

HOUSE JOURNAL

EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-SECOND DAY — TUESDAY, APRIL 26, 2011

The house met at 11 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 509).

Present — Mr. Speaker; Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycok; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

The invocation was offered by Dorothy Delarosa, pastor, Church Triumphant, San Antonio, as follows:

Dear Heavenly Father, we come to you this morning to acknowledge you in all of our ways, trusting that you will direct our very paths and decisions. You say in your word, "If my people who are called by my name would humble themselves, and pray and seek your face and turn from their wicked ways, you will hear from heaven and will forgive our sins and restore and heal our land." Father, I ask today and every day that you would heal our land and restore us once again to be an even greater state—Lord, to be that nation once again that was in great prosperity and was the envy of the world, that you would so unite us to be as one as you and the Father are one, as you have always intended it to be.

Father, we are praying in obedience to our governor's plea for rain. We ask, Lord, just like Elijah in James 5:17. He was as human as we are, yet when he prayed earnestly that no rain would fall, none fell for three and a half years.

Then, when he prayed again, the sky sent down rain and the earth began to yield its crops. May we, like Elijah the prophet, hear a mighty rainstorm coming as he did. And even when he sent his servant to look out toward the sea, and when at first he returned, he said, I didn't see anything. Yet seven times, yes, seven times, Elijah told him go back and look. Finally, the seventh time his servant told him, I saw a small cloud about the size of a man's hand rising from the sea.

O Lord, we come to you the omnipotent one, the God that we rely upon, the God that we depend upon, yes, the God that we count on. Is there anything too hard for you to do? Of course not, for with you all things are possible. Father, we are desperate and in need of solutions for our cities, our state, and our country. And so we come, I come to plead on behalf of our nation to open up the heavens, to hear from heaven the cries of your people and the cries for wisdom, knowledge, and understanding from our wonderful house of state representatives that you have called by your name to help our cities and our state and hopefully our country to be lifted from this time of financial crisis and important deadlines and decisions that must be made today.

Lord, we the people cannot begin to understand the pressure and burdens that are laid upon the shoulders of these fine men and women. Yet we look to them for answers, solutions, and help. And they look to you, for you alone are God and are all-knowing and promised to never leave us nor forsake us. And so we come to you, the source of all, to guide and bless and strengthen and uphold these, your chosen few, to represent our state for such a time as this. Please give them the confidence they each need every minute of every day, and every day of every week, and every week of every month, and every month of every year to know that you are with them. They are not alone. I ask for you to again unite them as one, for where there is unity there is power. And when we have power, mountains can then be moved. And you have entrusted each and every one of them with the power of voice for their people, your people, the people of our great State of Texas.

Thank you again, dear Lord, for hearing our prayer. We know we would not be here without you nor for the love and support of our families, friends, and neighbors. Thank you for giving them good health, great marriages, blessed children and grandchildren, protection from all evil, prosperity, peace, joy, and love all the days of their lives, knowing they have purpose and have made a difference for such a time as this. We ask all this in the mighty name of Jesus Christ, our Lord and Savior. Amen.

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

REGULAR ORDER OF BUSINESS SUSPENDED

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

CAPITOL PHYSICIAN

The speaker recognized Representative S. Miller who presented Dr. Jeffrey Edwards of Stephenville as the "Doctor for the Day."

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

(Hardcastle in the chair)

HR 929 - ADOPTED
(by C. Howard and Button)

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

The motion prevailed.

The following resolution was laid before the house:

HR 929, Commemorating the 100th anniversary of the founding of the Republic of China in Taiwan.

HR 929 was read and was adopted.

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

INTRODUCTION OF GUESTS

The chair recognized Representative C. Howard who introduced representatives of the Republic of China in Taiwan Centennial Celebration.

HR 1490 - ADOPTED
(by Lyne)

Representative Lyne moved to suspend all necessary rules to take up and consider at this time **HR 1490**.

The motion prevailed.

The following resolution was laid before the house:

HR 1490, Congratulating Ronnie London on his retirement as executive director of the Boys & Girls Clubs of Wichita Falls.

HR 1490 was adopted.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 17).

SCR 43 - ADOPTED
(S. King - House Sponsor)

Representative Legler moved to suspend all necessary rules to take up and consider at this time **SCR 43**.

The motion prevailed.

The following resolution was laid before the house:

SCR 43, Recognizing the 50th anniversary of the C-130 Hercules aircraft at Dyess Air Force Base.

SCR 43 was adopted.

SCR 44 - ADOPTED
(Legler - House Sponsor)

Representative Legler moved to suspend all necessary rules to take up and consider at this time **SCR 44**.

The motion prevailed.

The following resolution was laid before the house:

SCR 44, Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, April 21, 2011, and ending on Tuesday, April 26, 2011.

SCR 44 was adopted. (See Record No. 53, House Journal, 82nd Regular Session (2011), page 468)

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Rules and Resolutions, during lunch recess today, Agricultural Museum (1W.14), for a formal meeting, to set a congratulatory and memorial calendar.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative McClendon moved to set a congratulatory and memorial calendar for 10 a.m. Thursday, April 28.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Gallego requested permission for the Committee on Criminal Jurisprudence to meet while the house is in session, at 2 p.m. today, in 3W.9.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Criminal Jurisprudence, 2 p.m. today, 3W.9, for a formal meeting, to consider pending business.

RECESS

At 11:34 a.m., the chair announced that the house would stand recessed until 1 p.m. today.

AFTERNOON SESSION

The house met at 1 p.m. and was called to order by Representative Geren.

HCR 74 - ADOPTED
(by Landtroop)

Representative Landtroop moved to suspend all necessary rules to take up and consider at this time **HCR 74**.

The motion prevailed.

The following resolution was laid before the house:

HCR 74, Honoring pregnancy care centers.

HCR 74 was read and was adopted. (Alonzo, Alvarado, Anchia, Burnam, Farrar, Naishtat, and Strama recorded voting no.)

(Speaker pro tempore in the chair)

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR
CONSTITUTIONAL RULE SUSPENDED

The chair moved to suspend all necessary rules and the constitutional rule requiring bills to be read on three several days and to place the bills on today's Local, Consent, and Resolutions Calendar on third reading and final passage upon completion of second reading and passage to third reading.

The motion prevailed by (Record 510): 143 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Weber; White; Workman; Zedler; Zerwas.

Nays — Simpson.

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

Absent — Farias; Lewis; Miller, D.; Walle.

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

The following bills were laid before the house, read second time, and passed to third reading, and the following resolutions were laid before the house on committee report and adopted (members registering votes are shown following the caption):

CSHB 78 (by Flynn), A bill to be entitled An Act relating to the purchase of food and beverages by certain state law enforcement agencies for peace officer training functions.

HB 143 (by Laubenberg), A bill to be entitled An Act relating to the issuance of specialty license plates to certain family members of a person who dies while serving in the United States armed forces.

CSHB 232 (by White and Kuempel), A bill to be entitled An Act relating to the amendment of restrictions affecting real property in certain subdivisions. (Simpson recorded voting no.)

SB 873 (Hilderbran - House Sponsor), in lieu of **HB 267**, A bill to be entitled An Act relating to rate and damage schedules governing certain easements or other interests in land of The University of Texas System.

Representative Hilderbran moved to lay **HB 267** on the table subject to call, and the motion prevailed.

HB 343 (by Fletcher), A bill to be entitled An Act relating to the reporting and recording of a motor vehicle accident involving an official vehicle driven by a peace officer, firefighter, or an emergency medical services employee in the course of official duties.

HB 398 (by Jackson), A bill to be entitled An Act relating to the eligibility of employees convicted of certain offenses to provide services under a contract with a public school.

SB 605 (Gallego, Lewis, and Quintanilla - House Sponsors), in lieu of **HB 713**, A bill to be entitled An Act relating to the creation of an appellate judicial system for the Eighth Court of Appeals District. (C. Anderson, Aycock, Beck, Berman, Bohac, Brown, Button, Cain, Callegari, Christian, Cook, Craddick, Darby, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Legler, D. Miller, S. Miller, Parker, Perry, Phillips, Schwertner, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, White, Zedler, and Zerwas recorded voting no.)

Representative Gallego moved to lay **HB 713** on the table subject to call, and the motion prevailed.

HB 718 (by Fletcher, Riddle, Kleinschmidt, Gallego, Bohac, et al.), A bill to be entitled An Act relating to the period in which a person commits the offense of funeral service disruption.

HB 788 (by Kuempel and D. Miller), A bill to be entitled An Act relating to the establishment and use of a private family cemetery by certain organizations.

HB 825 was withdrawn.

HB 844 (by Geren), A bill to be entitled An Act relating to the sale or lease of property by certain municipalities owning land near the shoreline of certain lakes. (White recorded voting no.)

HB 858 (by Gonzalez), A bill to be entitled An Act relating to the authority of the El Paso County Hospital District to employ and commission peace officers.

CSHB 890 (by C. Howard, T. Smith, et al.), A bill to be entitled An Act relating to certain custom vehicles and street rods.

CSHB 901 (by Thompson, Harless, Woolley, D. Howard, Dutton, et al.), A bill to be entitled An Act relating to spousal maintenance. (Aliseda, Chisum, Garza, Hartnett, Keffer, Lavender, and Legler recorded voting no.)

HB 923 was withdrawn.

HB 927 (by Harper-Brown, Burkett, and R. Anderson), A bill to be entitled An Act relating to the punishment for the offense of indecent exposure.

HB 969 (by Lewis), A bill to be entitled An Act relating to the election of directors of the board of the Ector County Hospital District.

CSHB 976 (by Carter, Harper-Brown, Jackson, Strama, Gallego, et al.), A bill to be entitled An Act relating to the issuance of a warrant or summons by a magistrate.

HB 990 (by Rodriguez), A bill to be entitled An Act relating to certain homestead preservation reinvestment zones. (Simpson recorded voting no.)

HB 1048 (by Cain), A bill to be entitled An Act relating to the terms of the 102nd District Court in Red River County.

HB 1057 (by Anchia), A bill to be entitled An Act relating to business leave time for certain municipal firefighters and police officers. (C. Anderson, Aycock, Beck, Berman, Brown, Button, Cain, Callegari, Chisum, Christian, Cook, Craddick, Darby, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, Isaac, Keffer, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Lavender, Legler, D. Miller, S. Miller, Murphy, Parker, Perry, Phillips, Schwertner, Sheffield, Shelton, Simpson, Solomons, V. Taylor, Truitt, Weber, White, Workman, Zedler, and Zerwas recorded voting no.)

CSHB 1094 (by Farias, Larson, McClendon, and Garza), A bill to be entitled An Act relating to the availability on the Internet of reports of political expenditures and contributions filed in connection with certain county and municipal offices. (Weber recorded voting no.)

HB 1120 (by Weber), A bill to be entitled An Act relating to the dissolution of the Country Place Management District.

CSHB 1123 (by Dutton), A bill to be entitled An Act relating to the regulation of athlete agents; providing administrative and criminal penalties. (C. Anderson, Aycock, Beck, Berman, Brown, Button, Cain, Callegari, Carter, Chisum, Christian, Craddick, Elkins, Flynn, Frullo, Garza, Hamilton, Harper-Brown, Huberty, Keffer, P. King, Kleinschmidt, Kolkhorst, Landtroop, Laubenberg, Lavender, Legler, D. Miller, S. Miller, Parker, Perry, Phillips, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, White, Zedler, and Zerwas recorded voting no.)

CSHB 1127 (by Gutierrez), A bill to be entitled An Act relating to notice of relief available to certain members of the military required to be provided in certain real property documentation.

HB 1144 (by Cain), A bill to be entitled An Act relating to the Hopkins County Hospital District.

HB 1235 (by Schwertner), A bill to be entitled An Act relating to the transfer of certain state property from the Texas Department of Transportation to the Parks and Wildlife Department.

HB 1261 (by Thompson), A bill to be entitled An Act relating to court costs imposed on conviction and deposited to the municipal court technology fund. (C. Anderson, Aycock, Beck, Berman, Brown, Button, Cain, Callegari, Chisum, Christian, Cook, Craddick, Darby, Driver, Elkins, Flynn, Hamilton, Harper-Brown, Keffer, P. King, Kleinschmidt, Kolkhorst, Landtroop, Legler, D. Miller, S. Miller, Parker, Paxton, Perry, Phillips, Schwertner, Sheffield, Solomons, V. Taylor, Truitt, Weber, White, Zedler, and Zerwas recorded voting no.)

SB 874 (Craddick - House Sponsor), in lieu of **HB 1264**, A bill to be entitled An Act relating to establishing a separate provider type for prosthetic and orthotic providers under the medical assistance program.

Representative Craddick moved to lay **HB 1264** on the table subject to call, and the motion prevailed.

SB 416 (Smithee - House Sponsor), in lieu of **HB 1265**, A bill to be entitled An Act relating to the amount of outstanding total liability of a mortgage guaranty insurer.

Representative Smithee moved to lay **HB 1265** on the table subject to call, and the motion prevailed.

HB 1267 (by Smithee), A bill to be entitled An Act relating to the authority of certain counties and intergovernmental pools to require reimbursement for punitive damage coverage.

CSHB 1274 (by Peña and Guillen), A bill to be entitled An Act relating to an exemption from the payment of a toll for unmarked military vehicles conducting or training for emergency operations.

CSHB 1283 (by Craddick), A bill to be entitled An Act relating to consideration of a bidder's principal place of business in awarding certain municipal contracts.

HB 1371 (by Gonzalez), A bill to be entitled An Act relating to vehicle parking requirements in certain municipal housing authority communities.

CSHB 1385 (by Harless), A bill to be entitled An Act relating to personalization of certain license plates issued to veterans with disabilities.

HB 1403 (by Rodriguez), A bill to be entitled An Act relating to eligibility to participate in the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program. (White recorded voting no.)

HB 1436 was deferred until the end of today's local, consent, and resolutions calendar.

CSHB 1450 (by Guillen), A bill to be entitled An Act relating to a study regarding tort liability arising from a volunteer's operation of a Parks and Wildlife Department vehicle. (White recorded voting no.)

CSHB 1488 (by Gutierrez), A bill to be entitled An Act relating to examinations for hiring in certain municipal fire departments. (Aliseda, C. Anderson, Aycock, Beck, Berman, Bohac, Brown, Button, Cain, Callegari, Carter, Christian, Cook, Craddick, Darby, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Lavender, Legler, Madden, D. Miller, S. Miller, Murphy, Parker, Perry, Phillips, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, White, Zedler, and Zerwas recorded voting no.)

HB 1503 (by White, P. King, Garza, et al.), A bill to be entitled An Act relating to the qualifications to serve as a special peace officer at a polling place.

HB 1514 (by Isaac, Sheets, V. Taylor, and Farias), A bill to be entitled An Act relating to the issuance to veterans of specially marked driver's licenses.

SB 777 (Otto - House Sponsor), in lieu of **HB 1521**, A bill to be entitled An Act relating to re-creating the scholarship trust fund for fifth-year accounting students as a trust fund outside the state treasury. (Aliseda, Bohac, and Laubenberg recorded voting no; Weber recorded voting present, not voting.)

Representative Otto moved to lay **HB 1521** on the table subject to call, and the motion prevailed.

HB 1529 (by S. Miller and Harper-Brown), A bill to be entitled An Act relating to the offense of fraudulent use or possession of identifying information. (Alonzo and Burnam recorded voting no.)

CSHB 1545 (by Lewis), A bill to be entitled An Act relating to the authority of certain political subdivisions to change the date of their general elections.

CSHB 1559 (by S. Davis, Bohac, Sheets, Garza, et al.), A bill to be entitled An Act relating to the retention, storage, and destruction of certain court documents. (Hartnett and Weber recorded voting no.)

HB 1566 (by Coleman), A bill to be entitled An Act relating to the authority of counties to appoint, contract for, or employ physicians, dentists, or other health care providers for county jails. (C. Anderson, Aycock, Beck, Berman, Brown, Button, Cain, Callegari, Carter, Christian, Cook, Craddick, Driver, Elkins, Flynn, Frullo, Hamilton, Harper-Brown, P. King, Kleinschmidt, Kolkhorst, Landtroop, Lavender, Legler, D. Miller, S. Miller, Parker, Perry, Phillips, Schwertner, Sheffield, Shelton, Solomons, V. Taylor, Weber, Zedler, and Zerwas recorded voting no.)

HB 1593 (by Isaac), A bill to be entitled An Act relating to the inclusion of a candidate's e-mail address on an official application for a place on the ballot. (White recorded voting no.)

HB 1627 (by Flynn), A bill to be entitled An Act relating to the eligibility requirements of election judges.

HB 1631 (by Thompson), A bill to be entitled An Act relating to expedited credentialing for certain podiatrists providing services under a managed care plan. (Frullo and Shelton recorded voting no.)

HB 1651 (by Alonzo), A bill to be entitled An Act relating to the North Oak Cliff Municipal Management District.

HB 1665 (by S. King), A bill to be entitled An Act relating to the notification requirements regarding certain land use regulations in an area near military facilities.

CSHB 1683 (by Fletcher), A bill to be entitled An Act relating to parking placards for vehicles of persons with disabilities.

CSHB 1694 (by Coleman), A bill to be entitled An Act relating to the purchasing and contracting authority of certain governmental entities. (Weber recorded voting present, not voting.)

HB 1721 (by Lucio), A bill to be entitled An Act relating to protective orders for certain victims of stalking or sexual assault.

CSHB 1737 (by Bohac), A bill to be entitled An Act relating to the installation of a speed feedback sign by a property owners' association.

HB 1759 (by Rodriguez), A bill to be entitled An Act relating to the creation of the Pilot Knob Municipal Utility District No. 4; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

HB 1760 (by Rodriguez), A bill to be entitled An Act relating to the creation of the Pilot Knob Municipal Utility District No. 5; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

CSHB 1767 (by Muñoz), A bill to be entitled An Act relating to the enforcement of county subdivision regulations prohibiting more than one residential dwelling on each subdivision lot. (Isaac and Simpson recorded voting no.)

HB 1771 (by Madden), A bill to be entitled An Act relating to the establishment of the Specialty Courts Advisory Council.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Madden requested permission for the Committee on Corrections to meet while the house is in session, at 2 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Corrections, 2 p.m. today, 3W.15, for a formal meeting, to consider pending business.

**LOCAL, CONSENT, AND RESOLUTIONS CALENDAR
(consideration continued)**

HB 1823 (by Harless), A bill to be entitled An Act relating to the authority of certain persons to execute bail bonds and act as sureties.

HB 1841 (by Hartnett and Hilderbran), A bill to be entitled An Act relating to the taxability of Internet hosting.

SB 914 (D. Miller - House Sponsor), in lieu of **HB 1852**, A bill to be entitled An Act relating to the applicability to certain regional water districts of provisions concerning bond approval by the Texas Commission on Environmental Quality.

Representative D. Miller moved to lay **HB 1852** on the table subject to call, and the motion prevailed.

HB 1866 (by Gonzalez), A bill to be entitled An Act relating to the designation of State Highway 20 as a historic highway.

HB 1896 (by Harper-Brown and R. Anderson), A bill to be entitled An Act relating to the designation of the Irving Diamond Interchange.

HB 1898 (by Pickett), A bill to be entitled An Act relating to optional fees for the registration of motor vehicles in certain municipalities. (Aliseda, C. Anderson, Aycock, Berman, Bohac, Brown, Button, Cain, Callegari, Carter, Chisum, Christian, Cook, Craddick, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, Isaac, Keffer, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Madden, D. Miller, S. Miller, Parker, Paxton, Perry, Phillips, Schwertner, Sheffield, Shelton, Solomons, V. Taylor, Weber, White, Zedler, and Zerwas recorded voting no.)

CSHB 1899 (by Pickett, et al.), A bill to be entitled An Act relating to the posting of signs in school crossing zones regarding the prohibited use of a wireless communication device while operating a motor vehicle.

HB 1906 (by D. Howard), A bill to be entitled An Act relating to the idling of motor vehicles; providing a criminal penalty. (Aliseda, C. Anderson, Aycock, Beck, Berman, Bohac, Brown, Button, Cain, Callegari, Christian, Cook, Craddick, Darby, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop,

Laubenberg, Lavender, Madden, D. Miller, S. Miller, Parker, Perry, Phillips, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, White, Zedler, and Zerwas recorded voting no.)

HB 1936 (by Gutierrez), A bill to be entitled An Act relating to importation and shipment of alcoholic beverages for personal consumption. (Isaac and Weber recorded voting no.)

HB 1940 (by Perry), A bill to be entitled An Act relating to the requirement of a preliminary hearing for certain persons released from the Texas Department of Criminal Justice who are alleged to have violated a condition of release.

CSHB 2002 (by Marquez), A bill to be entitled An Act relating to the county ethics commission for certain counties.

CSHB 2033 (by Hamilton), A bill to be entitled An Act relating to the separate statement of the mixed beverage tax for informational purposes.

CSHB 2047 (by Lewis), A bill to be entitled An Act relating to service of process at the registered office of certain registered agents.

CSHB 2067 (by Callegari), A bill to be entitled An Act relating to the regulation of the practice of engineering by individuals engaged in the evaluation of oil and gas resources.

HB 2080 (by T. King), A bill to be entitled An Act relating to certification of a person as eligible for disabled parking privileges. (Harless and Shelton recorded voting no.)

HB 2091 (by Craddick), A bill to be entitled An Act relating to the authority of the State Cemetery Committee.

CSHB 2108 (by Paxton and Hardcastle), A bill to be entitled An Act relating to electronic filing and rerecording of livestock marks and brands by county clerks.

CSHB 2118 (by Coleman, Giddings, P. King, Sheets, et al.), A bill to be entitled An Act relating to adding certain synthetic compounds to Penalty Group 2 of the Texas Controlled Substances Act.

HB 2122 (by Lozano), A bill to be entitled An Act relating to certain state attorneys called into active duty military service.

HB 2132 (by Reynolds), A bill to be entitled An Act relating to the creation of magistrates in certain counties. (White recorded voting no.)

CSHB 2135 (by Hochberg, et al.), A bill to be entitled An Act relating to the administration of end-of-course assessment instruments to public school students enrolled below the high school level.

HB 2141 (by Guillen), A bill to be entitled An Act relating to enforcement of laws related to water safety.

CSHB 2144 (by Garza), A bill to be entitled An Act relating to the use of uniform election dates by newly incorporated municipalities. (White recorded voting no.)

HB 2162 (by Kuempel), A bill to be entitled An Act relating to the power of the Cibolo Creek Municipal Authority to issue bonds.

SB 630 (Isaac - House Sponsor), in lieu of **HB 2182**, A bill to be entitled An Act relating to the Ranch at Clear Fork Creek Municipal Utility District No. 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

Representative Isaac moved to lay **HB 2182** on the table subject to call, and the motion prevailed.

HB 2223 (by Y. Davis), A bill to be entitled An Act relating to the contracts of certain regional transportation authorities that are required to be competitively bid.

CSHB 2226 (by Truitt), A bill to be entitled An Act relating to authorized investments for governmental entities.

HB 2238 (by Creighton), A bill to be entitled An Act relating to the powers and duties of the Montgomery County Municipal Utility District No. 112.

HB 2245 (by Zerwas), A bill to be entitled An Act relating to physician incentive programs to reduce hospital emergency room use for non-emergent conditions by Medicaid recipients.

HB 2277 (by Eiland), A bill to be entitled An Act relating to the sale, exchange, or replacement of life insurance and annuity contracts.

HB 2286 (by V. Gonzales), A bill to be entitled An Act relating to the duties of a funeral director or an agent at the interment or entombment of a human body.

CSHB 2289 (by Crownover), A bill to be entitled An Act relating to the authority of a gas corporation to use a public right-of-way along a railroad, a railroad right-of-way, an interurban railroad, or a street railroad.

HB 2327 (by McClendon), A bill to be entitled An Act relating to the establishment and operation of a motor-bus-only lane pilot program in certain counties. (Aliseda, C. Anderson, Aycock, Beck, Berman, Bohac, Brown, Button, Cain, Callegari, Chisum, Christian, Cook, Craddick, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, Isaac, Keffer, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Lavender, Legler, Madden, D. Miller, S. Miller, Murphy, Parker, Paxton, Perry, Schwertner, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, White, Workman, Zedler, and Zerwas recorded voting no.)

CSHB 2330 (by P. King), A bill to be entitled An Act relating to the statutory county courts in Wise County.

HB 2344 (by Castro), A bill to be entitled An Act relating to the authority of the commissioners court of a county to create a law enforcement technology fund and to require certain defendants to pay court costs for deposit in the fund. (Aliseda, C. Anderson, Aycock, Beck, Berman, Brown, Button, Cain, Callegari, Christian, Cook, Craddick, Darby, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, Isaac, P. King, Kleinschmidt, Kolkhorst,

Kuempel, Landtroop, Laubenberg, Legler, D. Miller, S. Miller, Parker, Perry, Phillips, Schwertner, Sheffield, Shelton, Solomons, V. Taylor, Truitt, White, Zedler, and Zerwas recorded voting no.)

HB 2346 (by Bonnen), A bill to be entitled An Act relating to authorized investments for ports and navigation districts.

HB 2371 (by Kleinschmidt), A bill to be entitled An Act relating to the designation of a segment of State Highway 71 as the 95th Division Memorial Highway.

CSHB 2385 (by Geren), A bill to be entitled An Act relating to the DNA database at the University of North Texas Health Science Center at Fort Worth.

CSHB 2466 (by Phillips), A bill to be entitled An Act relating to the licensing and operation of motor vehicles by minors. (Legler recorded voting no.)

HB 2472 (by Marquez), A bill to be entitled An Act relating to the reporting of certain warrant or capias information to the national crime information center.

CSHB 2518 (by Kolkhorst), A bill to be entitled An Act relating to the transfer of certain state property from the Texas Board of Criminal Justice to the board of regents of The Texas A&M University System for the use and benefit of the Texas Forest Service.

HB 2551 was withdrawn and, pursuant to Rule 6, Section 24 of the House Rules, was returned to the Committee on Calendars.

HB 2579 (by J. Davis and Miles), A bill to be entitled An Act relating to relief for certain employers from penalties and sanctions under the Texas Unemployment Compensation Act.

CSHB 2615 (by Veasey), A bill to be entitled An Act relating to the provision of information on financial literacy resources to the public. (Weber recorded voting present, not voting.)

HB 2629 was withdrawn.

CSHB 2725 (by Hartnett), A bill to be entitled An Act relating to the determination of incompetency in criminal cases.

HB 2769 (by Frullo), A bill to be entitled An Act relating to the authority of the Texas Facilities Commission regarding gifts, grants, and donations.

HB 2771 (by W. Smith), A bill to be entitled An Act relating to the purchasing powers and duties of a navigation district or port authority.

HB 2792 (by Hunter), A bill to be entitled An Act relating to the power of the Aransas County Navigation District to determine the amount of a check or bond necessary to purchase land from the district.

CSHB 2809 (by Phillips), A bill to be entitled An Act relating to the authority of the board of the Greater Texoma Utility Authority to approve changes in a construction contract.

CSHB 2859 (by Gallego), A bill to be entitled An Act relating to the creation of the Terrell County Groundwater Conservation District; providing authority to impose a tax and issue bonds. (Isaac recorded voting no; Weber recorded voting present, not voting.)

CSHB 2869 (by Harper-Brown), A bill to be entitled An Act relating to the powers and duties of certain master mixed-use property owners' associations.

CSHB 2900 (by Hartnett), A bill to be entitled An Act relating to guardianship matters and proceedings.

CSHB 2907 (by Branch), A bill to be entitled An Act relating to the requirements for and procedures governing tuition equalization grants.

HB 2920 (by Reynolds and Zerwas), A bill to be entitled An Act relating to the authority of a governing body of a Type C General Law City to adopt an ordinance to determine the manner of when commissioners run for elected office.

CSHB 2928 (by Farias), A bill to be entitled An Act relating to privileged parking for recipients of the Silver Star Medal.

HB 2935 (by Castro), A bill to be entitled An Act relating to the appointment of a court reporter by a criminal law magistrate in Bexar County.

CSHB 2936 (by Castro), A bill to be entitled An Act relating to the administration of district courts in Bexar County.

HB 2937 (by Lewis), A bill to be entitled An Act relating to access to the criminal history record information of certain individuals by public or private institutions of higher education and the Texas Higher Education Coordinating Board.

HB 2948 (by Lozano, C. Anderson, Muñoz, et al.), A bill to be entitled An Act relating to the designation of certain highways as part of the Purple Heart Trail.

CSHB 2964 (by Naishtat), A bill to be entitled An Act relating to the lease of property or hospital facilities by certain hospital districts. (Aycock, Frullo, Isaac, Kolkhorst, Shelton, and Simpson recorded voting no.)

HB 2966 (by Naishtat), A bill to be entitled An Act relating to the confidentiality of certain communications and records made or collected in reference to certain sexual assault survivors.

HB 3003 (by Hughes), A bill to be entitled An Act relating to the issuance of an identification card to certain individuals to permit entrance into certain county buildings without passing through security services.

HB 3049 (by Lucio), A bill to be entitled An Act relating to the designation of a portion of State Highway 499 as the Colonel Bill Card, Jr., Boulevard.

CSHB 3051 (by Pickett, Raymond, and V. Taylor), A bill to be entitled An Act relating to the provision of child care by certain facilities exempt from child-care licensing requirements.

SB 1230 (Crownover - House Sponsor), in lieu of **HB 3137**, A bill to be entitled An Act relating to the construction and operation of combined heating and power facilities in certain municipalities.

Representative Crownover moved to lay **HB 3137** on the table subject to call, and the motion prevailed.

HB 3140 was withdrawn.

HB 3179 was withdrawn.

CSHB 3208 (by Burkett), A bill to be entitled An Act relating to the designation of a segment of U.S. Highway 80 in the town of Sunnyvale as a Blue Star Memorial Highway.

HB 3255 (by Strama), A bill to be entitled An Act relating to the creation of guidelines for the Office of the State Demographer to encourage the inclusion of a broad variety of racial/ethnic groups in estimates and projections. (Kolkhorst and White recorded voting no.)

CSHB 3287 (by Giddings), A bill to be entitled An Act relating to license renewals by the Texas Department of Licensing and Regulation. (Aycock, Chisum, Keffer, Kolkhorst, and Phillips recorded voting no.)

HB 3421 (by D. Miller), A bill to be entitled An Act relating to the designation of the El Camino Real de los Tejas National Historic Trail as a historic highway.

HB 3431 was withdrawn.

CSHB 3459 (by Eiland), A bill to be entitled An Act relating to the containment of costs incurred in the correctional health care system.

CSHB 3465 (by Sheffield), A bill to be entitled An Act relating to the period for which a school district's participation in certain tax increment financing reinvestment zones may be taken into account in determining the total taxable value of property in the school district. (Simpson recorded voting no.)

CSHB 3470 (by Patrick, Otto, Pickett, Villarreal, and Lucio), A bill to be entitled An Act relating to the Texas Armed Services Scholarship Program.

CSHB 3487 (by V. Taylor), A bill to be entitled An Act relating to regulations concerning certain service animals; providing a criminal penalty.

CSHB 3531 (by Strama, Marquez, and Dukes), A bill to be entitled An Act relating to a system for monitoring prescriptions of certain drugs under the Medicaid program for children in foster care.

HB 3788 (by Marquez), A bill to be entitled An Act relating to the authority of a county civil service commission to administer oaths and issue subpoenas; providing a penalty. (Aliseda, C. Anderson, Aycock, Beck, Berman, Bohac, Brown, Button, Cain, Callegari, Christian, Cook, Craddick, Driver, Elkins, Flynn, Frullo, Garza, Hamilton, Harless, Harper-Brown, Huberty, P. King, Kleinschmidt,

Kuempel, Landtroop, Laubenberg, Madden, D. Miller, S. Miller, Parker, Perry, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, Zedler, and Zerwas recorded voting no.)

HB 3803 (by Phillips), A bill to be entitled An Act relating to the creation of the Cottonwood Municipal Utility District No. 2 of Grayson County; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

CSHB 3804 (by Gallego), A bill to be entitled An Act relating to the creation of the Lajitas Utility District No. 1 of Brewster County; providing authority to impose taxes and issue bonds; granting a limited power of eminent domain.

CSHB 3806 (by Hardcastle), A bill to be entitled An Act relating to the authority of the board of directors of the Haskell County Hospital District to employ physicians and other health care providers. (Parker, Schwertner, Shelton, and Zerwas recorded voting no.)

CSHB 3809 (by Hardcastle), A bill to be entitled An Act relating to the authority of the board of directors of the Muenster Hospital District to employ physicians and other health care providers. (Parker, Schwertner, Shelton, and Zerwas recorded voting no.)

CSHB 3816 (by Hardcastle), A bill to be entitled An Act relating to the authority of the board of directors of the Nocona Hospital District to employ physicians and other health care providers. (Parker, Schwertner, Shelton, and Zerwas recorded voting no.)

CSHB 3817 (by Hardcastle), A bill to be entitled An Act relating to the authority of the Gainesville Hospital District to employ physicians and other health care providers. (Parker, Schwertner, Shelton, and Zerwas recorded voting no.)

HB 3823 (by Thompson), A bill to be entitled An Act relating to the regulation of certain telecommunicators; providing penalties. (Isaac and White recorded voting no.)

HCR 24 (by Darby), Designating Nymphaea Texas Dawn as the official State Waterlily of Texas.

CSHCR 90 (by S. Miller), Urging Congress to expedite the implementation of the Integrated Public Alert and Warning System program.

HCR 99 (by Truitt), Requesting the lieutenant governor and the speaker to create a joint interim committee to study the benefits, including health insurance, retirement programs, and other benefits, of active and retired state employees.

HR 784 (by Legler), Urging the United States Congress to fully support operations and joint force structure at Ellington Field Joint Reserve Base.

SB 729 (Price - House Sponsor), in lieu of **HB 1436**, A bill to be entitled An Act relating to a joint election for trustees of an independent school district.

Representative Price moved to lay **HB 1436** on the table subject to call, and the motion prevailed.

FIVE-DAY POSTING RULE SUSPENDED

Representative Hamilton moved to suspend the five-day posting rule to allow the Committee on Licensing and Administrative Procedures to consider pending business at 4 p.m. today in E2.012.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hamilton requested permission for the Committee on Licensing and Administrative Procedures to meet while the house is in session, at 4 p.m. today, in E2.012, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Licensing and Administrative Procedures, 4 p.m. today, E2.012, for a public hearing, to consider pending business.

RULES SUSPENDED

Representative Thompson 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 earlier today.

The motion prevailed.

MOTION FOR ONE RECORD VOTE

On motion of Representative Thompson 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 511): 148 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher;

Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Workman; Zedler; Zerwas.

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

HB 78

HB 143

HB 232 (Simpson - no) (147 - 1 - 2)

SB 873

HB 343

HB 398

SB 605 (C. Anderson, Aycock, Beck, Berman, Bohac, Brown, Button, Cain, Callegari, Christian, Cook, Craddick, Darby, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Legler, D. Miller, S. Miller, Parker, Perry, Phillips, Schwertner, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, White, Zedler, and Zerwas - no) (105 - 43 - 2)

HB 718

HB 788

HB 844 (White - no) (147 - 1 - 2)

HB 858

HB 890

HB 901 (Aliseda, Chisum, Garza, Hartnett, Keffer, Lavender, and Legler - no) (141 - 7 - 2)

HB 927

HB 969

HB 976

HB 990 (Simpson - no) (147 - 1 - 2)

HB 1048

HB 1057 (C. Anderson, Aycock, Beck, Berman, Brown, Button, Cain, Callegari, Chisum, Christian, Cook, Craddick, Darby, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, Isaac, Keffer, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Lavender, Legler, D. Miller, S. Miller, Murphy, Parker, Perry, Phillips, Schwertner, Sheffield, Shelton, Simpson, Solomons, V. Taylor, Truitt, Weber, White, Workman, Zedler, and Zerwas - no) (100 - 48 - 2)

HB 1094 (Weber - no) (147 - 1 - 2)

HB 1120

HB 1123 (C. Anderson, Aycock, Beck, Berman, Brown, Button, Cain, Callegari, Carter, Chisum, Craddick, Christian, Elkins, Flynn, Frullo, Garza, Hamilton, Harper-Brown, Keffer, P. King, Kleinschmidt, Kolkhorst, Landtroop, Laubenberg, Lavender, Legler, D. Miller, S. Miller, Parker, Perry, Phillips, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, White, Zedler, and Zerwas - no) (108 - 40 - 2)

HB 1127

HB 1144

HB 1235

HB 1261 (C. Anderson, Aycock, Beck, Berman, Brown, Button, Cain, Callegari, Chisum, Christian, Cook, Craddick, Darby, Driver, Elkins, Flynn, Hamilton, Harper-Brown, Keffer, P. King, Kleinschmidt, Kolkhorst, Landtroop, Legler, D. Miller, S. Miller, Parker, Paxton, Perry, Phillips, Schwertner, Sheffield, Solomons, V. Taylor, Truitt, Weber, White, Zedler, and Zerwas - no) (109-39-2)

SB 874

SB 416

HB 1267

HB 1274

HB 1283

HB 1371

HB 1385

HB 1403 (White - no) (147 - 1 - 2)

HB 1450 (White - no) (147 - 1 - 2)

HB 1488 (Aliseda, C. Anderson, Aycock, Beck, Berman, Bohac, Brown, Button, Cain, Callegari, Carter, Christian, Cook, Craddick, Darby, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Lavender, Legler, Madden, D. Miller, S. Miller, Murphy, Parker, Perry, Phillips, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, White, Zedler, and Zerwas - no) (101-47-2)

HB 1503

HB 1514

SB 777 (Aliseda, Bohac, and Laubenberg - no; Weber - present, not voting)
(144 - 3 - 3)

HB 1529 (Alonzo and Burnam - no) (146 - 2 - 2)

HB 1545

HB 1559 (Hartnett and Weber - no) (146 - 2 - 2)

HB 1566 (C. Anderson, Aycock, Beck, Berman, Brown, Button, Cain, Callegari, Carter, Christian, Cook, Craddick, Driver, Elkins, Flynn, Frullo, Hamilton, Harper-Brown, P. King, Kleinschmidt, Kolkhorst, Landtroop, Lavender, Legler, D. Miller, S. Miller, Parker, Perry, Phillips, Schwertner, Sheffield, Shelton, Solomons, V. Taylor, Weber, Zedler, and Zerwas - no)
(111-37-2)

HB 1593 (White - no) (147 - 1 - 2)

HB 1627

HB 1631 (Frullo and Shelton - no) (146 - 2 - 2)

HB 1651**HB 1665****HB 1683**

HB 1694 (Weber - present, not voting) (147 - 0 - 3)

HB 1721**HB 1737****HB 1759****HB 1760**

HB 1767 (Isaac and Simpson - no) (146 - 2 - 2)

HB 1771**HB 1823****HB 1841****SB 914****HB 1866****HB 1896**

HB 1898 (Aliseda, C. Anderson, Aycock, Berman, Bohac, Brown, Button, Cain, Callegari, Carter, Chisum, Christian, Cook, Craddick, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, Isaac, Keffer, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Madden, D. Miller, S. Miller, Parker, Paxton, Perry, Phillips, Schwertner, Sheffield, Shelton, Solomons, V. Taylor, Weber, White, Zedler, and Zerwas - no) (102 - 46 - 2)

HB 1899

HB 1906 (Aliseda, C. Anderson, Aycock, Beck, Berman, Bohac, Brown, Button, Cain, Callegari, Christian, Cook, Craddick, Darby, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Lavender, Madden, D. Miller, S. Miller, Parker, Perry, Phillips, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, White, Zedler, and Zerwas - no) (104 - 44 - 2)

HB 1936 (Isaac and Weber - no) (146 - 2 - 2)

HB 1940

HB 2002

HB 2033

HB 2047

HB 2067

HB 2080 (Harless and Shelton - no) (146 - 2 - 2)

HB 2091

HB 2108

HB 2118

HB 2122

HB 2132 (White - no) (147 - 1 - 2)

HB 2135

HB 2141

HB 2144 (White - no) (147 - 1 - 2)

HB 2162

SB 630

HB 2223

HB 2226

HB 2238

HB 2245

HB 2277

HB 2286

HB 2289

HB 2327 (Aliseda, C. Anderson, Aycock, Beck, Berman, Bohac, Brown, Button, Cain, Callegari, Chisum, Christian, Cook, Craddick, Driver, Elkins, Flynn, Frullo, Keffer, P. King, Kleinschmidt, Kolkhorst, Kuempel, Hamilton, Harless, Harper-Brown, Huberty, Isaac, Landtroop, Laubenberg, Lavender, Legler, Madden, D. Miller, S. Miller, Murphy, Parker, Paxton, Perry, Schwertner, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, White, Workman, Zedler, and Zerwas - no) (98 - 50 - 2)

HB 2330

HB 2344 (Aliseda, C. Anderson, Aycock, Beck, Berman, Brown, Button, Cain, Callegari, Christian, Cook, Craddick, Darby, Driver, Elkins, Flynn, Frullo, Hamilton, Harless, Harper-Brown, Huberty, Isaac, P. King, Kleinschmidt, Kolkhorst, Kuempel, Landtroop, Laubenberg, Legler, D. Miller, S. Miller, Parker, Perry, Phillips, Schwertner, Sheffield, Shelton, Solomons, V. Taylor, Truitt, White, Zedler, and Zerwas - no) (105 - 43 - 2)

HB 2346**HB 2371****HB 2385**

HB 2466 (Legler - no) (147 - 1 - 2)

HB 2472**HB 2518****HB 2579**

HB 2615 (Weber - present, not voting) (147 - 0 - 3)

HB 2725**HB 2769****HB 2771****HB 2792****HB 2809**

HB 2859 (Isaac - no; Weber - present, not voting) (146 - 1 - 3)

HB 2869**HB 2900****HB 2907****HB 2920****HB 2928****HB 2935****HB 2936****HB 2937****HB 2948**

HB 2964 (Aycock, Frullo, Isaac, Kolkhorst, Shelton, and Simpson - no) (142 - 6 - 2)

HB 2966**HB 3003****HB 3049****HB 3051**

SB 1230

HB 3208

HB 3255 (Kolkhorst and White - no) (146 - 2 - 2)

HB 3287 (Aycock, Chisum, Keffer, Kolkhorst, and Phillips - no) (143-5-2)

HB 3421

HB 3459

HB 3465 (Simpson - no) (147 - 1 - 2)

HB 3470

HB 3487

HB 3531

HB 3788 (Aliseda, C. Anderson, Aycock, Beck, Berman, Bohac, Brown, Button, Cain, Callegari, Christian, Cook, Craddick, Driver, Elkins, Flynn, Frullo, Garza, Hamilton, Harless, Harper-Brown, Huberty, P. King, Kleinschmidt, Kuempel, Landtroop, Laubenberg, Madden, D. Miller, S. Miller, Parker, Perry, Sheffield, Shelton, Solomons, V. Taylor, Truitt, Weber, Zedler, and Zerwas - no) (108 - 40 - 2)

HB 3803

HB 3804

HB 3806 (Parker, Schwertner, Shelton, and Zerwas - no) (144 - 4 - 2)

HB 3809 (Parker, Schwertner, Shelton, and Zerwas - no) (144 - 4 - 2)

HB 3816 (Parker, Schwertner, Shelton, and Zerwas - no) (144 - 4 - 2)

HB 3817 (Parker, Schwertner, Shelton, and Zerwas - no) (144 - 4 - 2)

HB 3823 (Isaac and White - no) (146 - 2 - 2)

SB 729

The following resolutions which were laid out previously on the local, consent, and resolutions calendar were adopted by the above referenced vote (Record 511): 148 Yeas, 0 Nays, 2 Present, not voting (members registering votes and the results of the vote are shown following bill number).

HCR 24

HCR 90

HCR 99

HR 784

(Geren in the chair)

HR 1261 - ADOPTED
(by T. King, Brown, Dukes, Otto, and Guillen)

Representative T. King moved to suspend all necessary rules to take up and consider at this time **HR 1261**.

The motion prevailed.

The following resolution was laid before the house:

HR 1261, Congratulating the Texas A&M University women's basketball team on winning the 2011 NCAA Division I national championship.

HR 1261 was read and was adopted.

On motion of Representative Marquez, the names of all the members of the house were added to **HR 1261** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Dukes who introduced players and coaches of the Texas A&M University women's basketball team.

GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING

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

HB 290 ON THIRD READING
(by Jackson, Anchia, Weber, and Gallego)

HB 290, A bill to be entitled An Act relating to the punishment for the offense of employment harmful to children.

HB 290 was passed by (Record 512): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.;

Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Perry.

HB 417 ON THIRD READING
(by Anchia, Jackson, et al.)

HB 417, A bill to be entitled An Act relating to claims for compensation for wrongful imprisonment.

HB 417 was passed by (Record 513): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bonnen; Branch; Brown; Burkett; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Bohac; Burnam.

HB 625 ON THIRD READING
(by Solomons)

HB 625, A bill to be entitled An Act relating to notice of staff leasing services company workers' compensation claim and payment information; providing an administrative violation.

HB 625 was passed by (Record 514): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.;

Deshotel; Driver; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 514 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

(Marquez in the chair)

HB 627 ON THIRD READING

(by Woolley)

HB 627, A bill to be entitled An Act relating to a fee collected by a district clerk for certain certified copies.

Representative Woolley moved to postpone consideration of **HB 627** until 3:45 p.m. today.

The motion prevailed.

HB 707 ON THIRD READING

(by Laubenberg)

HB 707, A bill to be entitled An Act relating to the validation of certain governmental acts and proceedings of certain municipalities relating to certain public improvement districts.

HB 707 was passed by (Record 515): 148 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.;

Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

HB 782 ON THIRD READING

(by Y. Davis)

HB 782. A bill to be entitled An Act relating to a requirement that certain bond issuers obtain an appraisal of property that is to be purchased with bond proceeds.

HB 782 was passed by (Record 516): 146 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Nays — Garza.

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

Absent — Torres.

HB 812 ON THIRD READING**(by P. King, Garza, Sheffield, C. Anderson, and Laubenberg)**

HB 812, A bill to be entitled An Act relating to the definition of peace officer for purposes of intercepting or collecting information in relation to certain communications in an investigation of criminal conduct.

HB 812 was passed by (Record 517): 146 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Johnson.

HB 887 ON THIRD READING**(by Geren)**

HB 887, A bill to be entitled An Act relating to registration of a motor vehicle alleged to have been involved in a violation detected by a photographic traffic signal enforcement system.

HB 887 was passed by (Record 518): 137 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Aycock; Beck; Berman; Bohac; Branch; Brown; Burkett; Burnam; Cain; Callegari; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel;

Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; White; Woolley; Workman; Zedler; Zerwas.

Nays — Anderson, C.; Bonnen; Button; Carter; Driver; Howard, D.; Madden; Paxton; Taylor, V.; Weber.

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

Absent — Gonzales, L.

STATEMENTS OF VOTE

I was shown voting no on Record No. 518. I intended to vote yes.

C. Anderson

I was shown voting no on Record No. 518. I intended to vote yes.

Weber

HB 1061 ON THIRD READING (by Otto)

HB 1061, A bill to be entitled An Act relating to the expiration of certain investment authority of the Teacher Retirement System of Texas.

HB 1061 was passed by (Record 519): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Torres.

HB 1112 ON THIRD READING
(by Phillips)

HB 1112, A bill to be entitled An Act relating to the authority and powers of regional mobility authorities.

HB 1112 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE BURKETT: Chairman Phillips, I just had some quick questions from constituents in my district regarding the legislative intent of your bill. Would this bill, in any matter, allow for tolls to be maintained on toll roads in perpetuity?

REPRESENTATIVE PHILLIPS: This bill does not address toll roads in perpetuity. So this bill—if you vote for this bill, you vote against this bill—it won't affect the ability to have or whether there's toll roads in perpetuity or not.

BURKETT: Great, okay, and would this bill expand system financing which would essentially allow for funds from one highway corridor to be dedicated to financing another one?

PHILLIPS: Depends on what you're talking about, "highway corridor." But, and you live in a place that has NTTA, this really wouldn't affect any authority other than what NTTA already has.

BURKETT: So it's no further authority than what we currently have in place in the Dallas area?

PHILLIPS: Right.

BURKETT: And would the bill allow for RMAs to use property tax appraisal increases for its projects or use toll revenues for economic development purposes?

PHILLIPS: No, not for economic development purposes—but I guarantee you if you build a road, economic development will follow. But no it doesn't do that. You passed a bill earlier this session—Representative Pickett had the TRZ bill—and that's the increase in property valuation that would bring in revenue along a specific corridor. That bill was done—but that wasn't for economic development. That was economic development that helped pay for a much-needed road. So that would be, but no, that's not for economic development—that's not why you do that. You build a road for congestion relief, and economic development will follow.

BURKETT: Okay, thank you.

REMARKS ORDERED PRINTED

Representative Burkett moved to print remarks between Representative Phillips and Representative Burkett.

The motion prevailed.

HB 1112 was passed by (Record 520): 109 Yeas, 36 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Branch; Brown; Burnam; Button; Cain; Callegari; Castro; Chisum; Christian; Coleman; Cook; Craddick; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Farias; Farrar; Fletcher; Frullo; Gallego; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Hamilton; Hancock; Hardcastle; Harless; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hunter; Jackson; Johnson; Keffer; King, T.; Kuempel; Landtroop; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Peña; Perry; Phillips; Pickett; Price; Quintanilla; Raymond; Reynolds; Riddle; Rodriguez; Schwertner; Scott; Sheets; Shelton; Smith, W.; Smithee; Strama; Taylor, L.; Taylor, V.; Thompson; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Woolley; Workman; Zerwas.

Nays — Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Carter; Creighton; Eissler; Elkins; Flynn; Garza; Gutierrez; Harper-Brown; Hartnett; Isaac; King, P.; King, S.; Kleinschmidt; Kolkhorst; Larson; Laubenberg; Madden; Miller, S.; Morrison; Paxton; Pitts; Ritter; Sheffield; Simpson; Smith, T.; Solomons; Weber; White; Zedler.

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

Absent — Burkett; Hughes; Torres.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 520. I intended to vote no.

Brown

When Record No. 520 was taken, my vote failed to register. I would have voted yes.

Burkett

I was shown voting yes on Record No. 520. I intended to vote no.

Callegari

I was shown voting yes on Record No. 520. I intended to vote no.

Christian

I was shown voting no on Record No. 520. I intended to vote yes.

Harper-Brown

I was shown voting yes on Record No. 520. I intended to vote no.

Landtroop

I was shown voting yes on Record No. 520. I intended to vote no.

Perry

I was shown voting yes on Record No. 520. I intended to vote no.

Schwertner

I was shown voting yes on Record No. 520. I intended to vote no.

Truitt

HB 1168 ON THIRD READING
(by D. Miller, et al.)

HB 1168, A bill to be entitled An Act relating to smoke alarms and fire extinguishers in residential rental units.

HB 1168 was passed by (Record 521): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Burnam; Legler; Smith, W.

HB 1103 ON THIRD READING
(by Lucio and Peña)

HB 1103, A bill to be entitled An Act relating to payment of a fee as a required condition of community supervision for certain criminal offenses involving animal cruelty.

HB 1103 was passed by (Record 522): 145 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.;

Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Nays — Isaac; Simpson.

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

Absent — Berman.

HB 1449 ON THIRD READING **(by Guillen)**

HB 1449, A bill to be entitled An Act relating to certain right-of-way easements on land owned by the Parks and Wildlife Department.

HB 1449 was passed by (Record 523): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Aliseda; Berman; Cook.

HB 1523 ON THIRD READING
(by Phillips and Murphy)

HB 1523, A bill to be entitled An Act relating to the offense of transporting household goods without registration; providing a penalty.

HB 1523 was passed by (Record 524): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Berman.

HB 2793 ON THIRD READING
(by Hunter)

HB 2793, A bill to be entitled An Act relating to the processing fee charged for a dishonored payment device.

HB 2793 was passed by (Record 525): 148 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel;

Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

HB 1666 ON THIRD READING
(by Castro and Gallego)

HB 1666, A bill to be entitled An Act relating to the prosecution of the offense of online harassment.

HB 1666 was passed by (Record 526): 141 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Fletcher; Flynn; Frullo; Gallego; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Nays — Garza.

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

Absent — Berman; Coleman; Davis, J.; Farrar; Hughes; Pickett.

HB 1711 ON THIRD READING
(by J. Davis)

HB 1711, A bill to be entitled An Act relating to disaster remediation contracts.

HB 1711 was passed by (Record 527): 141 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Workman; Zedler; Zerwas.

Nays — Davis, S.; Garza; Legler; White.

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

Absent — Anchia; Burnam; Smithee.

STATEMENT OF VOTE

When Record No. 527 was taken, my vote failed to register. I would have voted yes.

Anchia

HB 1750 ON THIRD READING (by Darby)

HB 1750, A bill to be entitled An Act relating to the authority of the Texas Department of Transportation to lease and contract for the operation of rolling stock during certain emergencies.

HB 1750 was passed by (Record 528): 145 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson;

Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; White; Woolley; Workman; Zedler; Zerwas.

Nays — Bonnen; King, P.; Weber.

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

STATEMENT OF VOTE

I was shown voting yes on Record No. 528. I intended to vote no.

Harper-Brown

GENERAL STATE CALENDAR

SENATE BILLS

THIRD READING

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

SB 488 ON THIRD READING

(Patrick - House Sponsor)

SB 488, A bill to be entitled An Act relating to criminal background checks on users of online dating services and to disclosures of online dating safety measures; providing a civil penalty.

SB 488 was passed by (Record 529): 135 Yeas, 12 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Lewis; Lozano; Lucio; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner;

Scott; Sheets; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Woolley; Workman; Zerwas.

Nays — Anderson, C.; Davis, S.; Garza; Hilderbran; Kleinschmidt; Legler; Lyne; Madden; Sheffield; Weber; White; Zedler.

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

Absent — Hughes.

STATEMENTS OF VOTE

I was shown voting no on Record No. 529. I intended to vote yes.

Hilderbran

I was shown voting no on Record No. 529. I intended to vote yes.

Sheffield

POSTPONED BUSINESS

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

HB 627 ON THIRD READING

(by Woolley)

HB 627, A bill to be entitled An Act relating to a fee collected by a district clerk for certain certified copies.

HB 627 was read third time earlier today and was postponed until this time.

HB 627 was passed by (Record 530): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Laubenberg.

STATEMENTS OF VOTE

When Record No. 530 was taken, I was in the house but away from my desk. I would have voted yes.

Laubenberg

I was shown voting yes on Record No. 530. I intended to vote no.

Paxton

I was shown voting yes on Record No. 530. I intended to vote no.

Schwertner

HB 1979 ON SECOND READING (by Laubenberg and Burkett)

HB 1979, A bill to be entitled An Act relating to strategic partnerships for the continuation of certain water districts annexed by a municipality.

HB 1979 was read second time on April 19 and was postponed until 8 a.m. April 25.

Representative Laubenberg moved to postpone consideration of **HB 1979** until 9 a.m. Monday, May 2.

The motion prevailed.

CSHB 2334 ON SECOND READING (by Hardcastle, et al.)

CSHB 2334, A bill to be entitled An Act relating to the operation by the Department of Agriculture of programs for rural economic development and the marketing and promotion of agricultural and other products grown, processed, or produced in this state.

CSHB 2334 was read second time on April 19 and was postponed until 9 a.m. today.

Representative Hardcastle moved to postpone consideration of **CSHB 2334** until 9 a.m. Tuesday, May 3.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Licensing and Administrative Procedures:

Geren on motion of S. Miller.

HB 1089 ON SECOND READING
(by Martinez Fischer, Garza, et al.)

HB 1089, A bill to be entitled An Act relating to the authority of a county or municipality to require the removal of graffiti by a property owner.

HB 1089 was read second time on April 21 and was postponed until 2 p.m. today.

Representative Martinez Fischer moved to postpone consideration of **HB 1089** until 8:59 a.m. Monday, May 2.

The motion prevailed.

MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 1451 ON SECOND READING
(by Thompson, Pitts, Rodriguez, Lucio, Branch, et al.)

CSHB 1451, A bill to be entitled An Act relating to the licensing and regulation of certain dog and cat breeders; providing penalties.

(Kolkhorst in the chair)

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Licensing and Administrative Procedures:

Driver on motion of Frullo.

Gutierrez on motion of Frullo.

Hamilton on motion of Frullo.

Kuempel on motion of Frullo.

Quintanilla on motion of Frullo.

Truitt on motion of Frullo.

CSHB 1451 - (consideration continued)

CSHB 1451 was passed to engrossment by (Record 531): 92 Yeas, 44 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Berman; Bohac; Bonnen; Branch; Burnam; Button; Carter; Castro; Coleman; Cook; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Gallego; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Hancock; Harless; Hartnett; Hernandez Luna; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hunter; Jackson; Johnson; Keffer; King, P.; Laubenberg; Lewis; Lozano; Lucio; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.;

Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Otto; Pickett; Pitts; Price; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Scott; Sheets; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Thompson; Turner; Veasey; Villarreal; Vo; Walle; Woolley; Zedler; Zerwas.

Nays — Aliseda; Anderson, R.; Aycock; Beck; Brown; Burkett; Cain; Callegari; Chisum; Christian; Craddick; Creighton; Darby; Fletcher; Flynn; Frullo; Garza; Hardcastle; Harper-Brown; Isaac; King, S.; King, T.; Kleinschmidt; Landtroop; Larson; Lavender; Legler; Lyne; Miller, S.; Orr; Parker; Patrick; Paxton; Perry; Phillips; Schwertner; Sheffield; Shelton; Simpson; Taylor, V.; Torres; Weber; White; Workman.

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

Absent, Excused, Committee Meeting — Driver; Geren; Gutierrez; Hamilton; Kuempel; Quintanilla; Truitt.

Absent — Crownover; Hilderbran; Hughes; Peña; Taylor, L.

STATEMENTS OF VOTE

I was shown voting no on Record No. 531. I intended to vote yes.

Brown

When Record No. 531 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

When Record No. 531 was taken, I was excused to attend a meeting of the Committee on Licensing and Administrative Procedures. I would have voted no.

Geren

When Record No. 531 was taken, my vote failed to register. I would have voted no.

Hilderbran

When Record No. 531 was taken, I was temporarily out of the house chamber. I would have voted no.

Hughes

I was shown voting yes on Record No. 531. I intended to vote no.

Otto

I was shown voting no on Record No. 531. I intended to vote yes.

Patrick

I was shown voting yes on Record No. 531. I intended to vote no.

Solomons

When Record No. 531 was taken, I was in the house but away from my desk. I would have voted no.

L. Taylor

I was shown voting no on Record No. 531. I intended to vote yes.

Torres

I was shown voting yes on Record No. 531. I intended to vote no.

Zedler

REASON FOR VOTE

I voted yea because I am a pet lover and have had numerous constituent complaints about the puppy mills in my district.

Harless

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Licensing and Administrative Procedures:

Harless on motion of Frullo.

Menendez on motion of Frullo.

MESSAGE FROM THE SENATE

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

MAJOR STATE CALENDAR SENATE BILLS SECOND READING

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

SB 646 ON SECOND READING (Cook - House Sponsor)

SB 646, A bill to be entitled An Act relating to the continuation and functions of the Texas Forest Service.

Amendment No. 1

Representative Castro offered the following amendment to **SB 646**:

Amend **SB 646** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 88.103, Education Code, is amended to read as follows:

Sec. 88.103. ENFORCEMENT; APPOINTMENT OF PEACE OFFICERS. The director may appoint not to exceed 25 employees of the Texas Forest Service who are certified by the Commission on Law Enforcement Officer Standards and Education as qualified to be peace officers to serve as peace officers under the ~~his~~ direction of the director in executing the enforcement duties of that agency. The appointments must be approved by the board which shall commission the appointees as peace officers. Any officer commissioned under this section is

vested with all the powers, privileges, and immunities of peace officers in the performance of the officer's [~~his~~] duties. The officer shall take the oath required of peace officers.

SECTION _____. Section 88.105, Education Code, is amended to read as follows:

Sec. 88.105. COOPERATION WITH PERSONS AND AGENCIES. On request, under the sanction of the board, and whenever the director [~~he~~] deems it essential to the best interests of the people of the state, the director shall cooperate with counties, towns, corporations, or individuals in preparing plans for the protection, management, and replacement of trees, woodlots, and timber tracts, under an agreement that the parties obtaining the assistance pay at least the field expenses of the persons [~~men~~] employed in preparing the plans. The board may cooperate with the National Forest Service under terms it deems desirable.

SECTION _____. Section 88.106(a), Education Code, is amended to read as follows:

(a) The director, under the supervision of the board, may cooperate on forestry projects with the National Forest Service and other federal agencies. Subject [~~and, subject~~] to the authorization of the board, the director [~~he~~] may execute agreements relating to forest protection projects in cooperation with federal agencies and timberland owners and may also execute agreements with timberland owners involving supervision of forest protection and forest development projects when the projects are developed with the aid of loans from a federal agency and when the supervision by the state is required by federal statute or is deemed necessary by the federal agency.

Amendment No. 1 was adopted.

SB 646, as amended, was passed to third reading.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 1933 ON SECOND READING
(by W. Smith, Cook, Dutton, et al.)**

HB 1933, A bill to be entitled An Act relating to the regulation of metal recycling entities; providing penalties.

HB 1933 - REMARKS

REPRESENTATIVE D. MILLER: Could I ask you a few questions about this, since you've done a lot of research, obviously, working on this—isn't it true there's about 2,400 of these recyclers in Texas?

REPRESENTATIVE W. SMITH: The answer is yes.

D. MILLER: And it's my understanding that we've got about 15 percent of them that are actually trying to operate legally and are registered. Is that right?

W. SMITH: Yes.

D. MILLER: The only question I have here is that in your bill, and what I understand is that whether you're registered or not registered, that you have to sustain—right now, you cannot accept or make a cash payment for 10 days. Isn't there a 10-day current rule in the bill?

W. SMITH: That's correct. It's 10 days before you can deliver cash if you deliver scrap metal to the recycling center.

D. MILLER: And what is your proposal? Does it change that, or what is it doing about the 10-day rule?

W. SMITH: That's what's in the bill. Currently, they get cash if they show up with a pickup full of copper.

D. MILLER: Okay, but isn't the purpose of the measure—we've got some people actually, I guess probably the unregistered folks, the people that are skating on the edge, you might say, that they're out there, and the concern is that they may be buying stolen property. Is that the measure?

W. SMITH: That's correct.

D. MILLER: Would there be any—I guess the question I have is, and I understand what you're trying to do is, you're trying to make sure that this black market, if you will, or paying for stolen property, is eliminated. But, I guess the question that comes forward would be, shouldn't we regulate the industry, have these people, all people, registered and then have some penalty if they're not registered and/or are operating below the radar screen?

W. SMITH: They can currently be registered if the local government requires registration. This would require registration, and if they violated that registration and took scrap metal, then they could be penalized.

D. MILLER: Okay. So, how does this measure—doesn't this measure go to the extent of penalizing the 14 percent or 15 percent that is currently registered?

W. SMITH: No, I don't see how it penalizes them at all.

REPRESENTATIVE WEBER: Wayne, I had some conversation with you when you first carried the bill, and I told you I was on Environmental Reg. Committee last time and that I had some really severe reservations about—are you aware that my full-time job is—I'm an air conditioner contractor in my real life?

W. SMITH: Yes, that you're an air conditioner—

WEBER: I'm an air conditioning contractor, and as such, we deal with copper and aluminum and these kinds of scrap metals that go to the scrap yard.

W. SMITH: Yes.

WEBER: Couple of questions for you. Are you familiar or aware of the bill that actually passed the 80th session, that I think Representative Miller was talking about, that required scrappers to register?

W. SMITH: I'm not directly, but I assume you were on the interim study and so was Chairman Cook. I assume you two would be more familiar with the—

WEBER: Okay, do you recall that Representative Miller said that only about 14 percent of those thousand-plus scrappers across the state have registered?

W. SMITH: Yes.

WEBER: And you are aware that we are already requiring them to take pictures of regulated material and submit them to the DPS?

W. SMITH: Yes.

WEBER: All right, and you're aware that only 14 percent of people have begun to comply with that. So, it doesn't seem fair to me, and I wouldn't think it would to you, as a former business owner, that we're requiring a small percentage of people, the good actors, if you will, and the others have not complied. Let me further ask you, Wayne, doesn't it seem logical that we ought to enforce the law that was passed in the 80th session before we try to put the onus on the business owners to make them try to prevent thieving, if you will?

W. SMITH: Whatever happened in the 80th session may not be working real well, because in my hometown, the Baptist church had the air conditioner stolen off their roof and sold for the copper in it.

WEBER: And that happens in a lot of areas. Cars get stolen, but we don't regulate the auto industry, and we don't regulate pawn shops, do we, and say that they can't pay cash?

W. SMITH: We do have some regulation for pawn shops, and there's legislation this cycle to regulate the gold and metal—in fact, Chairman Geren, he's got a bill this session that we've already passed that regulates those who buy jewelry.

WEBER: But, this bill requires that a business trying to do business in the State of Texas has to wait five days to write a check, is that correct?

W. SMITH: That's correct.

WEBER: And 10 days to pay cash.

W. SMITH: Ten days, that's correct.

WEBER: That doesn't seem unfair to you, that we're telling a business how they need to operate their business, and when they can pay, and what method they can use, and what time frame?

W. SMITH: No, it doesn't seem unfair.

WEBER: It doesn't seem unfair to you?

W. SMITH: As my mouthpiece here says, it's the benefit of the entire state.

WEBER: At the detriment of business owners. So, are you saying that we should keep pawn shops from paying cash?

W. SMITH: Not necessarily at the detriment of business owners.

WEBER: How about Walmart, where somebody goes and shoplifts something and brings it back and says, "I got this as a gift and I need to get reimbursed for it." Do we make Walmart wait five days to send them a check, or 10 days—they have to come back in to get cash because we want to prevent shoplifting?

W. SMITH: What about the neighbor that's—a neighbor of mine who lives in the same community who had his telephone wires cut down and burned so they could sell the copper out of the telephone polls.

WEBER: I understand thieving is a problem, there's no question about that. Why don't we just outlaw thieving? We lose more in probably Medicare and Medicaid fraud than we do in copper theft.

W. SMITH: Well, this bill doesn't address Medicaid fraud.

WEBER: Your bill also says that HVAC, heating, ventilation, air conditioning license is required, which I have one of, licensed by the TDLR. A license is required to turn in air conditioning, aluminum coils, copper, which we would call reefers, is that correct?

W. SMITH: That's correct.

WEBER: And Wayne, as an air conditioning contractor with a license, this bill would actually help me, because what it would require is that somebody that takes air conditioning coils has to have my license to do it. So, what I would do is require of the people who get our scraps, say, "Look, you want to take this to the scrappers, you have to have my license, I'll take 10 or 20 percent off the top." So, you know, from that standpoint, I could argue—say this is a great bill. But, what it's going to do, it's going to hurt those very people who are out there working and trying to recycle this metal. Aren't we supposed to be encouraging recycling?

W. SMITH: We are encouraging recycling, but we're not encouraging theft.

WEBER: Well, I would disagree with you. Have you considered the fact that if you make scrapping so onerous, what it's going to do, it's going to drive people to unscrupulous air conditioning contractors who will loan them a license for a fee and the result is going to be that the price of copper and the price of aluminum is going to go sky high. We're going to push it into a black market. Have you thought about that?

W. SMITH: I think it's already in a black market. I think what we're trying to do is resolve some of those issues.

WEBER: It's fixing to be much worse. We've already proven— isn't it a fact that we've proven that we won't make all of the scrappers register? Since only 14 percent have registered? And now, we are fixing to really put the onus on the business? Haven't we already proven that?

W. SMITH: As my mouthpiece says, it's the only way to do it because currently, they just take from anywhere and go sell it.

WEBER: Well, I disagree that making business be the enforcement arm of the State of Texas is the only way to do it. If we need to increase penalties, if we raise awareness, that's one thing. But, making business be the enforcement arm of the State of Texas will only lead to less business entities. Some of them will actually go out of business. It will drive the price of copper and aluminum up

and make it hurt on business. Your bill, is it not true, requires it to take a picture of the automobile license plate? A photo ID, oddly enough, Representative Dutton.

W. SMITH: I assume you are for photo ID.

WEBER: Absolutely, I assume you are too, representative. And a thumb print, so we're beginning to build a database on people. Is that a fact? Does your bill require that?

W. SMITH: They would be reported to DPS and DPS would keep a record.

WEBER: So, we would be building a database of all kinds of personal identification. Would you be open to an amendment, representative, that would also require they had liability insurance so that we could start reining in the insurance companies? Or do we want to prevent them from accepting cash?

W. SMITH: No, but the person behind and at least two of the three up here at the front mic already have licenses for the business they practice and are already regulated by the state.

WEBER: I have a license as well, in this industry, and I'm telling you, this bill is going to be very detrimental to the scrappers. Now, are you familiar with **SB 694** that's ready to come over?

W. SMITH: I know there is a bill in the senate, but I'm not greatly familiar with it. This is a house bill, not a senate bill.

WEBER: Are you aware, on **SB 694**, Wayne, that the industry and police departments of Dallas, Fort Worth, San Antonio, and the city of Houston have agreed with this bill?

W. SMITH: No, I'm not.

WEBER: Well, if they all agreed with **SB 694**, then why are we pushing one that's more onerous?

W. SMITH: Well, it's my understanding that the police departments do not support the senate bill, they support the house bill.

WEBER: That's not our understanding. Did the representatives of the—

W. SMITH: There's someone at the back mic that has actually talked to those police departments in these last few days.

WEBER: Did representatives of the Dallas and Houston Police Departments testify on this bill in the committee hearing?

W. SMITH: Representative Dutton says they came to his office to ask him to support it, and they've been to my office to ask me to support it.

WEBER: But, my question is, did they come to the hearing and testify on this bill?

W. SMITH: I would have to look.

WEBER: The answer is yes. Did representatives of the scrap metal industry come and testify on this bill?

W. SMITH: Yes, they did.

WEBER: Yes, they did. Then, if they came and testified on **SB 694** and representatives of Houston and Dallas were more amicable toward that bill, why are we pushing a more onerous bill?

W. SMITH: I don't know who testified on **SB 694**, nor do I know—that's a senate bill, not a house bill. I haven't read **SB 694**.

WEBER: Are you familiar with any other industry that we tell them their method of payment, their form of payment, and their timeliness of payment?

W. SMITH: Yeah, I can't right off hand name any, but this is a wholesale theft that's taking place across the state. We need to do something to stop it.

WEBER: There's no doubt there's a lot of theft. We could just outlaw thieving and perhaps it would just go away. But, we're going to drive this underground into a black market. We're going to drive some good industry out of business while we refuse to make all the ones comply that haven't complied with the regulation requirements—only 14 percent are in effect right now. Does that seem fair to you?

W. SMITH: I've just been handed who the witnesses were for this bill and they were the Houston Police Department, Texas Retailers Association, Waste Management, Gary Tyler with the Dallas Police Department. So, Houston Police Department and the Dallas Police Department testified for this bill.

WEBER: But, they're more so in favor or **SB 694**, trust me.

W. SMITH: And we don't believe that, necessarily, or I don't believe that necessarily—

WEBER: I understand—

W. SMITH: This is still a house bill.

WEBER: Let me ask you, you are requiring that they send a check in five days. Do you believe all Texans have a checking account?

W. SMITH: No. I suspect those who are recyclers have a checking account, but I don't know that—

WEBER: Those who bring in—those who work hard and bring in materials, the good actors, not the thieves, they don't necessarily all have a checking account. Do you—if a Texan does not have a checking account, in order to get a check cashed, what—

W. SMITH: They can take the cash in 10 days.

WEBER: Do you think most of them would like to come back and make the trip and come back in 10 days? Would you do that?

W. SMITH: Those who have taken that from the First Baptist Church of Baytown, Texas, would not come back.

WEBER: That may or may not be true. I'm talking about the good actors. Imagine if the small business owner who pays a check fee for writing checks, now has to write 500 checks a month, instead of paying cash—is his cost of keeping up with this, the book work, the bookkeeping, track who turned the stuff in, the timely amount of when they can send their payment, is that going to drive the cost of his business up?

W. SMITH: No, I don't think so.

WEBER: You don't think that more activity, more bookkeeping, more keeping up with records, is going to drive the cost up?

W. SMITH: Well, the other thing is, the material that comes in there now may not be stolen material in itself, he may have to pay an honest price for the material he is taking.

WEBER: And let me ask you one other question. As metal prices begin to come down—for example, you've bought material you can't sell for 72 hours—what if you know in two days the price of copper is going down, and it may cause you to lose money because you've paid one price and you can't sell it at the high price, and now you have to hold it until the price goes down. Is that going to cost recyclers money?

HB 1933 - POINT OF ORDER

Representative Weber raised a point of order against further consideration of **HB 1933** under Rule 4, Section 34 of the House Rules on the grounds that members of the house were not timely informed as to the impact of the bill on the state or other unit of government.

The chair overruled the point of order.

Amendment No. 1

Representative Cook offered the following amendment to **HB 1933**:

Amend **HB 1933** (house committee report) on page 4, line 16, by striking "Class C misdemeanor" and substituting "Class B misdemeanor".

REPRESENTATIVE COOK: The one thing we heard over and over from law enforcement are two things we have to do. You have to address cash—the cash payment in a penalty—so what this amendment does is, these scrap metal recyclers that don't register, they are subject to—striking a C misdemeanor and change it to a Class B misdemeanor on the first offense.

WEBER: Would you, one more time, go through what your amendment does?

COOK: Okay. Once again, if you're not registering—if you're a scrap metal entity and you're not registering—the penalty would be a Class B as opposed to a Class C. Now, a Class B is up to a \$2,000 fine. Once again, one of the problems we have is these scrap metal entities are not registering. Why? Because they view this right now as a cost of doing business and there's not much penalty in the cost of doing business not to register, not to do right. So, we're trying to put a little more teeth in this where maybe all these scrap metallers will come into

compliance with actually registering. It seems like a pretty reasonable thing—in most industries, you have to register and be licensed, and that's what we're trying to do, okay.

WEBER: So, your amendment, in essence, would raise the penalty—and those who are going to go into the black market, underground, do you think they're going to be concerned about the penalty level?

COOK: I think the penalty—when you look at it, this penalty, it has much more teeth in it and so, absolutely. I think, right now, when there's virtually no penalty—cost of doing business, pay a little fine, be on your way—but now you put a real penalty in there. What I'm hopeful for is these scrap metal entities will actually register, which they're not doing, Randy.

WEBER: All right, Chairman Cook—

COOK: And I'm trying to understand why that could possibly be a concern for you.

WEBER: I think we're putting a—what we're doing is about to drive some good actors out of the business, and those that are in the black market and go underground, regardless of penalty level—

COOK: You know, part of the problem with this—and you know we studied this in the interim—this is all a giant funnel—it's all a giant funnel, so, all this product eventually ends up at the same place, so unless we have a uniform program, we're going to continue to have this problem. We're going to continue to have Boys and Girls Clubs, schools, hospitals, neighborhoods where they come in and wipe them out, with respect to copper. And once again, I want the membership to understand this doesn't affect most of what goes into these scrap metal yards, because most of it is scrap metal. And you know what, people can still bring that—those appliances and things in, and they still get paid cash, so all we're talking about here is the regulated metal end of it. And, by the way, I've been in business for a long time, and I've never known a business that could be jeopardized or go out of business by getting paid within 10 days. You mentioned Walmart, and I wish they would have paid me within 10 days and we still just did fine. A 10-day receivable, where you guarantee you're going to get paid, is a wonderful thing.

WEBER: But the truth of the matter is—isn't it a fact, Chairman Cook, that we're not talking about businesses, we're talking about individuals that come in and bring scrap metal.

COOK: And, once again, when they're bringing scrap metal—and by the way, I've done that, I'm a rancher and I've brought a lot of scrap metal in to various yards in my area, and you know what they do? They pay me with a check.

WEBER: I dare say I've done this more than anybody here in this house floor, since I've been in the air conditioning business 31 years, but I'm telling you, those that do it in the black market will be ignorant of the law, ignorant of the fact that we moved it from a Class C to a Class B, it will not deter them. All we're going to do is make it hard on business. And I think, with all due respect—

COOK: I want to make it hard on the burglars, is what I want to—

WEBER: I understand, but with all due respect to both of my chairmen up here, all three of you actually, I don't think what we're doing is making it hard on the thieves. They're going to continue to thieve. It'll go black market, underground, in essence, it will actually drive the price of copper and regulated materials up, and all we're doing is making—at the expense of the businesses.

COOK: Actually, it won't, because you're going to have—

WEBER: I'm going to urge my colleagues, please vote for business, vote "no" on this bill.

COOK: Once again, this is an amendment, it's acceptable to the author. Move passage.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Chisum offered the following amendment to **HB 1933**:

Amend **HB 1933** (house committee report) as follows:

(1) On page 13, line 24, between "than" and "five", insert the following:

⋮

(A) 30 days, excluding weekends and holidays, before the disposal, processing, sale, or removal, if the item is a cemetery vase, receptacle, or memorial made from a regulated material other than aluminum material; or

(B)

(2) On page 13, line 26, between "removal" and the semicolon, insert "if the item is not an item described by Paragraph (A)".

Amendment No. 2 was adopted.

REPRESENTATIVE DUTTON: Madam Speaker, members, I want to thank both of the—Mr. Cook and Mr. Smith for bringing this forward. This is a huge problem for many of us, and I'm sure most of you who have had an opportunity to follow this between the last session and this session, and even going back another session—we have tried to fix this problem, because there have been so many problems related to it.

WEBER: Mr. Dutton, you're aware, you discussed, we've been trying to fix this for three sessions—

DUTTON: Or more.

WEBER: Or more?

DUTTON: Yes.

WEBER: And, yet, would you agree with me that of all the attempts that they've made, starting back with the 80th session that I'm aware of, they've not enforced what law is already on the books. We've not even given that a chance to work, and yet we're trying something new. Would you agree with that?

DUTTON: No, I think your premise is wrong—I think your premise is wrong—

WEBER: We did enforce what was done in the 80th session? I don't think so.

DUTTON: No, let me explain to you what I mean when I say your premise is wrong. The problem still exists, and that's what the real problem is, Mr. Weber, is that despite our best efforts to fix it, we haven't done it. What this bill does, though, is absolutely fixes it. I don't think you'll have to come back next session and have to deal with this problem if we can pass this bill today, and that's why I was joining them.

WEBER: So, I was on the committee last session, and the testimony was that so much drugging was going on—"druggies," if you will—they would come, they would steal something, come in, and turn it into cash. Is that not correct?

DUTTON: That's one of the issues, yes.

WEBER: So we're going to fix this problem, the druggies are going to quit drugging—is that right?

DUTTON: No, they're going to quit stealing all the scrap metal—this is a bill not about drugs, this is about scrap metal.

WEBER: Why don't we just outlaw drugging? Why don't we just outlaw doing illegal drugs?

DUTTON: Well, that's another issue for another day, but right now this is about outlawing scrap metal recycling by thieves.

WEBER: Actually, I think that law is already on the books. All we're doing is we're going to make it doubly hard on the scrapping industry—

DUTTON: There are a lot of people who argue we didn't need this this session because we already had enough laws on the books, Mr. Weber, but that's not the point here today. The point is, that in order to change the whole circumstance regarding peoples' ability to go in and steal things and bring it to the recycling place—to bring it to the scrap metal yard and get paid for it then—the only way we're going to change that is to do what this bill contemplates doing, and that's the only way we're ever going to strike balance to it.

WEBER: It sets up bad precedent, in my opinion, that we're wanting the onus to be on the business, on the industry that polices thieving and breaking the law. Why not do that with drugs, and shoplifting—

DUTTON: Well, the thing about it, Mr. Weber—let me put it this way—I had a suggestion that didn't get here, but I would have changed all of this and made it a third degree felony for receiving stolen merchandise as related to scrap metal. That would have been an onus on the scrap metal dealer, because then they'd have to go through and figure out whether it's stolen. I also had an amendment that would have changed it so that you could actually say that a person who presumptive—that you knew was stolen—if you engaged in certain conduct, for example, a person came in twice in one month, and so that would put the onus on—a burden on the owner. So, I've decided to change that and not do that, because I think this is a better approach, quite frankly.

WEBER: And you're making my case that this bill does that—it puts the onus on the scrapping industry.

DUTTON: No, I think it actually—see, there's a benefit in there for the scrap dealers, if you look at it, Mr. Weber—to the extent that there's a delayed payment, for example. The working capital requirements for that particular owner absolutely is changed by virtue of that, so that now they get the use of this money for a longer period of time, and so you could argue that that was a benefit.

WEBER: I think what you're doing—what we're doing with this bill—and I hope the house is paying attention and they will vote for industry and against this bill—is we're about to make it hard on the scrapping industry, of which I've dealt with for the past 31 years, so I speak from experience.

DUTTON: I don't know what part of this you don't like, or you don't like the whole bill?

WEBER: It's the part that they must—they cannot pay cash, they have to wait five days, they have to hold regulative materials 72 hours. Five days through a check, members, 10 days for cash—no other industry do we do that to.

DUTTON: We haven't had the kind of problem we've had in other industries—

WEBER: Why don't we outlaw thieving and drugging?

DUTTON: Why don't we do what?

WEBER: Why don't we outlaw thieving and drugging—you think that's actually going to—

DUTTON: I'll be happy to have that debate with you on another bill, but this bill it's about trying to make sure that scrap metal dealers and the people that go out and tear up a \$5,000 air conditioner and then show up with \$80 worth of copper don't end up continuing that habit because we did nothing here.

WEBER: They will continue to steal, Harold, they will—it'll drive it underground, into the black market, and the only one paying the price is going to be the scrap dealers. This is a violation of their—

DUTTON: The only place they can sell it, Mr. Weber, is to scrap dealers—the only place they can transfer is to scrap dealers.

WEBER: And what they will do is you'll see it change hands two or three times to someone who is a "good actor," supposedly. You'll see the metal sold over and over again until they get somebody with a good ID, somebody that can wait five or 10 days—

DUTTON: But, that's what's happening right now. With that, Madam Speaker, thank you. I would ask you to vote for this bill. It is a giant step at reducing what I consider to be a problem that was somewhat created by this legislature, and we have the opportunity to stop it today, and so I'd ask you to vote for this bill.

REMARKS ORDERED PRINTED

Representative Weber moved to print remarks on **HB 1933**.

The motion prevailed.

(Truitt now present)

HB 1933, as amended, was passed to engrossment by (Record 532): 107 Yeas, 32 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Aycock; Bohac; Branch; Brown; Burkett; Button; Callegari; Castro; Chisum; Coleman; Cook; Craddick; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Dukes; Dutton; Eiland; Eissler; Farias; Farrar; Fletcher; Frullo; Gallego; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Hardcastle; Harper-Brown; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hunter; Jackson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Larson; Legler; Lewis; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Patrick; Peña; Phillips; Pickett; Pitts; Price; Raymond; Reynolds; Riddle; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Thompson; Truitt; Turner; Veasey; Villarreal; Vo; Walle; White; Woolley; Workman; Zerwas.

Nays — Anchia; Beck; Berman; Bonnen; Burnam; Cain; Carter; Christian; Creighton; Deshotel; Elkins; Flynn; Garza; Hancock; Hartnett; Hughes; Isaac; Johnson; Landtroop; Laubenberg; Lavender; Miller, S.; Parker; Paxton; Perry; Ritter; Simpson; Smith, T.; Taylor, V.; Torres; Weber; Zedler.

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

Absent, Excused, Committee Meeting — Driver; Geren; Gutierrez; Hamilton; Harless; Kuempel; Menendez; Quintanilla.

Absent — Lozano.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 532. I intended to vote no.

C. Anderson

I was shown voting yes on Record No. 532. I intended to vote no.

Hilderbran

I was shown voting no on Record No. 532. I intended to vote yes.

Lavender

I was shown voting yes on Record No. 532. I intended to vote no.

Legler

When Record No. 532 was taken, I was excused to attend a meeting of the Committee on Licensing and Administrative Procedures. I would have voted yes.

Menendez

I was shown voting no on Record No. 532. I intended to vote yes.

Parker

I was shown voting no on Record No. 532. I intended to vote yes.

Torres

HB 2342 ON SECOND READING (by Truitt)

HB 2342, A bill to be entitled An Act relating to certain violations of and offenses under The Securities Act; providing penalties.

Amendment No. 1

Representative Truitt offered the following amendment to **HB 2342**:

Amend **HB 2342** as follows:

(1) On page 2, line 2, between "Section" and "must", insert ", together with the amount of any civil penalty already awarded under Subsection C of Section 32,".

(2) On page 8, line 6, between "amount" and "not", insert ", together with the amount of any administrative fine already assessed under Subsection B of Section 23-1,".

Amendment No. 1 was adopted.

HB 2342 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE COLEMAN: Representative Truitt, for the purpose of establishing your legislative intent, what is the purpose of this bill?

REPRESENTATIVE TRUITT: It merely reconciles the administrative criminal and civil authority and remedies previously granted by the legislature to those entities. The bill does not expand the powers of the security board or the commissioner.

COLEMAN: Does the bill authorize either the security board or commissioners to attempt to regulate a previously unregulated transaction?

TRUITT: No.

COLEMAN: Chair Truitt, this bill does not provide an expansion of powers, as you've said, of securities board or the securities commissioner beyond authority previously granted by the legislature, that is correct?

TRUITT: Correct.

COLEMAN: This bill does not authorize the board or commissioner to regulate a previously unregulated person or entity, that's correct?

TRUITT: Correct.

COLEMAN: And this bill does not permit the board or commissioner to regulate a person or entity outside the scope of the person's license from a registration with the board and the commissioner, is that correct?

TRUITT: Yes.

REMARKS ORDERED PRINTED

Representative Coleman moved to print remarks between Representative Truitt and Representative Coleman.

The motion prevailed.

HB 2342, as amended, was passed to engrossment. (S. Davis recorded voting no.)

CSHB 2495 ON SECOND READING (by Hernandez Luna)

CSHB 2495, A bill to be entitled An Act relating to cemeteries and perpetual care cemetery corporations; providing a penalty.

CSHB 2495 was passed to engrossment.

(Harless now present)

CSHB 2133 ON SECOND READING (by Solomons)

CSHB 2133, A bill to be entitled An Act relating to the Public Utility Commission of Texas' authority to disgorge revenue obtained as a result of certain violations; providing an administrative penalty.

Amendment No. 1

Representatives Solomons and Cook offered the following amendment to **CSHB 2133**:

Amend **CSHB 2133** (house committee report) on page 2, line 12 by striking "disgorgement".

Amendment No. 1 was adopted.

CSHB 2133, as amended, was passed to engrossment. (Berman, Christian, Flynn, Simpson, and Weber recorded voting no.)

CSHB 400 ON SECOND READING (by Eissler, Aycock, Crownover, Garza, et al.)

CSHB 400, A bill to be entitled An Act relating to flexibility for public schools to administer primary and secondary education efficiently.

(Quintanilla now present)

CSHB 400 - POINT OF ORDER

Representative Miles raised a point of order against further consideration of **CSHB 400** under Rule 4, Section 32(c) of the House Rules on the grounds that the committee report is incorrect.

The point of order was withdrawn.

Representative Eissler moved to postpone consideration of **CSHB 400** until 5:15 p.m. today.

The motion prevailed.

CSHB 127 ON SECOND READING

(by Alvarado, S. King, Lucio, Zerwas, Patrick, et al.)

CSHB 127, A bill to be entitled An Act relating to the types of beverages that may be sold to students on public school campuses.

Amendment No. 1

Representative Truitt offered the following amendment to **CSHB 127**:

Amend **CSHB 127** (house committee printing) as follows:

(1) On page 1, line 16, strike "or".

(2) On page 1, between lines 16 and 17, insert:

(6) zero-calorie electrolyte replacement or zero-calorie vitamin enhanced water beverages; or

(3) On page 1, line 17, strike "(6)" and substitute "(7)".

(4) On page 1, line 17, between "beverage" and the comma, insert "other than one described by Subdivision (6)".

Amendment No. 1 was adopted.

(Menendez now present)

CSHB 127, as amended, was passed to engrossment by (Record 533): 96 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Aycock; Beck; Bohac; Bonnen; Branch; Brown; Burnam; Callegari; Castro; Chisum; Coleman; Cook; Craddick; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Eissler; Farias; Farrar; Gallego; Giddings; Gonzales, V.; Gonzalez; Gooden; Guillen; Hardcastle; Harless; Hartnett; Hernandez Luna; Hochberg; Hopson; Howard, D.; Hunter; Isaac; Jackson; Johnson; Keffer; King, S.; King, T.; Kolkhorst(C); Larson; Lavender; Lozano; Lucio; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Morrison; Muñoz; Naishtat; Nash; Oliveira; Patrick; Pickett; Price; Quintanilla; Raymond; Reynolds; Ritter; Rodriguez; Schwertner; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Taylor, L.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; White; Woolley; Workman; Zerwas.

Nays — Anderson, C.; Anderson, R.; Berman; Burkett; Button; Cain; Carter; Christian; Creighton; Elkins; Fletcher; Flynn; Frullo; Gonzales, L.; Hancock; Harper-Brown; Hilderbran; Howard, C.; Huberty; Hughes; King, P.; Kleinschmidt; Landtroop; Laubenberg; Legler; Lewis; Lyne; Miller, S.; Murphy; Orr; Otto; Parker; Paxton; Peña; Perry; Phillips; Pitts; Riddle; Scott; Sheets; Sheffield; Simpson; Smithee; Taylor, V.; Weber; Zedler.

Present, not voting — Mr. Speaker.

Absent, Excused, Committee Meeting — Driver; Geren; Gutierrez; Hamilton; Kuempel.

Absent — Dukes; Garza.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 533. I intended to vote no.

Bohac

When Record No. 533 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

I was shown voting yes on Record No. 533. I intended to vote no.

L. Taylor

(Driver now present)

HB 397 ON SECOND READING

(by V. Gonzales, Martinez, Lucio, Margo, and Gallego)

HB 397, A bill to be entitled An Act relating to the creation of the Bureau for Economic Development of the Border Region.

Representative V. Gonzales moved to postpone consideration of **HB 397** until 8 a.m. Thursday, April 28.

The motion prevailed.

CSHB 1390 ON SECOND READING

(by Deshotel and Bohac)

CSHB 1390, A bill to be entitled An Act relating to retainage under certain construction contracts.

Representative Deshotel moved to postpone consideration of **CSHB 1390** until 10 a.m. Thursday, April 28.

The motion prevailed.

HB 2494 ON SECOND READING

(by Legler, et al.)

HB 2494, A bill to be entitled An Act relating to the recovery of fraudulently obtained unemployment benefits.

Representative Legler moved to postpone consideration of **HB 2494** until 9:59 a.m. Thursday, April 28.

The motion prevailed.

CSHB 2575 ON SECOND READING

(by Phillips)

CSHB 2575, A bill to be entitled An Act relating to the Texas Department of Motor Vehicles' electronic lien system.

Amendment No. 1

On behalf of Representative Creighton, Representative Phillips offered the following amendment to **CSHB 2575**:

Amend **CSHB 2575** (house committee report) as follows:

(1) On page 1, line 16, strike "credit union" and substitute "depository institution".

(2) On page 1, line 19, strike "credit union" and substitute "depository institution".

(3) On page 1, line 21, strike "credit union" and substitute "depository institution".

(4) On page 2, line 2, strike "credit union" and substitute "depository institution".

(5) On page 2, line 3, strike "credit union" and substitute "depository institution".

Amendment No. 1 was adopted.

CSHB 2575, as amended, was passed to engrossment.

CSHB 2624 ON SECOND READING
(by Sheffield)

CSHB 2624, A bill to be entitled An Act relating to procedures applicable in circumstances involving family violence or other criminal conduct and military personnel.

Amendment No. 1

Representative Sheffield offered the following amendment to **CSHB 2624**:

Amend **CSHB 2624** on page 2, lines 19, 22, and 27, by striking "or complainant" each place the language appears.

Amendment No. 1 was adopted.

(Gutierrez now present)

CSHB 2624, as amended, was passed to engrossment by (Record 534): 134 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Eiland; Eissler; Elkins; Farias; Fletcher; Flynn; Frullo; Gallego; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; Kleinschmidt; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Quintanilla;

Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zerwas.

Nays — Sheets.

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

Absent, Excused, Committee Meeting — Geren; Hamilton; Kuempel.

Absent — Crownover; Dukes; Dutton; Farrar; Garza; King, T.; Miles; Oliveira; Price; Zedler.

STATEMENTS OF VOTE

When Record No. 534 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

When Record No. 534 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 534 was taken, I was in the house but away from my desk. I would have voted yes.

Zedler

POSTPONED BUSINESS

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

(Geren and Kuempel now present)

CSHB 400 ON SECOND READING

(by Eissler, Aycock, Crownover, Garza, et al.)

CSHB 400, A bill to be entitled An Act relating to flexibility for public schools to administer primary and secondary education efficiently.

CSHB 400 was read second time earlier today and was postponed until this time.

CSHB 400 - POINT OF ORDER

Representative Miles raised a point of order against further consideration of **CSHB 400** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The chair overruled the point of order.

CSHB 400 - POINT OF ORDER

Representative Miles raised a point of order against further consideration of **CSHB 400**.

The point of order was withdrawn.

Representative Eissler moved to postpone consideration of **CSHB 400** until 5:50 p.m. today.

The motion prevailed.

GENERAL STATE CALENDAR
(consideration continued)
CSHB 38 ON SECOND READING
(by Menendez)

CSHB 38, A bill to be entitled An Act relating to the criminal penalty for and certain civil consequences of damaging property with graffiti.

Amendment No. 1

Representative Menendez offered the following amendment to **CSHB 38**:

Amend **CSHB 38** (house committee report) as follows:

(1) On page 1, line 6, strike "and adding Subsection (b-1)".

(2) Strike page 2, lines 2 and 3.

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

SECTION _____. Article 42.12, Code of Criminal Procedure, is amended by adding Section 13G to read as follows:

Sec. 13G. GRAFFITI COMMUNITY SUPERVISION. A judge granting community supervision to a defendant convicted of an offense under Section 20.08, Penal Code, shall require as a condition of community supervision that the defendant submit to not less than 72 hours of confinement in county jail.

(Bonnen in the chair)

Amendment No. 1 was adopted.

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 38 - (consideration continued)

Amendment No. 2

Representative Gallego offered the following amendment to **CSHB 38**:

Amend **CSHB 38** (house committee report) as follows:

(1) On page 1, line 13, between "or" and "a community", insert "a historic structure, or on".

(2) On page 3, line 26, between "or" and "a community", insert "a historic structure, or at".

(3) On page 5, line 17, between "an offense committed" and "on or after", insert ", or conduct violating a penal law that occurs,".

(4) On page 5, line 18, between "An offense committed" and "before", insert ", or conduct violating a penal law that occurs,".

(5) On page 5, line 20, between "committed" and the comma, insert "or the conduct occurred".

(6) On page 5, line 21, after "was committed", insert ", or conduct violating a penal law occurred,".

(7) On page 5, line 22, after "the offense", insert "or violation".

(8) Add the following appropriately numbered SECTIONS to the bill and renumber existing SECTIONS of the bill accordingly:

SECTION _____. Section 28.08(e), Penal Code, is amended by adding Subdivision (2-a) to read as follows:

(2-a) "Historic structure" means a structure that:

(A) is publicly owned and included on the National Register of Historic Places;

(B) is designated as a Recorded Texas Historic Landmark; or

(C) is designated as a State Archeological Landmark.

SECTION _____. Section 54.0481, Family Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) Except as provided by Subsection (a-1), a [~~A~~] juvenile court, in a disposition hearing under Section 54.04 regarding a child who has been adjudicated to have engaged in delinquent conduct that violates Section 28.08, Penal Code:

(1) may order the child or a parent or other person responsible for the child's support to make restitution by:

(A) reimbursing the owner of the property for the cost of restoring the property; or

(B) with the consent of the owner of the property, personally restoring the property by removing or painting over any markings the child made; and

(2) if the child made markings on public property, a street sign, or an official traffic-control device in violation of Section 28.08, Penal Code, may order the child or a parent or other person responsible for the child's support to:

(A) make to the political subdivision that owns the public property or erected the street sign or official traffic-control device restitution in an amount equal to the lesser of the cost to the political subdivision of replacing or restoring the public property, street sign, or official traffic-control device; or

(B) with the consent of the political subdivision, restore the public property, street sign, or official traffic-control device by removing or painting over any markings made by the child on the property, sign, or device.

(a-1) A juvenile court, in a disposition hearing described by Subsection (a) involving a child who has previously been adjudicated for having engaged in delinquent conduct that violates Section 28.08, Penal Code, in addition to any other disposition ordered, if the child made markings on a historic structure or other property described in Section 28.08(a), Penal Code, or private property, shall order the child and the parent or other person responsible for the child's support to make restitution by personally restoring the property by removing or painting over any markings the child made, with the consent of the owner of the property.

(a-2) A juvenile court may not require that a child or a child's parent or other person responsible for the child's support personally restore the property under this section if:

(1) the child, parent, or other person is physically or mentally incapable of participating in the restoration; or

(2) the restoration is inherently dangerous or would otherwise endanger the health or safety of the child, parent, or other person.

SECTION _____. The change in law made by this Act to Section 54.0481, Family Code, applies only to conduct violating a penal law that occurs on or after the effective date of this Act. Conduct violating a penal law that occurs before the effective date of this Act is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose. For purposes of this section, conduct violating a penal law occurred before the effective date of this Act if any element of the violation occurred before that date.

Amendment No. 2 was adopted.

CSHB 38, as amended, was passed to engrossment. (Berman, Crownover, S. Davis, Flynn, L. Gonzales, Hochberg, Isaac, P. King, Kolkhorst, Landtroop, Laubenberg, Lavender, Legler, Morrison, Murphy, Parker, Perry, Simpson, Truitt, and White recorded voting no.)

HB 273 ON SECOND READING (by Zerwas, Kolkhorst, et al.)

HB 273, A bill to be entitled An Act relating to creation of a study committee for the Interstate Health Care Compact.

HB 273 was passed to engrossment.

POSTPONED BUSINESS

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

CSHB 400 ON SECOND READING (by Eissler, Aycock, Crownover, Garza, et al.)

CSHB 400, A bill to be entitled An Act relating to flexibility for public schools to administer primary and secondary education efficiently.

CSHB 400 was read second time earlier today and was postponed until this time.

CSHB 400 - POINT OF ORDER

Representative Miles raised a point of order against further consideration of **CSHB 400** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The chair sustained the point of order.

CSHB 400 was returned to the Committee on Public Education.

GENERAL STATE CALENDAR
(consideration continued)
CSHB 598 ON SECOND READING
(by Jackson, Otto, and Flynn)

CSHB 598, A bill to be entitled An Act relating to requiring certain applicants for motor vehicle registration to provide proof that the applicant holds a valid driver's license.

CSHB 598 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE WALLE: Chairman Jackson, I appreciate the opportunity to kind of have this discussion. **HB 598** states that a county tax assessor collector may not register a motor vehicle owned by an individual unless the owner provides proof that the owner has a driver's license. So, would the owner of the vehicle have to physically go to the tax assessor office to obtain that registration, and in addition to that, prove that he or she is the owner?

REPRESENTATIVE JACKSON: Yes.

WALLE: So they have to go physically down there?

JACKSON: They have to prove they are the owner now.

WALLE: They have to prove they are the owner at the tax assessor collector's office?

JACKSON: Yes.

WALLE: Okay. Can you also explain to us how it would impact online registration?

JACKSON: You can, I believe you can give them the driver's license number online.

WALLE: Give your driver's license number online. How would that impact—there's an exemption for folks that are 85 and older?

JACKSON: There's an exemption for them, and there's an exemption for persons with disabilities, so if you're younger than that and have some disability, and disabilities are pretty broad as defined in the federal law. As defined in the federal law, the disabilities are pretty broad.

WALLE: Okay, and this kind of leads me into my additional question. For a senior that might be 75 and no longer drives and might have a son or a daughter that drives them around to doctor's appointments, drives them around to dialysis. Like my grandmother goes to dialysis and she doesn't drive, but she hasn't reached 85 yet. She hasn't reached that age yet; she might own the car, but myself or any other family member is unable to do the registration—

JACKSON: I assume, given your description that she's got a disability.

WALLE: Well, under Social Security, she's not disabled. That's a whole other story; we've been fighting that for years. She's technically not disabled, and I know there's lots of seniors that might be on dialysis, that can't drive, but they're not considered by the Social Security Administration as being disabled, and they are owners of a car.

JACKSON: This would not affect them, this is under the Americans with Disabilities Act, not Social Security. That's a much broader definition.

WALLE: Okay, in addition to that, you know I have a very working class district, and what if the owner of a vehicle that couldn't take off work to register the vehicle? Does this bill ban a spouse or a son or daughter from getting that registration for them?

JACKSON: Whoever owns the vehicle has to have a driver's license.

WALLE: So that would prohibit the son or the daughter—

JACKSON: Yes, it would.

WALLE: Even if that son or daughter has a driver's license, but the car is not registered in their name?

JACKSON: That's true. In fact, I was in the tax office in Dallas County recently, and a mother was trying to register a car for her son and they wouldn't let her do it.

WALLE: And that's kind of my concern. We have a lot of elderly folks that are not 85 yet, that are not disabled, but they're owners of cars, they don't have driver's licenses, but they're driven around by their family members.

JACKSON: We tried to think about that, and that is a concern. That's the reason we built in the disabilities and the 85. Eighty-five, if you want to lower that to 70 or something, go ahead and bring an amendment up here. That would be fine with me.

WALLE: Could you tell us maybe the financial impact that it would have on counties?

JACKSON: It shouldn't have any financial impact.

REMARKS ORDERED PRINTED

Representative Walle moved to print remarks between Representative Jackson and Representative Walle.

The motion prevailed.

Amendment No. 1

Representative Alonzo offered the following amendment to **CSHB 598**:

Amend **CSHB 598** on page 1, line 19, by striking "currently valid".

(Hamilton now present)

Amendment No. 1 was adopted.

Amendment No. 2

Representative Walle offered the following amendment to **CSHB 598**:

Amend **CSHB 598** on page 1, line 23, by striking "85" and substituting "65".

Amendment No. 2 was adopted.

CSHB 598, as amended, was passed to engrossment. (Simpson and Weber recorded voting no.)

CSHB 736 ON SECOND READING
(by Patrick, Branch, et al.)

CSHB 736, A bill to be entitled An Act relating to required online information regarding public institutions of higher education.

Amendment No. 1

Representative Patrick offered the following amendment to **CSHB 736**:

Amend **CSHB 736** (house committee printing) as follows:

(1) On page 1, lines 8 and 9, strike "institution of higher education, other than a medical and dental unit" and substitute "general academic teaching institution".

(2) On page 2, line 21, strike "institution of higher education" and substitute "institution to which this section applies".

(3) On page 2, lines 25 and 26, strike "by an institution of higher education under Section 51.974" and substitute "under Section 51.974 by an institution to which this section applies".

(4) On page 3, lines 4 and 5, strike "by institutions of higher education".

Amendment No. 1 was adopted.

CSHB 736, as amended, was passed to engrossment. (Weber recorded voting no.)

CSHB 1029 ON SECOND READING
(by Carter)

CSHB 1029, A bill to be entitled An Act relating to the conditions of release on bond for certain defendants charged with the offense of burglary.

CSHB 1029 was passed to engrossment.

HB 1250 ON SECOND READING
(by Frullo)

HB 1250, A bill to be entitled An Act relating to the use of facsimile signatures for certain documents involving certain municipalities.

Representative Frullo moved to postpone consideration of **HB 1250** until 9 a.m. Tuesday, May 3.

The motion prevailed.

CSHB 1648 ON SECOND READING
(by W. Smith)

CSHB 1648, A bill to be entitled An Act relating to the purchase of plastic bulk merchandise containers by certain businesses; providing a civil penalty.

CSHB 1648 was passed to engrossment. (Cain, Simpson, and White recorded voting no.)

CSHB 1812 ON SECOND READING
(by Phillips)

CSHB 1812, A bill to be entitled An Act relating to the type of newspaper required for publication of notice in certain counties.

CSHB 1812 was passed to engrossment. (White recorded voting no.)

CSHB 2229 ON SECOND READING
(by Coleman, Naishtat, and Marquez)

CSHB 2229, A bill to be entitled An Act relating to the creation of the Texas HIV Medication Advisory Committee.

Amendment No. 1

Representative McClendon offered the following amendment to **CSHB 2229**:

Amend **CSHB 2229** (house committee printing) as follows:

(1) On page 2, line 14, between "program" and the period, insert "and in the establishment of at least one pilot program for infectious disease prevention that gathers evidence-based data to provide guidance and support for future programs to mitigate and prevent the spread of infectious disease".

(2) Insert the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS appropriately:

SECTION _____. Chapter 81, Health and Safety Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. PILOT PROGRAMS TO REDUCE RISK
OF CERTAIN COMMUNICABLE DISEASES

Sec. 81.401. APPLICABILITY. This subchapter applies only to a county with a population of more than 1.5 million.

Sec. 81.402. DISEASE CONTROL PILOT PROGRAMS. (a) A local health authority or an organization that contracts with a local health authority may establish a disease control pilot program that:

(1) assists pilot program participants in obtaining health-related services, including substance abuse treatment services and blood-borne disease testing;

(2) offers education on the transmission and prevention of communicable diseases, including HIV, hepatitis B, and hepatitis C; and

(3) provides for the anonymous exchange of used hypodermic needles and syringes for an equal number of new hypodermic needles and syringes.

(b) The operator of a pilot program authorized by this subchapter may charge a participant in the pilot program a fee for each hypodermic needle or syringe used in the pilot program not to exceed 150 percent of the actual cost of the hypodermic needle or syringe.

(c) Not later than December 1, 2012, the operator of a pilot program authorized by this subchapter shall provide the legislature with information on:

(1) the effectiveness of the pilot program;

(2) the pilot program's impact on reducing the spread of communicable diseases, including HIV, hepatitis B, and hepatitis C; and

(3) the pilot program's effect on injected drug use in the area served by the program.

Sec. 81.403. DISTRIBUTION OF NEEDLES AND SYRINGES TO PILOT PROGRAM. A person licensed as a wholesale drug distributor or device distributor under Chapter 431 may distribute hypodermic needles and syringes to a disease control pilot program authorized by this subchapter.

Sec. 81.404. HANDLING OF NEEDLES AND SYRINGES. (a) The operator of a disease control pilot program shall store hypodermic needles and syringes in a proper and secure manner. Only authorized employees or volunteers of the disease control pilot program may have access to the hypodermic needles and syringes. Pilot program clients may obtain hypodermic needles and syringes only from an authorized employee or volunteer.

(b) The operator of a disease control pilot program authorized by this subchapter shall store and dispose of used hypodermic needles and syringes in accordance with department rule.

Sec. 81.405. EXPIRATION OF SUBCHAPTER. This subchapter expires September 1, 2013.

SECTION _____. (a) Section 481.125, Health and Safety Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) It is a defense to prosecution under Subsections (a) and (b) that:

(1) the person manufactures hypodermic needles or syringes that are delivered or are to be delivered through a disease control pilot program established under Subchapter J, Chapter 81; or

(2) the person:

(A) uses, possesses, or delivers hypodermic needles or syringes that are delivered to or are to be delivered through a disease control pilot program established under Subchapter J, Chapter 81; and

(B) presents evidence showing that the person is an employee, volunteer, or participant of the disease control pilot program.

(h) This subsection and Subsection (g) expire September 1, 2013.

(b) The change to Section 481.125, Health and Safety Code, made by this section applies only to an offense committed on or after the effective date of this section. For purposes of this section, an offense is committed before the effective date of this section if any element of the offense occurs before the effective date.

(c) An offense committed before the effective date of this section is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

(d) The expiration of Section 481.125(g), Health and Safety Code, as added by this Act, does not affect the availability of a defense to prosecution under that subsection for an offense committed before the expiration of that subsection, and the expired law is continued in effect for that purpose.

Amendment No. 1 was adopted. (Beck, Lavender, Phillips, and V. Taylor recorded voting no.) (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

CSHB 2229, as amended, failed to pass to engrossment by (Record 535): 53 Yeas, 89 Nays, 2 Present, not voting. (The vote was reconsidered later today, and **CSHB 2229** was passed to engrossment by Record No. 538.)

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Burnam; Castro; Coleman; Davis, Y.; Deshotel; Dukes; Eiland; Farias; Farrar; Gallego; Garza; Giddings; Gonzales, V.; Gonzalez; Guillen; Gutierrez; Hernandez Luna; Hochberg; Howard, D.; Johnson; King, T.; Laubenberg; Lozano; Lucio; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Muñoz; Naishtat; Pickett; Quintanilla; Raymond; Reynolds; Rodriguez; Sheets; Shelton; Smithee; Strama; Thompson; Turner; Veasey; Villarreal; Vo; Walle.

Nays — Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Branch; Brown; Burkett; Button; Cain; Callegari; Carter; Chisum; Christian; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Driver; Eissler; Elkins; Fletcher; Flynn; Frullo; Geren; Gonzales, L.; Gooden; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Hilderbran; Hopson; Howard, C.; Huberty; Hughes; Hunter; Isaac; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Madden; Margo; Miller, D.; Miller, S.; Morrison; Murphy; Nash; Orr; Otto; Parker; Patrick; Paxton; Perry; Phillips; Pitts; Price; Riddle; Ritter; Schwertner; Scott; Sheffield; Simpson; Smith, T.; Smith, W.; Solomons; Taylor, L.; Taylor, V.; Torres; Truitt; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Dutton; Harper-Brown; Kolkhorst; Lyne; Oliveira; Peña.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 535. I intended to vote no.

Aliseda

When Record No. 535 was taken, I was in the house but away from my desk. I would have voted no.

Harper-Brown

When Record No. 535 was taken, I was in the house but away from my desk. I would have voted yes.

Kolkhorst

I was shown voting yes on Record No. 535. I intended to vote no.

Laubenberg

SB 692 ON SECOND READING
(D. Miller - House Sponsor)

SB 692, A bill to be entitled An Act relating to exemptions from groundwater conservation district permit requirements.

SB 692 was considered in lieu of **HB 2311**.

SB 692 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE T. KING: I have a question I'd like to ask you for legislative intent purposes, if I may?

REPRESENTATIVE D. MILLER: Well, certainly; absolutely.

T. KING: Representative Miller, are the provisions in Section 1 of this bill intended to preclude a groundwater conservation district from using a non-evidentiary approval procedure before an exempt well is drilled so that they can ensure that the well construction meets protective standards and the well's location conforms to applicable setbacks and spacing requirements?

D. MILLER: Well, yes sir. In fact, in Subsection h-1 and 2 in this bill, it's in accordance with those district rules, and in fact Chapter 36, Section 114(b) sets out those applications requiring a hearing and which ones don't require a hearing. So, I think that's covered.

T. KING: So, the answer to the question, and I can repeat the question, was yes or no?

D. MILLER: No.

T. KING: Okay, that's the answer I was looking for. Thank you very much, Mr. Miller, so the answer is no.

REMARKS ORDERED PRINTED

Representative T. King moved to print remarks between Representative D. Miller and Representative T. King.

The motion prevailed.

SB 692 was passed to third reading.

CSHB 2403 ON SECOND READING
(by Otto, Hilderbran, Villarreal, Naishtat, and Branch)

CSHB 2403, A bill to be entitled An Act relating to retailers engaged in business in this state for purposes of sales and use taxes.

CSHB 2403 was passed to engrossment by (Record 536): 122 Yeas, 23 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Aycock; Beck; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Castro; Chisum; Christian; Coleman; Cook; Craddick; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Farrar; Fletcher; Frullo; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Hernandez Luna; Hilderbran;

Hochberg; Hopson; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, S.; King, T.; Kleinschmidt; Kuempel; Landtroop; Larson; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Mallory Caraway; Margo; Marquez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Peña; Perry; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Strama; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zerwas.

Nays — Anderson, R.; Berman; Bohac; Carter; Creighton; Elkins; Farias; Flynn; Gallego; Gutierrez; Harper-Brown; Howard, C.; King, P.; Kolkhorst; Laubenberg; Madden; Martinez; Miller, S.; Paxton; Phillips; Sheets; Solomons; Zedler.

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

Absent — Crossover; Garza; Taylor, L.

STATEMENTS OF VOTE

When Record No. 536 was taken, I was in the house but away from my desk. I would have voted yes.

Crossover

When Record No. 536 was taken, I was in the house but away from my desk. I would have voted yes.

Garza

I was shown voting no on Record No. 536. I intended to vote yes.

Madden

I was shown voting yes on Record No. 536. I intended to vote no.

Schwertner

I was shown voting no on Record No. 536. I intended to vote yes.

Sheets

When Record No. 536 was taken, I was in the house but away from my desk. I would have voted yes.

L. Taylor

HB 2311 - LAID ON THE TABLE SUBJECT TO CALL

Representative D. Miller moved to lay **HB 2311** on the table subject to call.

The motion prevailed.

CSHB 2476 ON SECOND READING (by Harless, Hilderbran, Villarreal, and Ritter)

CSHB 2476, A bill to be entitled An Act relating to the appraisal for ad valorem tax purposes of certain dealer's heavy equipment inventory; providing penalties.

CSHB 2476 was passed to engrossment.

CSHB 2482 ON SECOND READING
(by Peña, Gallego, Guillen, et al.)

CSHB 2482, A bill to be entitled An Act relating to the prosecution of and punishment for certain offenses involving theft.

CSHB 2482 was passed to engrossment. (Giddings and Turner recorded voting no.)

HB 2623 ON SECOND READING
(by Beck)

HB 2623, A bill to be entitled An Act relating to certain energy security technologies for critical governmental facilities.

HB 2623 was passed to engrossment. (White recorded voting no.)

HB 3272 ON SECOND READING
(by Burnam and Chisum)

HB 3272, A bill to be entitled An Act relating to the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program.

Amendment No. 1

Representative Chisum offered the following amendment to **HB 3272**:

Amend **HB 3272** by striking page 4, lines 2-14, and substituting the following:

(b) A replacement vehicle described by Subsection (a)(2) must:

(1) except as provided by Subsection (c), be a vehicle in a class or category of vehicles that has been certified to meet federal Tier 2, Bin 5 or a cleaner Bin certification under 40 C.F.R. Section 86.1811-04, as published in the February 10, 2000, Federal Register;

(2) have a gross vehicle weight rating of less than 10,000 pounds; ~~and~~

(3) have an odometer reading of not more than 70,000 miles; and

(4) be a vehicle the total cost of which does not exceed:

(A) for a vehicle described by Subsection (a)(2)(A) or (B),
\$35,000; or

(B) for a vehicle described by Subsection (a)(2)(C), \$45,000
[~~\$25,000~~].

Amendment No. 1 was adopted.

HB 3272, as amended, was passed to engrossment. (Schwertner, Simpson and White recorded voting no.)

CSHB 1146 ON SECOND READING
(by Kuempel, et al.)

CSHB 1146, A bill to be entitled An Act relating to the registration and regulation of appraisal management companies and the composition of the Texas Appraiser Licensing and Certification Board; providing penalties.

CSHB 1146 was passed to engrossment. (Berman, Flynn, Laubenberg, Simpson, and Weber recorded voting no.)

CSHB 1853 ON SECOND READING

(by **Hamilton**)

CSHB 1853, A bill to be entitled An Act relating to the licensing and regulation of certain employees of fire protection sprinkler system contractors; providing a penalty.

(Gallego in the chair)

CSHB 1853 was passed to engrossment. (Landtroop, Perry, Simpson, and Weber recorded voting no.)

HB 2004 ON SECOND READING

(by **Bonnen**)

HB 2004, A bill to be entitled An Act relating to the sale of certain state property in Brazoria County by the Texas Board of Criminal Justice.

HB 2004 was passed to engrossment by (Record 537): 139 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Garza; Geren; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Margo; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Torres; Truitt; Veasey; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Nays — Mallory Caraway; Thompson; Turner.

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

Absent — Cook; Driver; Giddings; Hughes; Marquez; Villarreal.

STATEMENT OF VOTE

When Record No. 537 was taken, I was in the house but away from my desk. I would have voted yes.

Marquez

CSHB 2229 - VOTE RECONSIDERED

Representative Harless moved to reconsider the vote by which **CSHB 2229**, as amended, failed to pass to engrossment.

The motion to reconsider prevailed.

CSHB 2229 ON SECOND READING
(by Coleman, Naishtat, and Marquez)

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

CSHB 2229, A bill to be entitled An Act relating to the creation of the Texas HIV Medication Advisory Committee.

CSHB 2229 was read second time earlier today and failed to pass to engrossment, as amended.

(Bonnen in the chair)

Amendment No. 1 - Vote Reconsidered

Representative Harless moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

CSHB 2229 was passed to engrossment by (Record 538): 104 Yeas, 36 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Bonnen(C); Brown; Burkett; Burnam; Castro; Chisum; Coleman; Cook; Craddick; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Guillen; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hernandez Luna; Hochberg; Hopson; Howard, D.; Hunter; Isaac; Jackson; Johnson; Keffer; King, S.; King, T.; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Lozano; Lucio; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Morrison; Muñoz; Naishtat; Nash; Oliveira; Orr; Otto; Patrick; Peña; Pickett; Pitts; Price; Raymond; Reynolds; Ritter; Rodriguez; Schwertner; Scott; Sheffield; Shelton; Smith, T.; Smithee; Solomons; Strama; Taylor, L.; Thompson; Truitt; Turner; Veasey; Vo; Walle; Woolley; Zerwas.

Nays — Anderson, C.; Aycock; Beck; Berman; Cain; Callegari; Carter; Christian; Creighton; Fletcher; Flynn; Gooden; Hilderbran; Howard, C.; Huberty; Hughes; King, P.; Kleinschmidt; Legler; Lewis; Lyne; Miller, S.; Murphy; Parker; Paxton; Phillips; Riddle; Sheets; Simpson; Smith, W.; Taylor, V.; Torres; Weber; White; Workman; Zedler.

Present, not voting — Mr. Speaker; Quintanilla.

Absent — Bohac; Branch; Button; Gutierrez; Hartnett; Miller, D.; Perry; Villarreal.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 538. I intended to vote no.

L. Gonzales

When Record No. 538 was taken, I was in the house but away from my desk. I would have voted yes.

D. Miller

I was shown voting yes on Record No. 538. I intended to vote no.

Orr

I was shown voting yes on Record No. 538. I intended to vote no.

Otto

I was shown voting yes on Record No. 538. I intended to vote no.

Truitt

HB 74 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Flynn called up with senate amendments for consideration at this time,

HB 74, A bill to be entitled An Act relating to persons authorized to control the disposition of the remains of certain members of the United States armed forces.

Representative Flynn moved to concur in the senate amendments to **HB 74**.

The motion to concur in the senate amendments to **HB 74** prevailed by (Record 539): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen(C); Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott;

Sheets; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent — Anderson, C.; Branch; Sheffield; Thompson.

STATEMENT OF VOTE

When Record No. 539 was taken, I was in the house but away from my desk. I would have voted yes.

C. Anderson

Senate Committee Substitute

CSHB 74, A bill to be entitled An Act relating to persons authorized to control the disposition of the remains of certain members of the United States armed forces.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 711.002, Health and Safety Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) If a United States Department of Defense Record of Emergency Data, DD Form 93, or a successor form, was in effect at the time of death for a decedent who died in a manner described by 10 U.S.C. Sections 1481(a)(1) through (8), the DD Form 93 controls over any other written instrument described by Subsection (a)(1) or (g) with respect to designating a person to control the disposition of the decedent's remains. Notwithstanding Subsections (b) and (c), the form is legally sufficient if it is properly completed, signed by the decedent, and witnessed in the manner required by the form.

SECTION 2. 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, 2011.

SCR 48 - ADOPTED (Thompson - House Sponsor)

Representative Jackson moved to suspend all necessary rules to take up and consider at this time **SCR 48**.

The motion prevailed.

The following resolution was laid before the house:

SCR 48, Recalling **SB 785** from the governor for clerical correction.

SCR 48 was adopted by (Record 540): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher;

Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Lyne.

COMMITTEES GRANTED PERMISSION TO MEET

Representative Kolkhorst requested permission for the Committee on Public Health to meet while the house is in session, during bill referral today, in 1W.14, to consider pending business.

Permission to meet was granted.

Representative Jackson requested permission for the Committee on Judiciary and Civil Jurisprudence to meet while the house is in session, during bill referral today, in 3W.9, to consider pending business.

Permission to meet was granted.

Representative W. Smith requested permission for the Committee on Environmental Regulation to meet while the house is in session, during bill referral today, in E2.016, to consider posted items.

Permission to meet was granted.

Representative Raymond requested permission for the Committee on Human Services to meet while the house is in session, during bill referral today, in E2.030, to consider the posted agenda.

Permission to meet was granted.

Representative Aycock requested permission for the Committee on Public Education to meet while the house is in session, during bill referral today, in 1W.14, to consider **HB 400**.

Permission to meet was granted.

Representative Truitt requested permission for the Committee on Pensions, Investments, and Financial Services to meet while the house is in session, during bill referral today, in E2.014, to consider the posted agenda.

Permission to meet was granted.

Representative Cook requested permission for the Committee on State Affairs to meet while the house is in session, during bill referral today, in 3W.15, to consider pending business.

Permission to meet was granted.

FIVE-DAY POSTING RULE SUSPENDED

Representative Gallego moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Criminal Jurisprudence to consider **HB 605** today in JHR 120.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Gallego requested permission for the Committee on Criminal Jurisprudence to meet while the house is in session, during bill referral today, in JHR 120, to consider pending business.

Permission to meet was granted.

FIVE-DAY POSTING RULE SUSPENDED

Representative Pitts moved to suspend the five-day posting rule to allow the Committee on Appropriations to consider **HB 1910** at 7 a.m. Thursday, April 28 in E1.030.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Human Services, during bill referral today, E2.030, for a public hearing, to consider the posted agenda.

Environmental Regulation, during bill referral today, E2.016, for a public hearing, to consider the posted agenda.

Public Health, during bill referral today, 1W.14, for a formal meeting, to consider pending business.

Judiciary and Civil Jurisprudence, during bill referral today, 3W.9, for a formal meeting, to consider pending business.

State Affairs, during bill referral today, 3W.15, for a formal meeting, to consider pending business.

Public Education, during bill referral today, 1W.14, for a formal meeting, to consider **HB 400**.

Criminal Jurisprudence, during bill referral today, JHR 120, for a public hearing, to consider **HB 605** and the previously posted agenda.

Pensions, Investments, and Financial Services, during bill referral today, E2.014, for a public hearing, to consider the posted agenda.

Appropriations, 7 a.m. Thursday, April 28, E1.030, for a public hearing, to consider **HB 1910** and the previously posted agenda.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Smithee requested permission for the Committee on Insurance to meet while the house is in session, during bill referral today, in E2.026, to consider the posted agenda.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Insurance, during bill referral today, E2.026, for a public hearing, to consider the posted agenda.

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).

PROVIDING FOR ADJOURNMENT

Representative Truitt 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 Casey Don Denman of Dennis.

The motion prevailed.

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

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Isaac in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 7:28 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. 1

HR 1468 (By Margo), In memory of Roy Franklin Lewis of El Paso.
To Rules and Resolutions.

HR 1469 (By Margo), In memory of Igor Kaleri of El Paso.
To Rules and Resolutions.

HR 1470 (By Carter), Honoring Officer Jason Voelz of the Garland Police Department for his public service.
To Rules and Resolutions.

HR 1471 (By Carter), Honoring Lieutenant Colonel Michael D. Hess for his service to Texas and the United States.
To Rules and Resolutions.

HR 1472 (By Hughes), Honoring Gail Green of Tyler for her service to U.S. Senator Phil Gramm and U.S. Senator John Cornyn.
To Rules and Resolutions.

HR 1473 (By Hughes), Congratulating Colby Nichols of Quitman on his receipt of the FFA Lone Star Farmer degree.
To Rules and Resolutions.

HR 1474 (By Hughes), Honoring Cody Olsen of Winnsboro High School on his selection as a 2011 Texas All-State Band member.
To Rules and Resolutions.

HR 1475 (By Hughes), Honoring Josh Hooks of Winnsboro High School on his selection as a 2011 Texas All-State Band member.
To Rules and Resolutions.

HR 1476 (By Hughes), Honoring Stephanie Parris of Winnsboro High School on her selection as a 2011 Texas All-State Band member.
To Rules and Resolutions.

HR 1477 (By Hughes), Congratulating John Callison of Mineola High School on his receipt of the 2010 Teacher of the Year award from the Mineola Chamber of Commerce.
To Rules and Resolutions.

HR 1478 (By Hughes), Congratulating Gayland Howell on his receipt of the 2010 Man of the Year and B. R. Short Community Spirit awards from the Mineola Chamber of Commerce.
To Rules and Resolutions.

HR 1479 (By Hughes), Congratulating Ann Alotto on her receipt of the 2010 Woman of the Year and Humanitarian of the Year awards from the Mineola Chamber of Commerce.
To Rules and Resolutions.

HR 1480 (By Hughes), Congratulating Ronnie and Vicki Buchanan of Hallsville on their 50th wedding anniversary.
To Rules and Resolutions.

HR 1481 (By Hughes), Congratulating Deputy Sam Threadgill on being named the 2010 Officer of the Year for Wood County.

To Rules and Resolutions.

HR 1482 (By Hughes), Congratulating Gay Smith Hill of Golden on being named Mrs. Wood County International of 2011.

To Rules and Resolutions.

HR 1483 (By Vo), Endorsing the inclusion of Taiwan in the United States Visa Waiver Program.

To Border and Intergovernmental Affairs.

HR 1484 (By Veasey), In memory of former Fort Worth Independent School District assistant athletic director Gerald Beal.

To Rules and Resolutions.

HR 1486 (By Solomons), Recognizing November 7-11, 2011, as Municipal Courts Week in Texas.

To Rules and Resolutions.

HR 1487 (By Peña), In memory of Jorge Saenz of Elsa.

To Rules and Resolutions.

HR 1488 (By Nash), In memory of Lawrence Alvin Allen, Sr., of Houston.

To Rules and Resolutions.

HR 1489 (By Nash), Commemorating the 50th anniversary of Six Flags Over Texas in Arlington.

To Rules and Resolutions.

HR 1491 (By Flynn), Congratulating Amanda Rucker of Grand Saline High School on her selection as MVP of the 8th Annual Azalea Orthopedics All-Stars Basketball Game.

To Rules and Resolutions.

HR 1492 (By Flynn), Congratulating Leetta Goolsby of Hawk Cove on the city park being named in her honor.

To Rules and Resolutions.

HR 1493 (By Zedler), Honoring Lou Spiegel on her retirement as associate superintendent for business and governmental relations of the Mansfield Independent School District.

To Rules and Resolutions.

HR 1494 (By Zedler), Honoring Gale Moericke for his service on the Mansfield Independent School District Board of Trustees.

To Rules and Resolutions.

HR 1495 (By Zedler), Honoring Scott Snow for his service on the Mansfield Independent School District Board of Trustees.

To Rules and Resolutions.

HR 1496 (By Gallego), In memory of Jose De Jesus Sanchez of Presidio.

To Rules and Resolutions.

HR 1497 (By Gallego), In memory of Willard Lowell Hendershott of Alpine.

To Rules and Resolutions.

HR 1498 (By Gallego), In memory of Debra Ann Sontag of Del Rio.

To Rules and Resolutions.

HR 1499 (By Gallego), In memory of Robert Paul McFarland of Alpine.

To Rules and Resolutions.

HR 1500 (By Gallego), Commemorating the 110th anniversary of Sacred Heart Catholic School in Del Rio.

To Rules and Resolutions.

HR 1501 (By Gallego), In memory of Fred Shely.

To Rules and Resolutions.

HR 1502 (By Gallego), In memory of Olivia Vallejo Calderon.

To Rules and Resolutions.

HR 1503 (By Gallego), In memory of Francisco "Pancho" Romero Leyva of Alpine.

To Rules and Resolutions.

HR 1504 (By Gallego), In memory of Virginia Loraine Baker of Alpine.

To Rules and Resolutions.

HR 1505 (By Gallego), In memory of Alberto E. Brito of Presidio.

To Rules and Resolutions.

HR 1506 (By Hardcastle), Recognizing the Texas A&M University Agricultural and Natural Resources Policy Internship Program and Public Policy Internship Program and the interns for the 82nd legislative session.

To Rules and Resolutions.

HR 1507 (By Marquez), Recognizing El Paso Tejano rap group Lower Valley Tres for its song "I Love My City."

To Rules and Resolutions.

HR 1508 (By Parker), Congratulating the boys' basketball team of Marcus High School in Flower Mound on winning the 2010-2011 UIL 5A state championship and on being named the number one team in the country.

To Rules and Resolutions.

HR 1509 (By Woolley), Congratulating Jerry Johnston Andrew of Houston on the honor she received from The Institute for Rehabilitation and Research Foundation and TIRR Family.

To Rules and Resolutions.

HR 1510 (By Miles), In memory of Glenda Purham-Brown of Houston.

To Rules and Resolutions.

HR 1511 (By L. Taylor), Commemorating the inaugural session of the American Baptist Southeast District Association at Greater New Hope Missionary Baptist Church of League City.

To Rules and Resolutions.

HR 1512 (By Patrick), Honoring Teach For America founder and native Texan Wendy Kopp.

To Rules and Resolutions.

HR 1513 (By Martinez Fischer), Commemorating the Second Annual Cinco de Mayo BBQ Cook-Off and Fiesta in San Juan.

To Rules and Resolutions.

HR 1514 (By Farrar), Commemorating the 2011 Cinco de Mayo celebration at Eugene Field Elementary School in Houston.

To Rules and Resolutions.

HR 1515 (By Martinez), In memory of William Summers of Weslaco.

To Rules and Resolutions.

HR 1516 (By C. Anderson), Congratulating Eloise Holder of Waco on her 90th birthday.

To Rules and Resolutions.

HR 1517 (By C. Anderson), Congratulating Lyndsi Fallin Massie Sykora and Dustin Ray Sykora on their wedding.

To Rules and Resolutions.

HR 1518 (By C. Anderson), Congratulating the members of the Heart of Texas Volleyball Institute 12-and-under team on winning the Austin Sports Center No. 3 Tournament.

To Rules and Resolutions.

HR 1519 (By C. Anderson), Congratulating Shannon Marie Sutton Goss and Christopher Steven Goss of Waco on their wedding.

To Rules and Resolutions.

HR 1520 (By Gooden), Congratulating Rebecca Leigh Rowe of Wills Point on her receipt of the Girl Scout Gold Award.

To Rules and Resolutions.

SB 54 to Public Education.

SB 89 to Agriculture and Livestock.

SB 120 to Judiciary and Civil Jurisprudence.

SB 127 to Public Education.

SB 162 to Higher Education.

SB 198 to Criminal Jurisprudence.

SB 226 to Public Education.

SB 233 to Urban Affairs.

SB 234 to Urban Affairs.

- SB 252** to Culture, Recreation, and Tourism.
- SB 291** to Public Education.
- SB 295** to Criminal Jurisprudence.
- SB 375** to State Affairs.
- SB 378** to Agriculture and Livestock.
- SB 407** to Criminal Jurisprudence.
- SB 412** to County Affairs.
- SB 442** to Technology.
- SB 469** to Transportation.
- SB 511** to State Affairs.
- SB 550** to Public Education.
- SB 554** to Insurance.
- SB 577** to Urban Affairs.
- SB 601** to County Affairs.
- SB 602** to State Affairs.
- SB 609** to Natural Resources.
- SB 613** to Public Health.
- SB 660** to Natural Resources.
- SB 711** to Economic and Small Business Development.
- SB 768** to Urban Affairs.
- SB 773** to State Affairs.
- SB 810** to Culture, Recreation, and Tourism.
- SB 820** to Judiciary and Civil Jurisprudence.
- SB 821** to County Affairs.
- SB 833** to Natural Resources.
- SB 844** to Criminal Jurisprudence.
- SB 847** to County Affairs.
- SB 860** to County Affairs.
- SB 866** to Public Education.
- SB 896** to Defense and Veterans' Affairs.
- SB 910** to Defense and Veterans' Affairs.
- SB 913** to Homeland Security and Public Safety.
- SB 916** to Ways and Means.
- SB 917** to County Affairs.

- SB 942** to Natural Resources.
- SB 943** to State Affairs.
- SB 958** to Culture, Recreation, and Tourism.
- SB 977** to Ways and Means.
- SB 982** to State Affairs.
- SB 984** to State Affairs.
- SB 985** to State Affairs.
- SB 986** to State Affairs.
- SB 988** to Technology.
- SB 993** to Human Services.
- SB 1000** to Licensing and Administrative Procedures.
- SB 1001** to Licensing and Administrative Procedures.
- SB 1014** to County Affairs.
- SB 1026** to Judiciary and Civil Jurisprudence.
- SB 1030** to Urban Affairs.
- SB 1042** to Public Education.
- SB 1043** to Transportation.
- SB 1048** to Economic and Small Business Development.
- SB 1054** to Insurance.
- SB 1065** to Homeland Security and Public Safety.
- SB 1068** to State Affairs.
- SB 1082** to Natural Resources.
- SB 1086** to Agriculture and Livestock.
- SB 1096** to Transportation.
- SB 1100** to Transportation.
- SB 1106** to Corrections.
- SB 1109** to State Affairs.
- SB 1134** to Energy Resources.
- SB 1140** to Natural Resources.
- SB 1147** to Natural Resources.
- SB 1157** to Agriculture and Livestock.
- SB 1168** to Licensing and Administrative Procedures.
- SB 1169** to Licensing and Administrative Procedures.
- SB 1170** to Licensing and Administrative Procedures.

- SB 1179** to Government Efficiency and Reform.
- SB 1217** to State Affairs.
- SB 1229** to Insurance.
- SB 1233** to County Affairs.
- SB 1243** to County Affairs.
- SB 1244** to Licensing and Administrative Procedures.
- SB 1250** to Environmental Regulation.
- SB 1251** to County Affairs.
- SB 1255** to Urban Affairs.
- SB 1258** to Environmental Regulation.
- SB 1269** to Elections.
- SB 1271** to Judiciary and Civil Jurisprudence.
- SB 1272** to Higher Education.
- SB 1281** to Pensions, Investments, and Financial Services.
- SB 1300** to Insurance.
- SB 1303** to Government Efficiency and Reform.
- SB 1311** to Transportation.
- SB 1327** to Higher Education.
- SB 1338** to State Affairs.
- SB 1352** to County Affairs.
- SB 1353** to Licensing and Administrative Procedures.
- SB 1356** to Agriculture and Livestock.
- SB 1357** to Agriculture and Livestock.
- SB 1364** to Border and Intergovernmental Affairs.
- SB 1378** to Homeland Security and Public Safety.
- SB 1400** to Homeland Security and Public Safety.
- SB 1433** to Insurance.
- SB 1442** to Land and Resource Management.
- SB 1492** to Natural Resources.
- SB 1496** to Business and Industry.
- SB 1521** to Criminal Jurisprudence.
- SB 1568** to Business and Industry.
- SB 1598** to Insurance.
- SB 1635** to Defense and Veterans' Affairs.

SB 1680 to Criminal Jurisprudence.

SB 1732 to Defense and Veterans' Affairs.

SB 1744 to Economic and Small Business Development.

SB 1752 to Criminal Jurisprudence.

SB 1788 to Public Education.

SB 1886 to Corrections.

SJR 37 to Elections.

SIGNED BY THE SPEAKER

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

House List No. 17

HB 612, HB 613, HCR 120, HCR 134, HCR 136

MESSAGES FROM THE SENATE

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

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, April 26, 2011

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:

HCR 32 Craddick SPONSOR: Seliger
In memory of Lindley Paul Latham of Midland.

HCR 109 Workman SPONSOR: Watson
Recognizing the Junior Marine Corps of Bedichek Middle School in Austin.

HCR 137 Craddick SPONSOR: Seliger
Designating April 2011 as Parkinson's Awareness Month.

SB 47 Zaffirini
Relating to the pro re nata administration of psychoactive medications in certain residential health care facilities.

SB 205 Whitmire
Relating to school district policies to prohibit bullying, cyberbullying, harassment, and intimidation.

SB 224 Nelson
Relating to a program to recognize public schools with successful student health and fitness programs.

SB 963 Uresti
Relating to certification of a person as eligible for disabled parking privileges.

SB 1024 Rodriguez
Relating to the prosecution of the offense of theft of service.

SB 1177 Nelson
Relating to the adoption by health care facilities of a policy on vaccine preventable diseases; imposing penalties.

SB 1296 Hegar
Relating to the use of proceeds of bonds and other financial security filed with the Railroad Commission of Texas by certain persons under the jurisdiction of the commission and deposited in the oil-field cleanup fund.

SB 1682 Ellis
Relating to the creation of managed assigned counsel programs.

SCR 45 Fraser
Recognizing Otto P. Scharth on the occasion of his 88th birthday.

SCR 48 Harris SPONSOR: Thompson
Recalling **SB 785** from the governor for clerical correction.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Tuesday, April 26, 2011 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 518 Shapiro
Relating to initiatives designed to improve performance of public school students, including initiatives specifically for students enrolled at the sixth, seventh, and eighth grade levels.

SB 573 Nichols

Relating to certificates of public convenience and necessity for water or sewer services.

SB 681 West

Relating to the establishment of a task force to study the assessments of children in the child welfare system.

SB 718 Van de Putte

Relating to disciplinary action taken against public school students on the basis of serious misbehavior.

SB 811 Zaffirini

Relating to the regulation of the practice of veterinary medicine.

SB 877 Hinojosa

Relating to a verification of the incarceration of an accused person in a criminal case for the purpose of discharging a surety's liability on a bail bond.

SB 1116 Whitmire

Relating to the enforcement and punishment of certain prohibited conduct that occurs on a public school campus or on a vehicle owned by a county or school district.

SB 1383 Shapiro

Relating to an appraisal and professional development system for public school principals.

SB 1421 Nelson

Relating to the awarding of grants provided by the Cancer Prevention and Research Institute of Texas.

SB 1489 Whitmire

Relating to educational, juvenile justice, and criminal justice responses to truancy.

SB 1522 Hinojosa

Relating to the entering of a plea in a criminal case by a defendant confined in a penal institution.

SB 1551 Rodriguez

Relating to missing children; providing a criminal penalty.

SB 1656 Watson

Relating to a prohibition on certain underwriting and rating actions based on consumer inquiries.

SB 1662 West

Relating to the payment of costs associated with certain educational programs of Prairie View A&M University.

SB 1693 Carona

Relating to periodic rate adjustments by electric utilities.

SB 1872 Van de Putte

Relating to revising, revoking, or denying renewal of charters of open-enrollment charter schools under certain circumstances.

SCR 36 Williams

Urging the members of the Texas congressional delegation to provide to the legislature a cost analysis of the exact funding necessary for full enforcement of all immigration laws in Texas and to immediately report back to the legislature as to the status of that funding and directing the lieutenant governor and the speaker of the house to send a delegation of members from both chambers to meet with members of Congress and members of the executive branch to discuss the border security crisis.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Tuesday, April 26, 2011 - 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 1717 Duncan
Relating to the operation and administration of the judicial branch of state government.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 21

Agriculture and Livestock - **HB 2791**

Business and Industry - **HB 2098, HB 2393, HB 3483**

County Affairs - **HB 2944, HB 2947, HB 2978**

Criminal Jurisprudence - **HB 152, HB 783, HB 940, HB 1406, HB 1723, HB 3323, HB 3522**

Culture, Recreation, and Tourism - **HB 1080, HB 1586, HB 3808, HR 306**

Energy Resources - **HB 1629, HB 3134**

Government Efficiency and Reform - **HB 611, HB 800**

Homeland Security and Public Safety - **HB 1457, HB 2256**

Human Services - **HB 807, HB 1930, HB 2370, HB 3342**

Insurance - **HB 1772, HB 2681**

Judiciary and Civil Jurisprudence - **HB 1985, HB 2661, SB 715**

Land and Resource Management - **HB 138, HB 1943, HB 2902**

Natural Resources - **HB 2113, HB 2250, HB 2400, HB 3090, HB 3805, HB 3813, HB 3814, HB 3818, HB 3821, HB 3834, HB 3840, HJR 92, SB 630, SB 900, SB 914**

Pensions, Investments, and Financial Services - **HB 3033**

Public Health - **HB 2576**

Technology - **HB 507**

Urban Affairs - **HB 3810**

Ways and Means - **HB 1033, HB 1315, HB 1316, HB 2265, HB 3076, HB 3317**

ENGROSSED

April 21 - HB 1137, HB 1682, HB 2017, HB 2561, HB 2694, HB 2779, HB 2991, HB 3004, HB 3389

April 25 - HB 3, HB 5, HB 34, HB 91, HB 157, HB 240, HB 260, HB 384, HB 385, HB 438, HB 559, HB 602, HB 649, HB 692, HB 772, HB 787, HB 938, HB 1053, HB 1070, HB 1162, HB 1163, HB 1174, HB 1179, HB 1207, HB 1381, HB 1486, HB 1541, HB 1658, HB 1754, HB 1795, HB 1822, HB 1854, HB 1859, HB 1887, HB 2040, HB 2138, HB 2139, HB 2170, HB 2315, HB 2325, HB 2337, HB 2354, HB 2457, HB 2469, HB 2488, HB 2538, HB 2600, HB 2662, HB 2717, HB 2734, HB 2806, HB 2857, HB 2870, HB 2908, HB 2910, HB 2959, HB 3065, HB 3141,

HB 3302, HB 3314, HB 3336, HB 3404, HB 3510, HB 3577, HB 3726

ENROLLED

April 25 - HB 612, HB 613

