing at least 75 percent of the carbon dioxide resulting from the generation of electricity by the facility, the commission may not issue the certificate unless the clean energy project will capture at least 80 percent of the carbon dioxide resulting from the generation of electricity by the carbon-fueled electric generating facility associated with the project; and

(2) if at the time the commission issues the certificate at least one commercially designed electric generating facility operating in the United States and using integrated gasification combined cycle technology or another pre-combustion technology is capturing at least 85 percent of the carbon dioxide resulting from the generation of electricity by the facility, the commission may not issue the certificate unless the clean energy project will capture at least 90 percent of the carbon dioxide resulting from the generation of electricity by the carbon-fueled electric generating facility associated with the project.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Solomons offered the following amendment to **CSHB 469**:

Amend **CSHB 469** as follows:

(1) Add the following appropriately numbered SECTION and renumber subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 490, Government Code, is amended by adding Section 490.004 to read as follows:

Sec. 490.004. ADVANCED CLEAN ENERGY PROJECTS. Notwithstanding any other provision of this chapter, an advanced clean energy project as defined by Section 382.003(1-a), Health and Safety Code, shall qualify in the same manner and to the same extent as a clean energy project as defined by Section 490.301 for the tax incentives provided by this chapter.

(2) On page 6, line 6, strike "Subsection (i)" and substitute "Subsections (i) and (j)".

(3) On page 6, between lines 14 and 15, insert the following:

(j) Notwithstanding any other provision of this section, an advanced clean energy project as defined by Section 382.003(1-a), Health and Safety Code, shall qualify in the same manner and to the same extent as a clean energy project as defined by Section 490.301, Government Code, for the tax incentives provided by this section.

(Speaker in the chair)

### **CSHB 469 - POINT OF ORDER**

Representative S. Turner raised a point of order against further consideration of **CSHB 469** under Rule 8, Section 21 of the House Rules on the grounds that the general appropriations bill has not yet been certified by the comptroller.

The point of order was withdrawn.

Representative P. King moved to postpone consideration of **CSHB 469** until 1 p.m. today.

The motion prevailed.

(Farabee in the chair)

### **POSTPONED BUSINESS**

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

#### **HB 1833 ON SECOND READING**

**(by Hughes and Leibowitz)**

**HB 1833**, A bill to be entitled An Act relating to the electronic storage of records by the clerks of the supreme court and the courts of appeals.

**HB 1833** was read second time on April 20, postponed until April 27, postponed until April 29, postponed until April 30, postponed until 10 a.m. today, and was again postponed until this time.

Representative Hughes moved to postpone consideration of **HB 1833** until 10 a.m. Tuesday, May 5.

The motion prevailed.

**HB 3006 ON SECOND READING**  
**(by Coleman and Alvarado)**

**HB 3006**, A bill to be entitled An Act relating to the authority of certain municipalities to impose term limits on the members of their governing bodies.

**HB 3006** was read second time on May 1, postponed until 10 a.m. today, and was again postponed until this time.

**HB 3006** was passed to engrossment. (Cook, Elkins, and Jones recorded voting no.)

**GENERAL STATE CALENDAR**  
**(consideration continued)**

**HB 2952 ON SECOND READING**  
**(by Eiland)**

**HB 2952**, A bill to be entitled An Act relating to venue for the prosecution and punishment of certain offenses committed on the boundaries of two or more counties.

**HB 2952** was passed to engrossment.

**CSHB 2531 ON SECOND READING**  
**(by Chavez, Pitts, Harless, Castro, Leibowitz, et al.)**

**CSHB 2531**, A bill to be entitled An Act relating to a reporting requirement regarding the Texas emerging technology fund.

**CSHB 2531** was passed to engrossment. (Flynn recorded voting no.)

**POSTPONED BUSINESS**

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

**CSHB 3689 ON SECOND READING**  
**(by McClendon, Kolkhorst, Isett, and Madden)**

**CSHB 3689**, A bill to be entitled An Act relating to the functions and continuation of the Texas Youth Commission and the Texas Juvenile Probation Commission and to the functions of the Office of Independent Ombudsman for the Texas Youth Commission.

**CSHB 3689** was read second time earlier today and was postponed until this time.

**Amendment No. 1**

Representative McClendon offered the following amendment to **CSHB 3689**:

Amend **CSHB 3689** (house committee printing) as follows:

(1) On page 2, lines 23 through 25, strike "represents an organization that advocates on behalf of juvenile offenders or victims of delinquent or criminal conduct" and substitute "is an advocate with experience in juvenile issues and policy".

(2) On page 2, line 26, between "of" and "the", insert "the governing board of".

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

(4) On page 3, strike lines 8 through 10 and substitute:

(f) The governor shall make appointments to the council under Subsection (d):

(1) with regard to the geographical region of this state in which each appointee resides; and

(2) without regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

(5) On page 3, strike lines 11 through 26.

(6) On page 3, line 27, strike "(h)" and substitute "(g)".

(7) On page 5, strike lines 16 through 24 and substitute:

Sec. 2.051. EVALUATION OF JUVENILE JUSTICE AGENCIES; RECOMMENDATIONS AND FUNCTION. (a) The council shall evaluate the operations of juvenile justice agencies and make recommendations to those agencies concerning any manner in which:

(1) an agency could improve the provision of services to or operations of programs for juveniles who are placed on juvenile probation or committed to the Texas Youth Commission; and

(2) those agencies could improve coordination of services provided by or programs operated by those agencies.

(b) The council exists only in an advisory capacity and does not govern, and is not responsible for, the operations of the Texas Juvenile Probation Commission or the Texas Youth Commission.

(8) On page 12, line 15, strike "2011" and substitute "2021".

(9) On page 12, strike lines 16 through 22 and substitute:

(b) The Sunset Advisory Commission shall evaluate the commission's compliance with Chapter 263 (S.B. 103), Acts of the 80th Legislature, Regular Session, 2007, and present to the 82nd Legislature a report on its evaluation and recommendations in relation to the commission's compliance. The commission shall perform all duties for the evaluation that a state agency subject to review under Chapter 325, Government Code (Texas Sunset Act), would perform for a review. This subsection expires September 1, 2011.

(10) On page 25, strike lines 16 through 24 and substitute:

(b) The office and the commission shall adopt rules necessary to implement Section 64.060, including rules that establish procedures for the commission to review and comment on reports of the office and for the commission to expedite or eliminate review of and comment on a report due to an emergency or a serious or flagrant circumstance described by Section 64.055(b).

(11) On page 28, strike lines 3 through 5 and substitute:

(5) preserve the independence of the office by authorizing the office to withhold information concerning matters under active investigation by the office from the commission and commission staff and to report the information to the governor.

(12) On page 28, line 12, between "court" and the underlined semicolon, insert "who regularly prosecutes children alleged to have engaged in delinquent conduct or conduct indicating a need for supervision".

(13) On page 28, lines 13 and 14, strike "certified by the Juvenile Law Section of the State Bar of Texas" and substitute "who regularly represents children alleged to have engaged in delinquent conduct or conduct indicating a need for supervision".

(14) On page 38, strike lines 12 through 22 and substitute:

(c) The commission shall investigate the allegations in the complaint and make a determination of whether there has been a violation of the commission's rules relating to juvenile probation programs, services, or facilities.

(d) ~~(b)~~ If a written complaint is filed with the commission relating to a juvenile board funded by the commission, the commission~~[- at least quarterly and until final disposition of the complaint,]~~ shall periodically notify the complainant and the juvenile board of the status of the complaint until final disposition, unless notice would jeopardize an undercover investigation.

(15) On page 41, line 15, strike "board" and substitute "commission".

(16) On page 50, line 4, strike "Texas Juvenile Justice Board" and substitute "Texas Juvenile Probation Commission".

(17) On page 50, lines 11 and 12, strike "Texas Juvenile Probation Commission" and substitute "Texas Youth Commission".

(18) On page 53, line 25, strike "Texas Juvenile Justice Board," and substitute "Texas Juvenile Probation Commission, the Texas Youth Commission,".

### **Amendment No. 2**

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

Amend Amendment No. 1 by McClendon to **CSHB 3689** by adding the following appropriately numbered item to the amendment and renumbering subsequent items of the amendment accordingly:

( ) On page 21, line 18, strike "(29 U.S.C. 1181 et seq.)" and substitute "(Pub. L. No. 104-191)".

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

### **Amendment No. 3**

Representative McClendon offered the following amendment to **CSHB 3689**:

Amend **CSHB 3689** (house committee printing) by striking SECTION 4.008 of the bill (page 35, line 26 through page 37, line 11) and substituting the following:

SECTION 4.008. Section 141.042, Human Resources Code, is amended by amending Subsections (a), (e), and (h) and adding Subsections (d), (f), (i), and (j) to read as follows:

(a) The commission shall adopt reasonable rules that provide:

(1) minimum standards for personnel, staffing, case loads, programs, facilities, record keeping, equipment, and other aspects of the operation of a juvenile board that are necessary to provide adequate and effective probation services;

(2) a code of ethics for probation and detention officers and for the enforcement of that code;

(3) appropriate educational, preservice and in-service training, and certification standards for probation and detention officers or court-supervised community-based program personnel;

(4) subject to Subsection (d), minimum standards for public and private juvenile pre-adjudication secure detention facilities, public juvenile post-adjudication secure correctional facilities that are operated under the authority of a juvenile board or governmental unit, [and] private juvenile post-adjudication secure correctional facilities operated under a contract with a governmental unit, except those facilities exempt from certification by Section 42.052(g), and nonsecure correctional facilities operated by or under contract with a governmental unit; and

(5) minimum standards for juvenile justice alternative education programs created under Section 37.011, Education Code, in collaboration and conjunction with the Texas Education Agency, or its designee.

(d) In adopting rules under Subsection (a)(4), the commission shall ensure that the minimum standards for facilities described by Subsection (a)(4) are designed to ensure that juveniles confined in those facilities are provided the rights, benefits, responsibilities, and privileges to which a juvenile is entitled under the United States Constitution, federal law, and the constitution and laws of this state. The minimum standards must include a humane physical and psychological environment, safe conditions of confinement, protection from harm, adequate rehabilitation and education, adequate medical and mental health treatment, and due process of law.

(e) Juvenile probation departments shall use the mental health screening instrument selected by the commission for the initial screening of children under the jurisdiction of probation departments who have been formally referred to the department. The commission shall give priority to training in the use of this instrument in any preservice or in-service training that the commission provides for probation officers. A clinical assessment by a licensed mental health professional may be substituted for the mental health screening instrument selected by the commission if the clinical assessment is performed in the time prescribed by the commission [~~Juvenile probation departments shall report data from the use of the screening instrument or the clinical assessment to the commission in a format and in the time prescribed by the commission.~~].

(f) A juvenile probation department must, before the disposition of a child's case and using a validated risk and needs assessment instrument or process provided or approved by the commission, complete a risk and needs assessment for each child under the jurisdiction of the juvenile probation department.

(h) A juvenile board that does not accept state aid funding from the commission under Section 141.081 shall report to the commission each month on a form provided by the commission the same data as that required of counties accepting state aid funding regarding juvenile justice activities under the jurisdiction of the juvenile board. If the commission makes available free software to the juvenile board for the automation and tracking of juveniles under the jurisdiction of the juvenile board, the commission may require the monthly report to be provided in an electronic format adopted by ~~[rule by]~~ the commission.

(i) A juvenile probation department shall report data from the use of the screening instrument or clinical assessment under Subsection (e) and the risk and needs assessment under Subsection (f) to the commission in the format and at the time prescribed by the commission.

(j) The commission shall adopt rules to ensure that youth in the juvenile justice system are assessed using the screening instrument or clinical assessment under Subsection (e) and the risk and needs assessment under Subsection (f).

Amendment No. 3 was adopted.

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

Representative McClendon offered the following amendment to **CSHB 3689**:

Amend **CSHB 3689** (house committee printing) as follows:

(1) On page 44, line 3, strike "section" and substitute "subchapter".

(2) On page 44, line 14, between "board" and "may", insert "or a group of juvenile boards serving counties that are in the same service region established by the commission".

(3) On page 44, line 16, between "county" and the underlined period, insert "served by the board or group of boards, as applicable".

(4) On page 44, line 19, between "board" and the underlined semicolon, insert "or group of juvenile boards".

(5) On page 44, line 24, between "board" and "that", insert "or group of juvenile boards".

(6) On page 44, line 25, after "board", insert "or group of juvenile boards".

(7) On page 44, line 26, strike "any grant money the county receives" and substitute "the grant money".

(8) On page 44, line 27, strike "county" and substitute "juvenile board or group of juvenile boards".

(9) On page 45, line 3, after "county", insert "or counties".

(10) On page 45, line 4, between "board" and "serves", insert "or group of juvenile boards".

(11) On page 45, line 10, between "board" and "that", insert "or group of juvenile boards".

(12) On page 46, line 6, strike "county the juvenile board" and substitute "county or counties the juvenile board or group of juvenile boards".

(13) On page 46, line 6, between "serves" and the underlined period, insert ", as applicable".

(14) On page 46, line 10, between "county" and "and", insert "or counties".

(15) On page 46, line 11, strike "a county" and substitute "the county or counties".

(16) On page 46, line 18, strike "board's" and substitute "board's or boards".

(17) On page 46, line 18, after "allotment", insert ", as applicable,".

(18) On page 46, line 23, strike "board's" and substitute "board's or boards".

(19) On page 47, line 1, after "board", insert "or group of juvenile boards".

(20) On page 47, line 3, after "board", insert "or group of juvenile boards".

(21) On page 47, line 12, after "board", insert "or group of juvenile boards".

Amendment No. 4 was adopted.

### **Amendment No. 5**

Representative McClendon offered the following amendment to **CSHB 3689**:

Amend **CSHB 3689** as follows:

Amend Section 2.105 to insert new subsection (9) between lines 15 and 16 on page 11 of the bill as follows:

(9) ensuring that all applicable funding resources, including but not limited to Medicaid and Title IV(e) funds, are identified and accessed to the greatest extent possible within the juvenile justice system at both the state and local level.

Amendment No. 5 was adopted.

### **Amendment No. 6**

Representative Marquez offered the following amendment to **CSHB 3689**:

Amend **CSHB 3689** (house committee printing) as follows:

(1) On page 33, line 13, strike "Section 141.022(a), Human Resources Code, is" and substitute "Sections 141.022(a) and (b), Human Resources Code, are".

(2) On page 34, between lines 10 and 11, insert:

(b) The advisory council shall report any determinations made under Subsection (c) to the director and the members of the commission appointed under Section 141.011.

Amendment No. 6 was adopted.

### **Amendment No. 7**

Representative Phillips offered the following amendment to **CSHB 3689**:

Amend **CSHB 3689** (house committee printing) as follows:

(1) Strike the recital to SECTION 5.004 of the bill (page 50, lines 24 through 26) and substitute:

SECTION 5.004. Section 54.04, Family Code, is amended by amending Subsections (d), (l), and (u) and adding Subsections (t) and (y) to read as follows:

(2) On page 50, between lines 26 and 27, insert:

(d) If the court or jury makes the finding specified in Subsection (c) allowing the court to make a disposition in the case:

(1) the court or jury may, in addition to any order required or authorized under Section 54.041 or 54.042, place the child on probation on such reasonable and lawful terms as the court may determine:

(A) in the child's own home or in the custody of a relative or other fit person; or

(B) subject to the finding under Subsection (c) on the placement of the child outside the child's home, in:

(i) a suitable foster home;

(ii) a suitable public or private residential treatment facility licensed by a state governmental entity or exempted from licensure by state law, except a facility operated by the Texas Youth Commission; or

(iii) a suitable public or private post-adjudication secure correctional facility that meets the requirements of Section 51.125, except a facility operated by the Texas Youth Commission;

(2) if the court or jury found at the conclusion of the adjudication hearing that the child engaged in delinquent conduct that violates a penal law of this state or the United States of the grade of felony or, if the requirements of Subsection (t) are met, of the grade of misdemeanor, and if the petition was not approved by the grand jury under Section 53.045, the court may commit the child to the Texas Youth Commission without a determinate sentence;

(3) if the court or jury found at the conclusion of the adjudication hearing that the child engaged in delinquent conduct that included a violation of a penal law listed in Section 53.045(a) and if the petition was approved by the grand jury under Section 53.045, the court or jury may sentence the child to commitment in the Texas Youth Commission with a possible transfer to the Texas Department of Criminal Justice for a term of:

(A) not more than 40 years if the conduct constitutes:

(i) a capital felony;

(ii) a felony of the first degree; or

(iii) an aggravated controlled substance felony;

(B) not more than 20 years if the conduct constitutes a felony of the second degree; or

(C) not more than 10 years if the conduct constitutes a felony of the third degree;

(4) the court may assign the child an appropriate sanction level and sanctions as provided by the assignment guidelines in Section 59.003; or

(5) if applicable, the court or jury may make a disposition under Subsection (m).

(3) On page 51, between lines 6 and 7, insert:

(t) The court may make a disposition under Subsection (d)(2) for delinquent conduct that violates a penal law of the grade of misdemeanor if:

(1) the child has been adjudicated as having engaged in delinquent conduct violating a penal law of the grade of felony on at least one previous occasion; and

(2) the conduct that is the basis of the current adjudication occurred after the date of that previous adjudication.

(u) For the purposes of disposition under Subsection (d)(2), delinquent conduct that violates a penal law of this state of the grade of felony or misdemeanor does not include conduct that violates a lawful order of a county, municipal, justice, or juvenile court under circumstances that would constitute contempt of that court.

(4) Strike the recital to SECTION 5.007 of the bill (page 52, lines 19 and 20) and substitute:

SECTION 5.007. Section 54.05, Family Code, is amended by amending Subsections (b) and (f) and adding Subsection (k) to read as follows:

(5) On page 52, between lines 24 and 25, insert:

(f) Except as provided by Subsection (j), a disposition based on a finding that the child engaged in delinquent conduct that violates a penal law of this state or the United States of the grade of felony or, if the requirements of Subsection (k) are met, of the grade of misdemeanor, may be modified so as to commit the child to the Texas Youth Commission if the court after a hearing to modify disposition finds by a preponderance of the evidence that the child violated a reasonable and lawful order of the court. A disposition based on a finding that the child engaged in habitual felony conduct as described by Section 51.031 or in delinquent conduct that included a violation of a penal law listed in Section 53.045(a) may be modified to commit the child to the Texas Youth Commission with a possible transfer to the Texas Department of Criminal Justice for a definite term prescribed by Section 54.04(d)(3) if the original petition was approved by the grand jury under Section 53.045 and if after a hearing to modify the disposition the court finds that the child violated a reasonable and lawful order of the court.

(k) The court may modify a disposition under Subsection (f) that is based on an adjudication that the child engaged in delinquent conduct that violates a penal law of the grade of misdemeanor if:

(1) the child has been adjudicated as having engaged in delinquent conduct violating a penal law of the grade of felony on at least one previous occasion before the adjudication that prompted the disposition that is being modified; and

(2) the conduct that was the basis of the adjudication that prompted the disposition that is being modified occurred after the date of that previous adjudication.

### **Amendment No. 8**

Representative Phillips offered the following amendment to Amendment No. 7:

Amend Amendment No. 7 by Phillips to **CSHB 3689** as follows:

(1) On page 3, strike the text on lines 1 through 3 and substitute:

"(1) the child has been adjudicated:

(A) on at least one previous occasion, to have engaged in delinquent conduct violating:

(i) a penal law listed in Section 3g(a)(1), Article 42.12, Code of Criminal Procedure; or

(ii) a penal law of the grade of felony in the adjudication of which contained an affirmative finding described by Subsection (g); or

(B) on at least two previous occasions, to have engaged in delinquent conduct violating any penal law of the grade of felony; and"

(2) On page 3, line 5, between "adjudication" and the underlined period, insert "or adjudications, as applicable".

(3) On page 4, strike the text on lines 8 through 11, and substitute:

"(1) before the adjudication that prompted disposition that is being modified, the child has been adjudicated:

(A) on at least one previous occasion, to have engaged in delinquent conduct violating:

(i) a penal law listed in Section 3g(a)(1), Article 42.12, Code of Criminal Procedure; or

(ii) a penal law of the grade of felony in the adjudication of which contained an affirmative finding described by Subsection (g); or

(B) on at least two previous occasions, to have engaged in delinquent conduct violating any penal law of the grade of felony; and"

(4) On page 4, lines 14, between "adjudication" and the underlined period, insert "or adjudications, as applicable".

Amendment No. 8 was adopted.

Representative McClendon moved to table Amendment No. 7, as amended.

The motion to table prevailed.

**CSHB 3689**, as amended, was passed to engrossment.

### **CSHB 2873 ON SECOND READING**

**(by Hunter, Fletcher, Miklos, Moody, and Menendez)**

**CSHB 2873**, A bill to be entitled An Act relating to the punishment prescribed for the offense of evading arrest or detention and to creating the offense of evading felony arrest or detention.

### **CSHB 2873 - POINT OF ORDER**

Representative Dunnam raised a point of order against further consideration of **CSHB 2873** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The chair sustained the point of order and submitted the following statement:

Representative Dunnam raises a point of order against further consideration of **CSHB 2873** in that the bill analysis is incorrect, and, therefore, in violation of Rule 4, Section 32(c) of the House Rules.

**CSHB 2873** relates to punishment prescribed for the offense of evading arrest or detention and creates an offense in connection with same under Section 38.04 of the Penal Code.

The bill analysis that accompanies **CSHB 2873** states that under current law "there are no enhanced penalties for repeat offenders." This statement is materially incorrect, however, because Section 38.04 of the Penal Code contains a provision that makes it felony of the third degree if the actor uses a vehicle while the actor is in the flight and the actor had been previously convicted under the section. Therefore, the bill analysis is materially and substantially misleading because it misstates current law which does provide for an enhanced penalty for repeat offenders.

Accordingly, the point of order is well taken and sustained.

**CSHB 2873** was returned to the Committee on Criminal Jurisprudence.

**CSHB 3986 ON SECOND READING**  
**(by Bonnen, et al.)**

**CSHB 3986**, A bill to be entitled An Act relating to the closure of certain man-made passes between the Gulf of Mexico and inland bays by the commissioner of the General Land Office.

Representative Ritter moved to postpone consideration of **CSHB 3986** until 1 p.m. Monday, May 4.

The motion prevailed.

**HB 1020 ON SECOND READING**  
**(by Deshotel, Isett, Anderson, and Hodge)**

**HB 1020**, A bill to be entitled An Act relating to the use, exhibition, or possession of a firearm by public school students participating in certain school-sponsored programs and activities sponsored or supported by the Parks and Wildlife Department.

**Amendment No. 1**

Representative Deshotel offered the following amendment to **HB 1020**:

Amend **HB 1020** (house committee printing) as follows:

(1) On page 1, line 8, strike "Subsection (k)" and substitute "Subsections (k) and (l)".

(2) On page 3, between lines 4 and 5, insert the following:

(1) Subsection (k) does not authorize a student to bring a firearm on school property to participate in or prepare for a school-sponsored shooting sports competition or a shooting sports educational activity described by that subsection.

Amendment No. 1 was adopted.

**HB 1020**, as amended, was passed to engrossment.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Oliveira requested permission for the Committee on Ways and Means to meet while the house is in session, at 12:30 p.m. today, in 3W.9, for a formal meeting, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Ways and Means, 12:30 p.m. today, 3W.9, for a formal meeting, to consider pending business.

**HB 2500 ON SECOND READING  
(by Dunnam)**

**HB 2500**, A bill to be entitled An Act relating to the governor's flag.

**Amendment No. 1**

Representative P. King offered the following amendment to **HB 2500**:

Amend **HB 2500** as follows:

Strike all below the enabling clause, and insert the following:

SECTION 1. Section 401.104, Government Code, is amended to read as follows:

Sec. 401.104. GOVERNOR'S FLAG. (a) The ~~[governor may adopt a flag for the]~~ governor's ~~[official use. (b) By executive order published in the Texas Register, the governor shall provide a description of a]~~ flag [adopted under this section.] shall consist of a lone star encircled by live oak and olive branches on a light blue circle, all on a dark blue field with a white star in each corner.

**Amendment No. 2**

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

Amend Amendment No. 1 by P. King to **HB 2500**, in amended Section 401.104, Government Code, between "corner" and the underlined period, by inserting "with the words 'In God We Trust' on the dark blue field or the light blue circle".

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

**HB 2500**, as amended, was passed to engrossment. (Jones recorded voting no.)

**HB 2435 ON SECOND READING  
(by Phillips)**

**HB 2435**, A bill to be entitled An Act relating to the location of an arbitration trial.

**HB 2435** was passed to engrossment.

**CSHB 1007 ON SECOND READING  
(by Allen, Y. Davis, and Chavez)**

**CSHB 1007**, A bill to be entitled An Act relating to the expiration and abandonment of a stored value card.

**Amendment No. 1**

Representative Allen offered the following amendment to **CSHB 1007**:

Amend **CSHB 1007** as follows:

(1) On page 2, line 7, strike "or".

(2) On page 2, strike lines 11-14 and substitute the following:

(C) an educational institution for fund-raising purposes; or

(5) is issued or sold as a voucher:

(A) for admission to an event, attraction, or establishment, including an amusement park, concert, museum, and zoo; or

(B) for permission to travel on a vehicle, including a boat, bus, and train, or an aircraft [does not expire and for which the seller does not charge a fee other than a fee described in Section 604.051].

(3) On page 3, lines 14 and 15, strike "Section 72.1016, Property Code, is amended by amending Subsections (a) and (b) and adding Subsection (g)" and substitute "Section 72.1016(b), Property Code, is amended".

(4) On page 3, strike lines 17-23.

(5) On page 4, strike lines 10-18.

Amendment No. 1 was adopted.

**CSHB 1007**, as amended, was passed to engrossment. (Cook, Crownover, Flynn, Jones, Shelton, and Weber recorded voting no.)

(P. King in the chair)

**CSHB 3228 ON SECOND READING**

(by Madden)

**CSHB 3228**, A bill to be entitled An Act relating to the offense of prohibited substances and items in correctional facilities.

**CSHB 3228** was passed to engrossment.

**CSHB 882 ON SECOND READING**

(by Rodriguez, Thompson, Leibowitz, and Thibaut)

**CSHB 882**, A bill to be entitled An Act relating to a residential tenant's right of restoration of utilities after certain unlawful conduct.

**CSHB 882** was passed to engrossment. (Flynn recorded voting no.)

**CSHB 2556 ON SECOND READING**

(by Solomons)

**CSHB 2556**, A bill to be entitled An Act relating to the rights and duties of the parties to a motor vehicle retail installment contract or a conditional delivery agreement involving the sale or conditional delivery of a motor vehicle.

**Amendment No. 1**

Representative Solomons offered the following amendment to **CSHB 2556**:

Amend **CSHB 2556** on page 4, line 23, between "commissioner" and the underlined period, by inserting ", unless the person cannot afford to pay the deposit and files an affidavit to that effect with the hearings officer in the form and content prescribed by finance commission rule".

Amendment No. 1 was adopted.

**CSHB 2556**, as amended, was passed to engrossment.

**CSHB 3838 ON SECOND READING**  
**(by Hilderbran and S. Turner)**

**CSHB 3838**, A bill to be entitled An Act relating to powers and duties of the Office of Public Utility Counsel to represent residential and small commercial consumers in certain water or sewer utility service matters before the Texas Commission on Environmental Quality.

**CSHB 3838** was passed to engrossment.

**CSHB 1362 ON SECOND READING**  
**(by Gutierrez)**

**CSHB 1362**, A bill to be entitled An Act relating to the pilot program for reporting of methicillin-resistant Staphylococcus aureus infections.

**CSHB 1362** was passed to engrossment.

**CSHB 3827 ON SECOND READING**  
**(by Hancock)**

**CSHB 3827**, A bill to be entitled An Act relating to the delivery of regulated substances into underground storage tanks; providing a penalty.

**CSHB 3827** was passed to engrossment.

**HB 1630 ON SECOND READING**  
**(by Naishtat)**

**HB 1630**, A bill to be entitled An Act relating to the eligibility of certain individuals for child health plan coverage or medical assistance on placement, detention, or commitment in and release from certain facilities or other settings.

**Amendment No. 1**

Representative Naishtat offered the following amendment to **HB 1630**:

Amend **HB 1630** by striking all below the enacting clause and substituting the following:

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.02418 to read as follows:

Sec. 531.02418. MEDICAID AND CHILD HEALTH PLAN PROGRAM ELIGIBILITY DETERMINATIONS FOR CERTAIN INDIVIDUALS. (a) The commission shall enter into a memorandum of understanding with the Texas Youth Commission to ensure that each individual who is committed under Title 3,

Family Code, is assessed by the commission for eligibility for the medical assistance program under Chapter 32, Human Resources Code, and the child health plan program before that individual's release from commitment.

(b) The commission shall enter into a memorandum of understanding with the Texas Juvenile Probation Commission to ensure that each individual who is placed or detained under Title 3, Family Code, is assessed by the commission for eligibility for the medical assistance program under Chapter 32, Human Resources Code, and the child health plan program before the individual's release from placement or detention. Local juvenile probation departments are subject to the requirements of the memorandum.

(c) Each memorandum of understanding entered into as required by this section must specify:

(1) the information that must be provided to the commission;

(2) the process by which and time frame within which the information must be provided; and

(3) the roles and responsibilities of all parties to the memorandum, which must include a requirement that the commission pursue the actions needed to complete eligibility applications as necessary.

(d) Each memorandum of understanding required by Subsection (a) or (b) must be tailored to achieve the goal of ensuring that an individual described by Subsection (a) or (b) who is determined eligible by the commission for coverage under the medical assistance program under Chapter 32, Human Resources Code, or the child health plan program, is enrolled in the program for which the individual is eligible and may begin receiving services through the program as soon as possible after the eligibility determination is made and, if possible, to achieve the goal of ensuring that the individual may begin receiving those services on the date of the individual's release from placement, detention, or commitment.

(e) The executive commissioner may adopt rules as necessary to implement this section.

SECTION 2. (a) The Health and Human Services Commission and the Texas Youth Commission shall enter into the memorandum of understanding required by Section 531.02418(a), Government Code, as added by this Act, not later than October 1, 2009.

(b) The Health and Human Services Commission and the Texas Juvenile Probation Commission shall enter into the memorandum of understanding required by Section 531.02418(b), Government Code, as added by this Act, not later than February 1, 2010.

SECTION 3. If federal legislation is enacted and becomes law, or federal regulations, rules, or other administrative guidelines are adopted, that authorize this state to implement streamlined procedures applicable to assessments of individuals for the medical assistance program under Chapter 32, Human Resources Code, or the child health plan program under Chapter 62, Health and Safety Code, as described by Section 531.02418, Government Code, as added by this Act, the Health and Human Services Commission shall implement those procedures as soon as practicable.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Amendment No. 1 was adopted.

**HB 1630**, as amended, was passed to engrossment.

**CSHB 3945 ON SECOND READING**  
**(by Orr)**

**CSHB 3945**, A bill to be entitled An Act relating to a title insurance company affidavit as a release of lien.

**Amendment No. 1**

Representative Orr offered the following amendment to **CSHB 3945**:

Amend **CSHB 3945** (house committee printing) as follows:

(1) On page 1, line 6, strike "Subdivision (5-a)" and substitute "Subdivision (7)".

(2) On page 1, strike lines 8 and 9.

(3) On page 1, between lines 13 and 14, insert the following:

(7) "Authorized title insurance agent," with respect to an Affidavit as Release of Lien under this section, means a person licensed as a title insurance agent under Chapter 2651, Insurance Code, and authorized in writing by a title insurance company by instrument recorded in the real property records in the county in which the property to which the affidavit relates is located to execute one or more Affidavits as Release of Lien in compliance with this section, subject to any terms, limitations, and conditions that are set forth in the instrument executed by the title insurance company.

(4) On page 2, line 5, strike "or a title insurance agent" and substitute "or an authorized title insurance agent".

(5) On page 2, line 19, strike "title insurance agent" and substitute "authorized title insurance agent".

(6) On page 5, lines 5 and 6, 10, 13, and 16 and 17, strike "title insurance agent" and substitute "authorized title insurance agent".

(7) On page 5, line 7, strike "company or agent" and substitute "title insurance company or authorized title insurance agent".

(8) Strike page 6, lines 9 through 18, and substitute the following:

(i) A person who knowingly causes an affidavit with false information to be executed and recorded under this section is liable for the penalties for filing a false affidavit, including the penalties for commission of offenses under Section 37.02 of the Penal Code~~], and to a party injured by the affidavit for actual damages or \$5,000, whichever is greater~~. The attorney general may sue to collect the penalty. A person who negligently causes an affidavit with false information to be executed and recorded under this section is liable to a party injured by the affidavit for actual damages. If the attorney general or an injured party bringing suit substantially prevails in an action under this subsection, the court may award reasonable attorney's fees and court costs to the prevailing party.

(9) On page 6, line 19, strike "title insurance agent" and substitute "authorized title insurance agent".

Amendment No. 1 was adopted.

**CSHB 3945**, as amended, was passed to engrossment.

**CSHB 3977 ON SECOND READING**  
**(by Hunter)**

**CSHB 3977**, A bill to be entitled An Act relating to the trapping and transport of surplus white-tailed deer.

Representative Hunter moved to postpone consideration of **CSHB 3977** until 10 a.m. Wednesday, May 6.

The motion prevailed.

**CSHB 1054 ON SECOND READING**  
**(by Mallory Caraway, et al.)**

**CSHB 1054**, A bill to be entitled An Act relating to the enforcement of the motor vehicle safety responsibility law.

**Amendment No. 1**

Representative Gattis offered the following amendment to **CSHB 1054**:

Amend **CSHB 1054** (House committee printing) as follows:

- (1) On page 1, line 21, strike "not".
- (2) On page 2, line 19, strike "Subsection (c)" and substitute "Subsections (c) and (d)".
- (3) On page 1, between lines 22 and 23, insert the following:
  - (d) A motor vehicle may be impounded by or at the order of a peace officer only if:
    - (1) written policies are adopted through a public hearing process authorizing the impoundment; and
    - (2) the adopted policies provide for the issuance of a citation to the operator for the applicable offense defined by Subsection (a) or for charging the operator with the applicable offense defined by Subsection (a) as an alternative to impoundment.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Gonzalez Toureilles offered the following amendment to **CSHB 1054**:

Amend **CSHB 1054** (House Committee Printing) by adding the following SECTIONS to the bill, appropriately numbered, and renumbering existing SECTIONS accordingly:

SECTION \_\_\_\_\_. Section 708.103(a), Transportation Code, is amended to read as follows:

(a) Except as provided by Section 708.202, each ~~Each~~ year the department shall assess a surcharge on the license of each person who during the preceding 36-month period has been convicted of an offense under Section 521.457, 601.191, or 601.371.

SECTION \_\_\_\_\_. Chapter 708, Transportation Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. DEDUCTION OF POINTS OR ELIMINATION OF SURCHARGE

Sec. 708.201. ELIGIBILITY. A person who is paying a surcharge under this chapter is eligible for a deduction of points or elimination of a surcharge as provided by this subchapter if:

(1) the person has paid a surcharge for at least the preceding 12-month period because of:

(A) an accumulation of points under Subchapter B; or

(B) a conviction of an offense under Section 601.191 or 601.371;

and

(2) the person has not:

(A) received a deduction of points or the elimination of a surcharge under this subchapter in the previous 24 months; and

(B) successfully completed a driving safety course approved by the Texas Education Agency or a course under the motorcycle operator training and safety program approved by the designated state agency under Chapter 662 in the previous 12 months.

Sec. 708.202. DRIVING SAFETY COURSE REQUIRED. (a) A person who successfully completes a driving safety course approved by the Texas Education Agency or a course under the motorcycle operator training and safety program approved by the designated state agency under Chapter 662 is entitled to:

(1) a deduction of two points on the person's driver's license under Subchapter B; or

(2) elimination of a surcharge based on a conviction of an offense under Section 601.191 or 601.371.

(b) If the deduction of points under this section causes a person to have fewer than six points accumulated on the person's driver's license, the person is no longer required to pay a surcharge.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Gonzalez Toureilles offered the following amendment to **CSHB 1054**:

Amend **CSHB 1054** (House committee printing) as follows:

(1) On page 1, line 6, strike "Subsection (c)" and substitute "Subsections (c), (d), and (e)".

(2) On page 1, between lines 17 and 18, insert the following:

(d) A person commits an offense if the person fails or refuses to provide to a peace officer the evidence of financial responsibility as required by Subsection (a). An offense under this subsection is a Class C misdemeanor.

(e) A court shall dismiss a charge of an offense under Subsection (d) if the defendant presents to the court one of the documents listed in Subsection (a) that was valid at the time that the offense occurred. The court may assess the defendant an administrative fee not to exceed \$10 when the charge is dismissed. Section 51.607, Government Code, does not apply to the administrative fee.

(Speaker in the chair)

Amendment No. 3 was adopted.

**CSHB 1054**, as amended, was passed to engrossment. (Homer, Hopson, Riddle, Ritter, and Vaught recorded voting no.)

#### **HB 2165 ON SECOND READING**

**(by Rose, Peña, and Villarreal)**

**HB 2165**, A bill to be entitled An Act relating to the appraisal for ad valorem tax purposes of certain open-space land devoted principally to ecological research.

**HB 2165** was passed to engrossment.

#### **CSHB 4002 ON SECOND READING**

**(by Swinford, McReynolds, Gonzalez Toureilles, Kleinschmidt, and Aycock)**

**CSHB 4002**, A bill to be entitled An Act relating to the funding of the statewide wildfire protection plan at the Texas Forest Service.

**CSHB 4002** was passed to engrossment.

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

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

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Energy Resources, 1 p.m. today, 3W.15, for a formal meeting, to consider pending business.

#### **SB 1442 ON SECOND READING**

**(Giddings - House Sponsor)**

**SB 1442**, A bill to be entitled An Act relating to business entities and associations.

**SB 1442** was considered in lieu of **HB 2235**.

**SB 1442** was passed to third reading.

**HB 2235 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Giddings moved to lay **HB 2235** on the table subject to call.  
The motion prevailed.

**HB 2191 ON SECOND READING**  
**(by Veasey, Pickett, Leibowitz, and Chavez)**

**HB 2191**, A bill to be entitled An Act relating to prohibiting contact between an employee of a facility that serves the elderly or disabled persons, whose criminal history has not been verified, and a patient or resident of the facility.

**HB 2191** was passed to engrossment.

**HB 4043 ON SECOND READING**  
**(by Callegari)**

**HB 4043**, A bill to be entitled An Act relating to notifications to certain purchasers of real property that may be located in an area subject to a certificate of convenience and necessity for water or sewer service.

**HB 4043** was passed to engrossment.

**CSHB 2386 ON SECOND READING**  
**(by Castro, et al.)**

**CSHB 2386**, A bill to be entitled An Act relating to the sealing of juvenile records.

**Amendment No. 1**

Representative Castro offered the following amendment to **CSHB 2386**:

Amend **CSHB 2386** (House Committee Report) as follows:

(1) On page 1, strike lines 5-6 and substitute the following:  
"adding Subsections (c-1) and (c-2) and amending Subsections (d) and (e) to read as follows:"

(2) On page 1, between lines 17 and 18, insert the following:

(c-2) If the court orders the sealing of a child's records under Subsection (c-1), a prosecuting attorney or juvenile probation department may maintain until the child's 17th birthday a separate record of the child's name, date of birth, and date the child successfully completed the drug court program. The prosecuting attorney or juvenile probation department, as applicable, shall send the record to the court as soon as practicable after the child's 17th birthday to be added to the child's other sealed records.

(3) On page 1, line 21, between "adjudication" and the period, insert "subject to Subsection (e)".

(4) On page 1, line 24, between "immediately" and "order" insert "and without any additional hearing".

(5) On page 2, strike line 2, and substitute the following:

"(e) The court shall hold a hearing before sealing a person's records under Subsection (a) or (c) unless the applicant waives the right to a hearing in writing and the court and the prosecuting attorney for the juvenile court consent. Reasonable"

(6) Strike page 2, line 13, through page 3, line 18.

Amendment No. 1 was adopted.

**CSHB 2386**, as amended, was passed to engrossment.

**CSHB 1320 ON SECOND READING**  
**(by Christian, et al.)**

**CSHB 1320**, A bill to be entitled An Act relating to creating an offense for engaging in certain conduct relating to cockfighting and to the criminal and civil consequences of committing that offense.

**Amendment No. 1**

Representative Christian offered the following amendment to **CSHB 1320**:

Amend **CSHB 1320** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Article 14.06(d), Code of Criminal Procedure, is amended to read as follows:

(d) Subsection (c) applies only to a person charged with committing an offense under:

(1) Section 481.121, Health and Safety Code, if the offense is punishable under Subsection (b)(1) or (2) of that section;

(2) Section 28.03, Penal Code, if the offense is punishable under Subsection (b)(2) of that section;

(3) Section 28.08, Penal Code, if the offense is punishable under Subsection (b)(1) of that section;

(4) Section 31.03, Penal Code, if the offense is punishable under Subsection (e)(2)(A) of that section;

(5) Section 31.04, Penal Code, if the offense is punishable under Subsection (e)(2) of that section;

(6) Section 38.114, Penal Code, if the offense is punishable as a Class B misdemeanor; [~~or~~]

(7) Section 42.105, Penal Code, if the offense is punishable as a Class A misdemeanor; or

(8) Section 521.457, Transportation Code.

Amendment No. 1 was adopted.

**CSHB 1320 - POINT OF ORDER**

Representative Flores raised a point of order against further consideration of **CSHB 1320**.

(Hardcastle in the chair)

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Gallego requested permission for the Committee on Criminal Jurisprudence to meet while the house is in session, at 1:15 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Criminal Jurisprudence, 1:15 p.m. today, 3W.15, for a formal meeting, to consider pending business.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative McCall requested permission for the Committee on Calendars to meet while the house is in session, at 1:45 p.m. today, in 3W.15, for a formal meeting, to consider the calendar.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, 1:45 p.m. today, 3W.15, for a formal meeting, to consider the calendar.

**PROVIDING FOR A CONGRATULATORY  
AND MEMORIAL CALENDAR**

Representative McClendon moved to suspend all necessary rules to set a congratulatory and memorial calendar for 10 a.m. Monday, May 4.

The motion prevailed.

**CSHB 1320 - (consideration continued)**

The chair overruled the point of order and submitted the following statements:

Mr. Flores raises a point of order against further consideration of **CSHB 1320** on the grounds that the committee substitute is not germane to the original bill. The original bill defines six separate items of conduct as a new criminal offense of cockfighting. Four of the items are punishable as a state jail felony, one item is punishable as a Class A misdemeanor, and one item is punishable as a Class C misdemeanor. The committee substitute changed the penalty for the item punishable as a Class C misdemeanor to a Class A misdemeanor. Because multiple tiers of penalties for different conduct constituting cockfighting are contained in the filed bill, a committee substitute that reassigns the conduct to a different tier is in order.

The point of order is respectfully overruled.

Representative Flores raises a point of order against further consideration of **CSHB 1320** in that the minutes associated with **CSHB 1320** violate Rule 4, Section 18, and that the witness affirmation forms associated with **CSHB 1320**

violate Rule 4, Section 20. In particular it is alleged that both the witness list attached to the minutes and the witness forms do not accurately reflect that the witnesses testified on the committee substitute after it was laid out.

The March 17, 2009, minutes of the Subcommittee on Violent Crimes reflect that both the filed bill and the committee substitute were before the committee at the time testimony was taken. After a recess the filed bill and the substitute were again brought before the committee for further testimony. The witness affirmation forms state that all persons testified on **CSHB 1320** and the witness list attached to the minutes reflects this. Since both the filed bill and a committee substitute were before the committee at the same time, a witness was free to offer testimony on either one.

Based on the fact that both the filed version of **HB 1320** and the committee substitute were before the committee at the time testimony was taken, the point of order is respectfully overruled.

**CSHB 1320**, as amended, was passed to engrossment. (Guillen and T. King recorded voting no.) (The vote was reconsidered later today, and **CSHB 1320** was postponed until 10 a.m. Monday, May 4.)

(Farabee in the chair)

**HB 2394 ON SECOND READING**  
**(by England)**

**HB 2394**, A bill to be entitled An Act relating to the requirements for recording a property owners' association management certificate.

Representative Heflin moved to postpone consideration of **HB 2394** until 10 a.m. Thursday, May 7.

The motion prevailed.

(Speaker in the chair)

**CSHB 1320 - VOTE RECONSIDERED**

Representative Peña moved to reconsider the vote by which **CSHB 1320**, as amended, was passed to engrossment.

The motion to reconsider prevailed.

**CSHB 1320 ON SECOND READING**  
**(by Christian, et al.)**

The speaker laid before the house, on its second reading and passage to engrossment,

**CSHB 1320**, A bill to be entitled An Act relating to creating an offense for engaging in certain conduct relating to cockfighting and to the criminal and civil consequences of committing that offense.

**CSHB 1320** was read second time earlier today and was passed to engrossment, as amended.

Representative Christian moved to postpone consideration of **CSHB 1320** until 10 a.m. Monday, May 4.

The motion prevailed.

(Oliveira in the chair)

### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Licensing and Administrative Procedures, upon adjournment today, Desk 28, for a formal meeting, to consider pending business.

### **ADJOURNMENT**

Representative Giddings moved that the house adjourn until 10 a.m. Monday, May 4 in memory of Edna Darjean of Beaumont.

The motion prevailed.

The house accordingly, at 1:43 p.m., adjourned until 10 a.m. Monday, May 4.

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## **APPENDIX**

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### **STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

#### **May 1**

Border and Intergovernmental Affairs - **HB 186**

Business and Industry - **HB 570, HB 1806, HB 2544, HB 2547, HB 2949, HB 3077, HB 3441, HB 4618, SB 1442, SB 1569**

County Affairs - **HB 781**

Criminal Jurisprudence - **HB 2153, HB 3224**

Defense and Veterans' Affairs - **HB 3989, HB 4388, HCR 5, SCR 22**

Elections - **HB 1457, HB 1654**

Energy Resources - **HB 280, HCR 183**

Environmental Regulation - **HB 2669, HB 4581**

Human Services - **HB 2084, HB 4255, SB 983**

Judiciary and Civil Jurisprudence - **HB 588, HB 912, HB 1679, HB 2207, HB 4424, SB 1081, SB 1259**

Land and Resource Management - **HB 3287**

Licensing and Administrative Procedures - **SB 1034**

Natural Resources - **HB 1090, SB 929, SB 930, SB 931, SB 932**

Public Education - **HB 1041, HB 1425, HB 3173, HB 3740, HB 4111, HB 4193, SB 1290**

Public Safety - **HB 3356, HB 4037**

State Affairs - **HB 457, HB 2670, HB 3245, HB 3631, HB 3691, HCR 119, SB 1071**

Transportation - **HB 2682, HB 4449**

Urban Affairs - **HB 722, HB 2298, HB 3171, HB 3390, HB 4795**

Ways and Means - **HB 150, HB 387, HB 1309, HB 1801, HB 3030, HB 3119, HB 4412, HB 4794, SB 1495**

### ENGROSSED

**May 1 - HB 78, HB 93, HB 94, HB 140, HB 167, HB 422, HB 488, HB 567, HB 601, HB 610, HB 617, HB 775, HB 784, HB 796, HB 1003, HB 1012, HB 1063, HB 1089, HB 1324, HB 1360, HB 1397, HB 1460, HB 1467, HB 1526, HB 1544, HB 1614, HB 1727, HB 1739, HB 1741, HB 1749, HB 1995, HB 2115, HB 2127, HB 2149, HB 2229, HB 2276, HB 2529, HB 2640, HB 2647, HB 2664, HB 2710, HB 2833, HB 2893, HB 3012, HB 3082, HB 3089, HB 3136, HB 3218, HB 3306, HB 3352, HB 3408, HB 3454, HB 3468, HB 3491, HB 3723, HB 3762, HB 3785, HB 3918, HB 3922, HB 4060, HB 4102, HB 4127, HB 4149, HB 4152, HB 4290, HB 4311, HB 4314, HB 4464, HB 4465, HB 4541, HB 4642, HB 4700**

### ENROLLED

**May 1 - HB 602, HB 753, HB 2073, HB 2074, HB 2434, HB 2666, HCR 117, HCR 134, HCR 153**

### SENT TO THE GOVERNOR

**May 1 - HB 602, HB 753, HB 2073, HB 2074, HB 2434, HB 2666, HCR 117, HCR 134, HCR 153**

### RECOMMENDATIONS FILED WITH THE SPEAKER

**May 1 - HB 4768, HB 4769, HB 4770, HB 4771, HB 4772, HB 4773, HB 4774, HB 4775, HB 4776, HB 4777, HB 4778, HB 4779, HB 4782, HB 4784, HB 4786, HB 4787, HB 4789, HB 4790, HB 4795, HB 4797, HB 4798, HB 4799, HB 4800**

### SIGNED BY THE GOVERNOR

**May 1 - HCR 172**

