

# HOUSE JOURNAL

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EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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FIFTY-SECOND DAY — WEDNESDAY, APRIL 17, 2013

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 216).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Oliveira; Stickland.

Absent — Anchia; Strama.

The speaker recognized Representative E. S. Turner who introduced Zach Williams, lead pastor, First Baptist Church, Anna, who offered the invocation as follows:

Father God, Creator and author of the human race, thank you for each of these men and women that you have called to not only serve our communities or our state or our country or our world, but you, God. I pray for each one of them, that you would continue to bless them and protect them and their families while they lead. As discouragement comes their way, as criticism mounts, let them run to the shadows of your wings and find rest and refuge. Let them trust not in their wisdom, but in yours.

We thank you for the blessings you have given each of us, our state, and our country; and today I recognize, God, that every good thing came from your hand, past, present, and future. As we struggle in this world and see the evil that happens all around us, we take comfort, God, in knowing that your hand is on each of us, that you are the great comforter. We ask that you comfort the families in the Boston area as they recover and heal from this senseless tragedy. Because there is evil all around us, give us the boldness and courage not to just stand by and observe, but to speak out and be active in showing compassion to aid in their healing. Spur every citizen, Lord, to desire to be part of the solution.

Father God, I ask for guidance for these congressmen and women in this state and other states: the governors, the senators and representatives in Washington, the supreme court justices, and President Obama—give them your divine wisdom as they lead us and realize that you have called them here, in this position, for such a time as this. You are a good God, full of grace and full of mercy. In your Son's name. Amen.

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

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

The following member was granted leave of absence for today because of family matters:

Stickland on motion of Simmons.

#### **REGULAR ORDER OF BUSINESS SUSPENDED**

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

#### **CAPITOL PHYSICIAN**

The speaker recognized Representative Keffer who presented Dr. Charles Hall of Bangs as the "Doctor for the Day."

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

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

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 10:30 a.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, 10:30 a.m. today, 3W.15, for a formal meeting, to set a calendar.

(Rose in the chair)

**MESSAGE FROM THE SENATE**

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

**HR 1351 - ADOPTED  
(by Hunter)**

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HR 1351**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1351**, Recognizing April 17, 2013, as High School Republicans of Texas Day at the State Capitol.

**HR 1351** was adopted.

**HR 1532 - ADOPTED  
(by Hunter)**

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HR 1532**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1532**, Recognizing April 17, 2013, as Transit Day at the State Capitol.

**HR 1532** was adopted.

On motion of Representative Lozano, the names of all the members of the house were added to **HR 1532** as signers thereof.

**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 and Senate List No. 14).

**HCR 109 - ADOPTED  
(by Craddick)**

Representative Craddick moved to suspend all necessary rules to take up and consider at this time **HCR 109**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 109**, Honoring Sue Brannon of Midland for her years of civic engagement.

**HCR 109** was adopted.

On motion of Representative Lewis, the names of all the members of the house were added to **HCR 109** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Craddick who introduced Sue Brannon and members of her family.

**HR 1518 - ADOPTED**  
**(by Sheets, Burkett, and Rose)**

Representative Sheets moved to suspend all necessary rules to take up and consider at this time **HR 1518**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1518**, Recognizing April 17, 2013, as Leadership Mesquite Day at the State Capitol.

**HR 1518** was adopted.

On motion of Representatives Burkett, Johnson, and Rose, the names of all the members of the house were added to **HR 1518** as signers thereof.

**HR 878 - PREVIOUSLY ADOPTED**  
**(by Guillen)**

The chair laid out the following previously adopted resolution:

**HR 878**, Commemorating the 50th anniversary of the establishment of the Texas Parks and Wildlife Department.

On motion of Representative Larson, the names of all the members of the house were added to **HR 878** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Nevárez who introduced representatives of the Texas Parks and Wildlife Department.

(Anchia and Strama now present)

**HR 1549 - ADOPTED**  
**(by Wu)**

Representative Wu moved to suspend all necessary rules to take up and consider at this time **HR 1549**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1549**, Congratulating the honorees at the Houston Fire Department 2013 Valor and Service Awards ceremony.

**HR 1549** was adopted.

On motion of Representatives Perez and Walle, the names of all the members of the house were added to **HR 1549** as signers thereof.

**HR 1527 - ADOPTED**  
**(by Simmons)**

Representative Simmons moved to suspend all necessary rules to take up and consider at this time **HR 1527**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1527**, Honoring Dr. John Hull for his work as the president and CEO of EQUIP.

**HR 1527** was adopted.

On motion of Representative Wu, the names of all the members of the house were added to **HR 1527** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Simmons who introduced Dr. John Hull and representatives of EQUIP.

**HR 1474 - PREVIOUSLY ADOPTED**  
**(by Anderson, Paddie, Longoria, S. King, Keffer, et al.)**

The chair laid out the following previously adopted resolution:

**HR 1474**, Recognizing April 17, 2013, as Texas State Technical College System Day at the State Capitol.

On motion of Representatives Guerra, S. King, Longoria, Lozano, and Paddie, the names of all the members of the house were added to **HR 1474** as signers thereof.

**HR 1264 - ADOPTED**  
**(by Muñoz and Guerra)**

Representative Muñoz moved to suspend all necessary rules to take up and consider at this time **HR 1264**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1264**, Honoring South Texas College on its receipt of the Leah Meyer Austin Award from the national nonprofit Achieving the Dream.

**HR 1264** was adopted.

On motion of Representative Guerra, the names of all the members of the house were added to **HR 1264** as signers thereof.

**INTRODUCTION OF GUEST**

The chair recognized Representative Muñoz who introduced Dr. Shirley A. Reed, president of South Texas College.

**HR 1411 - ADOPTED**  
**(by E. Rodriguez)**

Representative E. Rodriguez moved to suspend all necessary rules to take up and consider at this time **HR 1411**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1411**, Commemorating the 200th anniversary of the first Texas Constitution on April 17, 2013.

**HR 1411** was adopted.

**HR 1568 - ADOPTED**  
**(by Johnson)**

Representative Johnson moved to suspend all necessary rules to take up and consider at this time **HR 1568**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1568**, Recognizing April 17, 2013, as Southeast Dallas Chamber of Commerce Day at the State Capitol.

**HR 1568** was adopted.

On motion of Representatives Alonzo, Burkett, Button, Dutton, and Rose, the names of all the members of the house were added to **HR 1568** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Johnson who introduced representatives of the Southeast Dallas Chamber of Commerce.

**HR 1400 - ADOPTED**  
**(by Vo, Button, Wu, Farias, Harper-Brown, et al.)**

Representative Vo moved to suspend all necessary rules to take up and consider at this time **HR 1400**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1400**, Recognizing April 17, 2013, as Vietnamese American Day at the State Capitol.

(Wu in the chair)

**HR 1400** was adopted.

On motion of Representatives Button, S. Thompson, and Zedler, the names of all the members of the house were added to **HR 1400** as signers thereof.

**HR 1400 - REMARKS**

REPRESENTATIVE VO: Mr. Speaker, members, I would like to ask you to join me in recognizing a group in the gallery. They are here for Vietnamese American Day at the Capitol. Today we have well over 300 Vietnamese Americans and Vietnam veterans. The group in the gallery is just a small percentage of more than 210,000 Vietnamese Americans who reside in Texas. Texas has the second largest population of Vietnamese Americans of any state in the Union.

After the fall of Saigon in 1975, many Vietnamese men, women, and children fled from the communists. Some fled to nearby Southeast Asian countries like Cambodia, Thailand, and Laos. Just a handful were able to board American boats and aircraft. Many of them escaped by boats and traveled a struggling journey, a journey with heartbreaking stories. Families were torn apart, husbands lost their wives, their children. Many of them drowned, and women and children were raped and killed by pirates. Over 400,000 Vietnamese died throughout this journey. They landed in countries all over the world and some settled in the United States. Through their hard work and dedication, most Vietnamese were able to obtain social mobility, starting from nothing, within just one generation.

When we came to America, many of us didn't speak the language. We had no idea who our new neighbors would be. But, with grace and generosity, our new friends opened their arms in friendship, offering us compassion, equality, and the opportunity to work hard. In return, we did work hard. We raised families and sent our kids to school. Our children have attended the finest universities across the nation. We introduced our beautiful culture to every community we entered. We also shared our stories with our American-born kids, the second generation. We explained the sacrifices that were made to enter this land of great opportunity. Our kids learned to appreciate American democracy.

The story of Vietnamese Americans' success over the past three decades serves as a reminder that the American dream does still in fact exist. Vietnamese Americans today have excelled in all aspects of our society, enriched our cultural tapestry, and helped enhance and secure our reputation as a land of promise and possibility. The Vietnamese American community plays a vital role in the business, professional, and cultural life of Texas and the United States. They contribute to their communities in a myriad of ways—as teachers, lawyers, writers, actors, doctors, mayors, judges, and public servants across Texas.

Vietnamese Americans have fully embraced the freedoms of speech and religion and all of the democratic principles that the United States offers. Conversely, Vietnamese Americans have strong anti-Communist feelings. They have denied the authority of the Vietnamese Communist flag and pushed for governments to officially recognize the Vietnamese Heritage and Freedom flag. This yellow flag symbolizes both the Vietnamese cultural heritage and a deeply rooted resilience and yearning for democracy. Texas is one of the many states to officially recognize the Vietnamese Heritage and Freedom flag.

At this time, I would like to ask my fellow Vietnamese Americans in the gallery to rise. Members, I would like to ask you to join me in honoring Vietnamese American Day, and on behalf of the Vietnamese Americans in Texas,

we would like to express our gratitude to all Texans for their friendship and generosity over the years. Especially, I want to recognize both the American and Vietnamese veterans for their courage. They became brothers in arms. Their background, their languages, and their cultures were very different, but their love of freedom was the same. That is the reason that within many Vietnamese American communities, today, there are Vietnam war monuments with the statues of American and Vietnamese soldiers side by side. For families of those who have lost loved ones, we pay our respects. We thank you for your sacrifice; we share in your grief and hold your loved ones in our hearts.

I would also like to recognize the members of the legislature who were active members of the military during the Vietnam War and risked their lives to preserve freedom. Thank you, members, for your service. Thank you as well to all of the veterans who came today, and thank you for honoring Vietnamese American Day.

Finally, I would like to invite all members to join us at 4 p.m. for a reception to celebrate Vietnamese American Day in the Members' Lounge in the extension. I hope you can come and meet with these wonderful people and some of your constituents and enjoy some traditional Vietnamese food.

REPRESENTATIVE BUTTON: Vietnamese American community, welcome to the Capitol. My name is Angie Chen Button. I'm a state representative from the Garland area, and in Garland we have a very, very strong and vital Vietnamese American community. So, I want to welcome each of you and also share this with you. We immigrants—we love Texas, isn't that right?

### **REMARKS ORDERED PRINTED**

Representative Lozano moved to print remarks by Representative Vo.

The motion prevailed.

Representative Herrero moved to print remarks by Representative Button.

The motion prevailed.

### **HR 798 - PREVIOUSLY ADOPTED (by Callegari, Fletcher, and Harless)**

The chair laid out the following previously adopted resolution:

**HR 798**, Congratulating the Cypress Ranch High School baseball team on winning its first 5A State Championship.

On motion of Representatives Bohac, Elkins, Fletcher, and Harless, the names of all the members of the house were added to **HR 798** as signers thereof.

### **INTRODUCTION OF GUESTS**

The chair recognized Representative Callegari who introduced representatives of Cypress Ranch High School.



**HR 1280 - ADOPTED**  
**(by Flynn)**

Representative Flynn moved to suspend all necessary rules to take up and consider at this time **HR 1280**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1280**, Congratulating Major General (Ret.) Raymond C. Peters, past commander of the Texas State Guard.

**HR 1280** was adopted.

On motion of Representative D. Miller, the names of all the members of the house were added to **HR 1280** as signers thereof.

(McClendon in the chair)

**CONGRATULATORY AND MEMORIAL CALENDAR**

The following congratulatory resolutions were laid before the house:

**SCR 21** (McClendon - House Sponsor), Recognizing November 4-8, 2013, and November 3-7, 2014, as Municipal Courts Week.

**HR 1161** (by Guillen), Commemorating the 125th anniversary of the Texas State Capitol.

**HR 1162** (by Clardy), Congratulating the Stephen F. Austin State University men's basketball team on winning the 2012-2013 Southland Conference regular season title.

**HR 1166** (by Guerra), Honoring Marcus C. Barrera on the occasion of his retirement from the McAllen City Commission.

**HR 1168** (by Pickett), Recognizing July 27, 2013, as the National Day of the Cowboy in Texas.

**HR 1169** (by Workman), Honoring Alvin "Block" Olbrich of Lakeway, the oldest living football letterman from Texas A&M University.

**HR 1171** (by Anderson), Congratulating Jacob Turner and Haeun Moon of McLennan County on winning the River Valley Intermediate School Spelling Bee.

**HR 1172** (by Anderson), Congratulating Johnette McKown on being elected to the Southern Association of Colleges and Schools Commission on Colleges Board of Trustees Texas delegation.

**HR 1173** (by Anderson), Honoring J. D. Chastain of Hewitt for his service during World War II.

**HR 1174** (by Anderson), Congratulating the Waco Juniors Volleyball Club 14 Swoosh team on qualifying to play in Division 1 of the Tour of Texas.

**HR 1175** (by Button), Congratulating the Rain Fresh Water Company of Garland on winning the purified water competition at the 2013 Berkeley Springs International Water Tasting event.

**HR 1176** (by Button), Congratulating Sellers Middle School in Garland on earning designation as an AVID National Demonstration School.

**HR 1177** (by Button), Congratulating the winners of the 2012 Community Revitalization Awards in Richardson.

**HR 1178** (by Button), Congratulating the Austin Academy for Excellence Jazz Band of Garland on its performance at the Jazz Education Network conference in Atlanta.

**HR 1179** (by Button), Congratulating the Sachse High School drill team on their achievements at the American Dance/Drill Team North Texas Regional contest.

**HR 1180** (by Button), Congratulating Kimberlin Academy for Excellence on being named a 2013 State School of Character by the Texas Elementary Principals and Supervisors Association.

**HR 1181** (by Button), Congratulating Salvador Salinas and Brenda Wooldridge of Garland on their swearing in as CASA volunteers.

**HR 1182** (by Button), Congratulating David Busch, founder of Hawaiian Falls water park in Garland, on being featured in the book *Bold Leadership: Biblical Principles for Marketplace Impact* by Dr. Merlin Switzer.

**HR 1183** (by Button), Honoring Donna Davis for her service on the Rowlett City Council.

**HR 1184** (by Button), Honoring the City of Rowlett and the Rowlett Chamber of Commerce for bringing in 14 new businesses during the first quarter of the 2013 fiscal year.

**HR 1185** (by Button), Honoring Patsy McMillan for her service on the Sachse City Council.

**HR 1186** (by Button), Recognizing Hope Clinic for its services to the residents of Garland.

**HR 1187** (by Button), Honoring the Parkinson Voice Project of Richardson.

**HR 1188** (by Button), Congratulating Angel Roldan of Garland on winning the third annual Cici's Pizza Throwdown.

**HR 1191** (by Johnson), Congratulating the Dallas Children's Advocacy Center on the opening of its new facility.

**HR 1193** (by Harless), Recognizing April 18, 2013, as Texas Federation of Republican Women Day at the State Capitol.

**HR 1196** (by E. Thompson), Recognizing May 19-25, 2013, as National Public Works Week and honoring members of the Southeast Branch, Texas Chapter, American Public Works Association.

**HR 1197** (by D. Bonnen), Congratulating Dr. Robert Schwebel and Patricia Schwebel of West Columbia on their receipt of the 2012 Cradle of Texas Herman Swift Award.

**HR 1198** (by D. Bonnen), Commemorating the 100th anniversary of the Palacios Volunteer Fire Department.

**HR 1199** (by D. Bonnen), Congratulating Jennifer Harpham of Lake Jackson on her receipt of a 2012 Cradle of Texas District Award of Merit from the Bay Area Council of the Boy Scouts of America.

**HR 1200** (by D. Bonnen), Congratulating Michael Fine of Brazoria on his receipt of a 2012 Cradle of Texas District Award of Merit from the Bay Area Council of the Boy Scouts of America.

**HR 1201** (by D. Bonnen), Congratulating Cindy Gautreaux of Angleton on her receipt of a 2012 Award of Merit from the Thunderbird District, Bay Area Council of the Boy Scouts of America.

**HR 1202** (by D. Bonnen), Congratulating Steven Hail of Angleton on his receipt of a 2012 Award of Merit from the Thunderbird District, Bay Area Council of the Boy Scouts of America.

**HR 1203** (by D. Bonnen), Congratulating Harold and Barbara Monical of Lake Jackson on their selection as 2012 Philanthropists of the Year by the Community Foundation of Brazoria County.

**HR 1204** (by D. Bonnen), Congratulating Ryan Cade of Angleton on his selection as a 2013 Philanthropist of the Year by the Community Foundation of Brazoria County.

**HR 1205** (by D. Bonnen), Congratulating John Travis "Jacko" Garrett, Jr., of Danbury on his selection as a 2013 Philanthropist of the Year by the Community Foundation of Brazoria County.

**HR 1206** (by D. Bonnen), Commending Brazosport Area Chamber of Commerce president and CEO Sandra Shaw for her contributions to the community.

**HR 1207** (by D. Bonnen), Congratulating Corky Melass on his selection as the 2011 Man of the Year by the Brazosport Area Chamber of Commerce.

**HR 1208** (by D. Bonnen), Congratulating Art Vandaveer on his selection as the 2012 Man of the Year by the Brazosport Area Chamber of Commerce.

**HR 1210** (by D. Bonnen), Congratulating Lucilla Henderson on her designation as the 2011 Woman of the Year by the Brazosport Area Chamber of Commerce.

**HR 1211** (by D. Bonnen), Congratulating Sharon Rogers on her selection as the 2012 Woman of the Year by the Brazosport Area Chamber of Commerce.

**HR 1212** (by D. Bonnen), Congratulating Constable William Howell III on being named the 2012 Citizen of the Year by the Greater Angleton Chamber of Commerce.

**HR 1213** (by D. Bonnen), Congratulating the Brazosport Symphony Orchestra on its 30th anniversary.

**HR 1214** (by Coleman), Recognizing April 30, 2013, as County Government Day at the State Capitol.

**HR 1218** (by Anderson), Honoring the volunteers at the Waco Center for Youth.

**HR 1219** (by Howard), Commemorating the Association of the United States Army 4th Region 2013 conference in Austin.

**HR 1220** (by J. Sheffield), Congratulating Beckie Irvin of Hico on winning first place in the Houston Livestock Show and Rodeo AGvocacy Video Contest.

**HR 1222** (by J. Sheffield), Congratulating Austen Whaley of Stephenville High School on being named to the UIL All-State Band.

**HR 1224** (by Clardy), Congratulating the girls' soccer team of the Brook Hill School in Bullard on winning the 2013 TAPPS Division III state championship.

**HR 1226** (by Carter), Congratulating Senior Corporal Chris Wagner of the Dallas Police Department for being named Cops' Cop Officer of the Year by the Dallas Police Association.

**HR 1227** (by Carter), Congratulating Senior Corporal Eddie "Reed" Higgins on his retirement from the Dallas Police Department.

**HR 1228** (by Carter), Honoring the new business incubation partnership between the Town of Addison and Baylor University.

**HR 1229** (by Carter), Honoring Leadership Metrocrest.

**HR 1230** (by Carter), Congratulating the City of Garland on earning the LIVE UNITED Award for Public Services from the United Way of Metropolitan Dallas.

**HR 1231** (by Carter), Congratulating Drew Bramlett, Erin Campbell, Obi Okechukwu, Cristian Ruiz, and Josh Usry of Richland College on being named to the Texas Two-Year College All-State Choir.

**HR 1232** (by Carter), Honoring the National Christian Forensics and Communications Association for its efforts to promote academic excellence.

**HR 1233** (by Carter), Honoring Nolan Chadwick Blount for his service to the City of Garland.

**HR 1234** (by Carter), Commending the Addison Business Association for their work to promote prosperity.

**HR 1235** (by Carter), Commending the Richardson Central Rotary Club.

**HR 1236** (by Carter), Congratulating the City of Richardson on receiving an AAA rating from the Standard & Poor's and Moody's credit rating agencies.

**HR 1237** (by Carter), Congratulating the Richardson High School volleyball team on its success in raising funds to fight breast cancer and on its recognition by the Side-Out Foundation.

**HR 1243** (by Flynn), Congratulating Ronnie and Diane Lamb of Greenville on their 50th wedding anniversary.

**HR 1244** (by Herrero), Congratulating Erika Vazquez on her selection as the Corpus Christi Independent School District 2013 Elementary Teacher of the Year.

**HR 1245** (by Herrero), Honoring Dr. Sandra Clement on her selection as the 2013 Texas Middle School Principal of the Year by the Texas Association of Secondary School Principals.

**HR 1246** (by Herrero), Congratulating Ibet Caro on her selection as the Corpus Christi Independent School District 2013 Secondary Teacher of the Year.

**HR 1249** (by Springer), Congratulating Hunter Tallon of Saint Jo High School on winning the Best Use of Research award in the Friends of the Governor's Mansion It's Your History Contest.

**HR 1250** (by Frullo), Congratulating Mary and Fred Satterwhite of Lubbock on their 55th wedding anniversary.

**HR 1251** (by Frullo), Congratulating baseball coach Bobby Moegle on his induction into the Texas Sports Hall of Fame.

**HR 1252** (by Frullo), Congratulating David and Juanita Bell of Lubbock on their 65th wedding anniversary.

**HR 1253** (by Frullo), Congratulating Tommy and Sharron Massey of Lubbock on their 50th wedding anniversary.

**HR 1254** (by Frullo), Recognizing May 25, 2013, as National Missing Children's Day.

**HR 1255** (by Frullo), Congratulating Houston Robert Garrett on attaining the rank of Eagle Scout.

**HR 1256** (by Frullo), Congratulating Bill and Patricia Smith of Lubbock on their 50th wedding anniversary.

**HR 1257** (by Flynn), Congratulating Richard and Helen Fisher of Greenville on their 50th wedding anniversary.

**HR 1259** (by K. King), Congratulating Clarendon College on being named one of the top community colleges in the nation by CNN Money.

**HR 1260** (by K. King), Honoring World War II veteran Joe Hernandez of Pampa on his receipt of the Bronze Star.

**HR 1261** (by K. King), Congratulating the Plainview Christian Academy boys' basketball team on winning the 2013 TAPPS 1A state championship.

**HR 1263** (by Stickland), Congratulating the 2013 Awards of Excellence honorees of the Hurst-Eules-Bedford ISD Education Foundation.

**HR 1264** was previously adopted.

**HR 1265** (by Muñoz), Commending Alberto Kreimerman of McAllen for his community leadership and philanthropic endeavors.

**HR 1266** was previously adopted.

**HR 1267** (by D. Bonnen), Commemorating the 40th anniversary of the Brazoria County Association for Citizens with Handicaps on April 13, 2013.

**HR 1268** (by D. Bonnen), Congratulating Jeffrey Bone on his receipt of a 2012 Silver Beaver Award from the Bay Area Council of the Boy Scouts of America.

**HR 1269** (by D. Bonnen), Congratulating Edward Winter of Lake Jackson on his receipt of a 2012 Silver Beaver Award from the Bay Area Council of the Boy Scouts of America.

**HR 1270** (by Morrison), Congratulating Martha McLeod on her induction into the National Teachers Hall of Fame.

**HR 1271** (by Morrison), Congratulating the Honorable Laura A. Weiser on her retirement as judge of Victoria County Court at Law No. 1.

**HR 1274** (by Herrero), Congratulating Cortnee Ramirez of Tulosso-Midway High School in Corpus Christi on her achievements in powerlifting.

**HR 1275** (by Herrero), Congratulating Julie Barrera of Tulosso-Midway High School in Corpus Christi on her achievements in powerlifting.

**HR 1276** (by Herrero), Congratulating Felicia Avila of Robstown High School for her achievements in powerlifting.

**HR 1277** (by Herrero), Congratulating Clarissa Garcia of Calallen High School in Corpus Christi on her achievements in powerlifting.

**HR 1278** (by Herrero), Congratulating Brandi Pena, Briana Pena, and Kimberly Chapa on representing Banquete Junior High School at the 2013 Texas History Day state fair in Austin.

**HR 1279** (by Creighton), Congratulating Oel and Catherine Castner of Spring on their 50th wedding anniversary.

**HR 1280** was previously adopted.

**HR 1285** (by Farias), Congratulating Ruben J. Tejada on his selection as the 2012-2013 Teacher of the Year for the South San Antonio Independent School District.

**HR 1286** (by Farias), Congratulating Gabriela Ortega on being named the 2012-2013 Teacher of the Year by the Harlandale Independent School District.

**HR 1287** (by Farias), Honoring Esteban Sosa of San Antonio for his contributions to public education.

**HR 1288** (by Toth), Congratulating Elisabeth Guldmann Brannon of Big Sandy on the occasion of her 100th birthday.

**HR 1290** (by Farney), Recognizing July 1 through 4, 2013, as the Texas Family Reunion.

**HR 1291** (by Farney), Congratulating Curtis Ray "Cray" Steger II of Georgetown on becoming an Eagle Scout.

**HR 1292** (by Farney), Congratulating former Williamson County Commissioner Carl Everett Lidell of Jonah on his 90th birthday.

**HR 1293** (by Farney), Honoring former teacher and principal Ed Swenson of Milano on his 90th birthday.

**HR 1294** (by Ratliff), Commemorating the seventh annual Pink Soles in Motion BBQ Cook-off for the Cure in Carrollton.

**HR 1296** (by Dutton), Congratulating Shirley and Lester Howard on their 50th wedding anniversary.

**HR 1298** (by Strama), Congratulating John and Nancy Ryder of Austin on their 40th wedding anniversary.

**HR 1299** (by Strama), Congratulating Adela Garcia of Austin on winning the 2012 Ms. Fitness Olympia competition.

**HR 1301** (by Craddick), Congratulating Chester and Pat Crow on their 60th wedding anniversary.

**HR 1302** (by White), Commending Lieutenant Commander Leif Babin of the U.S. Navy Reserve for his service to the nation.

**HR 1304** (by Herrero), Recognizing Polanco's Bakery, a successful family-owned business in Robstown in operation for more than 70 years.

**HR 1305** (by Johnson), Honoring Goodwill Industries of Dallas for serving as a Volunteer Income Tax Assistance site during the 2013 tax season.

**HR 1306** (by Johnson), Honoring Iglesia de Jesucristo Palabra Miel for serving as a Volunteer Income Tax Assistance site during the 2013 tax season.

**HR 1307** (by Johnson), Honoring Habitat for Humanity for serving as a Volunteer Income Tax Assistance site during the 2013 tax season.

**HR 1308** (by Johnson), Honoring St. Luke Community United Methodist Church for serving as a Volunteer Income Tax Assistance site during the 2013 tax season.

**HR 1309** (by Johnson), Honoring Dallas West Church of Christ for serving as a Volunteer Income Tax Assistance site during the 2013 tax season.

**HR 1311** (by Fallon), Congratulating Sergeant Robert Powell of the Pilot Point Police Department on his receipt of a 2013 Hometown Hero Award from the Lake Ray Roberts Rotary Club.

**HR 1312** (by Fallon), Congratulating Debbie Lockwood of Frisco on being named the 2012 Frisco Chamber of Commerce Ambassador of the Year.

**HR 1313** (by Fallon), Congratulating Lieutenant Colonel Robert West on his selection as Teacher of the Year at Denton High School.

**HR 1314** (by Fallon), Congratulating Keith Nierste of the Pilot Point Fire Department on his receipt of a 2013 Hometown Hero Award from the Lake Ray Roberts Rotary Club.

**HR 1315** (by Fallon), Congratulating William Braack of Pilot Point High School on his selection as the 2013 Outstanding Senior Boy by the Pilot Point Chamber of Commerce.

**HR 1316** (by Fallon), Congratulating Kaitlyn Jordan of Pilot Point High School on being named the 2013 Outstanding Senior Girl by the Pilot Point Chamber of Commerce.

**HR 1317** (by Fallon), Congratulating Little Elm on receiving a Bronze Leaf Award from the Forestry Council.

**HR 1321** (by S. Davis), Commemorating the 50th anniversary of Tradition Bank in Houston.

**HR 1324** (by Lozano), Congratulating Genaro Alejandro DeLeon of Kingsville on achieving the rank of Eagle Scout.

**HR 1325** (by D. Bonnen), Congratulating the Palacios High School CyberSharks and RoboSharks robotics teams on their performance at the Texas FIRST Tech Challenge Houston Championship Tournament.

**HR 1327** (by Fallon), Congratulating John Bruce on his selection as chief of the Frisco Police Department.

**HR 1329** (by Fallon), Congratulating Freda and Gerald Hedges of Aubrey on their 50th wedding anniversary.

**HR 1330** (by Fallon), Congratulating PointBank on its selection as the 2013 Business of the Year by the Pilot Point Chamber of Commerce.

**HR 1333** (by Y. Davis), Congratulating Dr. Wright Lassiter, Jr., on his forthcoming retirement as chancellor of the Dallas County Community College District.

**HR 1334** (by Y. Davis), Congratulating the boys' basketball team of Triple A Academy in Dallas on winning the 2013 UIL 1A Division 1 state championship.

**HR 1336** (by Giddings), Commemorating the dedication of the Moorland YMCA Building on Flora Street in Dallas as a Recorded Texas Historic Landmark.

**HR 1337** (by Dale), Honoring John Lenz for his service with the Austin Fire Department and the North Austin Municipal Utility District No. 1.

**HR 1340** (by J. Sheffield), Congratulating Granbury North Central Texas Academy on tying for the 2013 Texas Association of Private and Parochial Schools 1A State Championship in art.

**HR 1341** (by Allen), Commending Dr. Charles W. Edwards, Jr., on his service to his country and his community.



**HR 1342** (by Hughes), Congratulating Bobbie Craddock of Winnsboro on her 100th birthday.

**HR 1344** (by K. King), Congratulating the Whitharral High School girls' basketball team on winning the 2013 UIL 1A Division 2 state championship.

**HR 1345** (by K. King), Congratulating Silverton ISD on being named a 2012 Texas Honors Circle District.

**HR 1346** (by K. King), Congratulating Laura Ann Ransom of Denver City on the occasion of her 105th birthday.

**HR 1347** (by Farney), Commemorating the dedication of the new Fire Station No. 2 in Georgetown.

**HR 1349** (by Callegari), Honoring His Holiness Pope Francis on the occasion of his election to the papacy.

**HR 1351** was previously adopted.

**HR 1353** was previously adopted.

**HR 1356** (by Branch), Commending the Dallas 2024 Committee for working to bring the Summer Olympic and Paralympic Games to Texas.

**HR 1357** (by Branch), Honoring Brad Watson for his successful career in broadcast news at WFAA in Dallas-Fort Worth.

**HR 1359** (by Menéndez), Recognizing September 1, 2013, as Texas Blood Pressure Day.

**HR 1363** (by Smith), Congratulating Deer Park mayor Wayne Riddle on his retirement.

**HR 1367** (by White), Honoring Livingston Telephone Company on its 110th anniversary.

**HR 1368** (by Flynn), Congratulating Donald R. Prince on his promotion to brigadier general in the Texas State Guard.

**HR 1369** (by Anchia), Honoring Dallas Mayor Pro Tem Pauline Medrano for her service.

The resolutions were adopted.

The following memorial resolutions were laid before the house:

**HR 1192** (by Johnson), In memory of Erlinda Villasana Reyes of Dallas.

**HR 1209** (by D. Bonnen), In memory of U.S. Navy Lieutenant Raul David Jimenez, who has been inducted into the Brazosport Independent School District Wall of Fame.

**HR 1225** (by Carter), In memory of Senior Corporal Olin Randall Heifner of Garland.

**HR 1242** (by Moody), In memory of the Honorable Raymond L. Telles, Jr., the first Hispanic mayor of El Paso.

**HR 1284** (by Farias), In memory of Lee Pais, Sr., of San Antonio.

**HR 1297** (by Dutton), In memory of Chad Rayshawn Bowden of Houston.

**HR 1318** (by Fallon), In memory of Mary Ruth Meinen Lantrip of Pilot Point.

**HR 1319** (by White), In memory of Constable Tommy Robinson of Jasper County.

**HR 1326** (by Anderson), In memory of Rebecca Rinehart Dixon of DeCordova Bend.

**HR 1328** (by Fallon), In memory of Betty Joyce Lynch of Aubrey.

**HR 1331** (by Rose), In memory of Agnes DeJoyce McRoy-Morgan.

**HR 1343** (by Hughes), In memory of former Quitman mayor Larry Robertson.

**HR 1350** (by Hunter), In memory of Wayne Oscar Stockseth of Corpus Christi.

**HR 1360** (by Isaac), In memory of F. W. "Dub" Hendricks of San Marcos.

**HR 1361** (by Smith), In memory of C. C. Smitherman.

**HR 1362** (by Smith), In memory of Tommie Jones of Baytown.

**HR 1364** (by Smith), In memory of George Wilson Chandler of Baytown.

**HR 1365** (by Rose), In memory of Ellis Davis, Jr., a longtime coach and educator in the Dallas Independent School District.

The resolutions were unanimously adopted by a rising vote.

(Speaker in the chair)

**GENERAL STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

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

**HB 8 ON THIRD READING**

**(by S. Thompson, Hunter, Muñoz, Burkett, N. Gonzalez, et al.)**

**HB 8**, A bill to be entitled An Act relating to the prosecution and punishment of offenses related to trafficking of persons and to certain protections for victims of trafficking of persons.

**HB 8** was passed by (Record 217): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson;

Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira; Stickland.

### **HB 13 ON THIRD READING**

**(by Callegari, Frullo, Cook, P. King, et al.)**

**HB 13**, A bill to be entitled An Act relating to the State Pension Review Board and public retirement systems; authorizing a fee.

**HB 13** was passed by (Record 218): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira; Stickland.

### **HB 15 ON THIRD READING**

**(by Kolkhorst, Coleman, Zerwas, Geren, Cortez, et al.)**

**HB 15**, A bill to be entitled An Act relating to level of care designations for hospitals that provide neonatal and maternal services.

**HB 15** was passed by (Record 219): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira; Stickland.

### **HB 32 ON THIRD READING** **(by Menéndez)**

**HB 32**, A bill to be entitled An Act relating to the punishment for and certain civil consequences of committing the offense of prostitution.

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

Representative Krause offered the following amendment to **HB 32**:

Amend **HB 32** on third reading in SECTION 1 of the bill, in proposed Section 43.03(b)(2), Penal Code, by striking "third degree" and substituting "second degree".

Amendment No. 1 was adopted.

#### **Amendment No. 2**

Representative Carter offered the following amendment to **HB 32**:

Amend **HB 32** (committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 169.002(a), Health and Safety Code, is amended to read as follows:

(a) The commissioners court of a county or governing body of a municipality may establish a first offender prostitution prevention program for defendants charged with an offense under Section 43.02 [~~43.02(a)(2)~~], Penal Code, ~~in which the defendant offered or agreed to hire a person to engage in sexual conduct~~.

SECTION \_\_\_\_\_. Chapter 169, Health and Safety Code, is amended by adding Section 169.0035 to read as follows:

Sec. 169.0035. SEPARATE AND APPROPRIATE COUNSELING, SERVICES, AND CLASSROOM INSTRUCTION. A commissioners court of a county or governing body of a municipality that establishes a first offender prostitution prevention program under this chapter must provide separate and appropriate counseling, services, and classroom instruction under Section 169.003 for defendants charged under Section 43.02(a)(1), Penal Code, and defendants charged under Section 43.02(a)(2), Penal Code.

SECTION \_\_\_\_\_. Section 43.02, Penal Code, is amended by amending Subsections (a) and (b) and adding Subsection (e) to read as follows:

(a) A person commits an offense if the person [~~he~~] knowingly:

(1) offers to engage, agrees to engage, or engages in sexual conduct for a fee; or

(2) solicits another in a public place to engage with the person [~~him~~] in sexual conduct for hire.

(b) An offense is established under Subsection (a)(1) whether the actor is to receive or pay a fee. An offense is established under Subsection (a)(2) whether the actor solicits a person to hire the actor [~~him~~] or offers to hire the person solicited.

(e) A conviction may be used for purposes of enhancement under this section or enhancement under Subchapter D, Chapter 12, but not under both this section and Subchapter D, Chapter 12. For purposes of enhancement of penalties under this section or Subchapter D, Chapter 12, a defendant is previously convicted of an offense under this section if the defendant was adjudged guilty of the offense or entered a plea of guilty or nolo contendere in return for a grant of deferred adjudication, regardless of whether the sentence for the offense was ever imposed or whether the sentence was probated and the defendant was subsequently discharged from community supervision.

Amendment No. 2 was adopted.

**HB 32**, as amended, was passed by (Record 220): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson;

Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira; Stickland.

**HB 1491 ON THIRD READING**  
**(by Branch, Collier, Patrick, and Lozano)**

**HB 1491**, A bill to be entitled An Act relating to the temporary licensing of a dentist who performs voluntary charity care.

**HB 1491** was passed by (Record 221): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira; Stickland.

**HB 1035 ON THIRD READING**  
**(by Huberty)**

**HB 1035**, A bill to be entitled An Act relating to the filing of reports of political contributions and expenditures and of personal financial statements by certain officeholders and candidates.

**HB 1035** was passed by (Record 222): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira; Stickland.

Absent — King, T.

### STATEMENT OF VOTE

When Record No. 222 was taken, I was in the house but away from my desk. I would have voted yes.

T. King

### HB 994 ON THIRD READING (by D. Bonnen)

**HB 994**, A bill to be entitled An Act relating to the applicability of state law regulating the decommissioning costs of certain newly constructed commercial nuclear-powered electric generating facilities.

**HB 994** was passed by (Record 223): 144 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer;

King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Burnam; Gonzalez, N.; Naishtat.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira; Stickland.

### POSTPONED BUSINESS

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

#### **HB 1902 ON SECOND READING** (by Eiland and Sheets)

**HB 1902**, A bill to be entitled An Act relating to the refund of unearned premium for a personal automobile or residential property insurance policy.

**HB 1902** was read second time on April 9 and was postponed until 8 a.m. April 15.

Representative Eiland moved to postpone consideration of **HB 1902** until 9 a.m. Monday, April 22.

The motion prevailed.

#### **SB 530 ON SECOND READING** (Orr and Cortez - House Sponsors)

**SB 530**, A bill to be entitled An Act relating to the inclusion of the emblem of the veteran's branch of service on Disabled Veteran specialty license plates.

**SB 530** was considered in lieu of **HB 614**.

**SB 530** was read second time and was passed to third reading.

#### **HB 614 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Orr moved to lay **HB 614** on the table subject to call.

The motion prevailed.

#### **HB 1905 ON SECOND READING** (by Eiland and Sheets)

**HB 1905**, A bill to be entitled An Act relating to certain promotional practices not considered to be prohibited discrimination, rebates, or inducements in insurance.



**HB 1905** was read second time on April 11 and was postponed until 10 a.m. April 17.

Representative Eiland moved to postpone consideration of **HB 1905** until 9 a.m. Monday, April 22.

The motion prevailed.

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

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

**CSHJR 79 ON SECOND READING  
(by Branch and E. S. Turner)**

**CSHJR 79**, A joint resolution proposing a constitutional amendment to eliminate an obsolete requirement for a State Medical Education Board and a State Medical Education Fund.

**CSHJR 79** was adopted by (Record 224): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira; Stickland.

Absent — Deshotel; Paddie.

**STATEMENT OF VOTE**

When Record No. 224 was taken, I was in the house but away from my desk. I would have voted yes.

Paddie

**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**CSHB 63 ON SECOND READING  
(by Craddick, Cook, Lucio, Harless, Menéndez, et al.)**

**CSHB 63**, A bill to be entitled An Act relating to the creation of an offense for use of a handheld wireless communication device for text-based communication while operating a motor vehicle.

**Amendment No. 1**

Representative Perry offered the following amendment to **CSHB 63**:

Amend **CSHB 63** (house committee report) on page 2, lines 25 and 26, by striking "motor vehicle unless the vehicle is stopped" and substituting "moving motor vehicle in a manner that violates another section of this subtitle".

Representative Craddick moved to table Amendment No. 1.

The motion to table prevailed by (Record 225): 84 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Branch; Burkett; Button; Callegari; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Darby; Davis, J.; Davis, Y.; Eiland; Elkins; Farias; Farrar; Frullo; Geren; Giddings; González, M.; Guerra; Guillen; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; King, T.; Kolkhorst; Lewis; Lozano; Lucio; Martinez; McClendon; Menéndez; Miles; Miller, D.; Moody; Morrison; Muñoz; Naishtat; Otto; Parker; Patrick; Perez; Phillips; Pickett; Pitts; Raney; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, R.; Simmons; Smith; Smithee; Strama; Thompson, E.; Turner, C.; Turner, S.; Villalba; Villarreal; Workman; Wu; Zerwas.

Nays — Anderson; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burnam; Canales; Capriglione; Creighton; Dale; Davis, S.; Deshotel; Dukes; Dutton; Fallon; Farney; Fletcher; Flynn; Frank; Goldman; Gonzales; Gonzalez, N.; Gooden; Gutierrez; Harper-Brown; Hughes; Johnson; Keffer; Kleinschmidt; Klick; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Martinez Fischer; Miller, R.; Murphy; Nevárez; Orr; Paddie; Perry; Price; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Simpson; Springer; Stephenson; Taylor; Thompson, S.; Toth; Turner, E.S.; Vo; Walle; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Oliveira; Stickland.

Absent — Huberty; Longoria; Márquez.

**STATEMENTS OF VOTE**

When Record No. 225 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

When Record No. 225 was taken, I was in the house but away from my desk. I would have voted yes.

Márquez

When Record No. 225 was taken, I was excused because of family matters. I would have voted no.

Stickland

**Amendment No. 2**

Representative Smithee offered the following amendment to **CSHB 63**:

Amend **CSHB 63** (house committee report) as follows:

(1) On page 3, lines 26 and 27, strike "that are inconsistent with specific provisions of this section".

(2) On page 4, lines 1 and 2, strike "to read, write, or send a text-based communication".

Amendment No. 2 was adopted.

**Amendment No. 3**

Representatives Villalba, Branch, and Orr offered the following amendment to **CSHB 63**:

Amend **CSHB 63** (house committee report) as follows:

(1) On page 3, line 10, strike "or".

(2) On page 3, between lines 12 and 13, insert the following:

(E) to read a text-based communication:

(i) that the person reasonably believes concerns an emergency;

or

(ii) that concerns an emergency regardless of the person's

belief; or

(Dukes in the chair)

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Dutton offered the following amendment to **CSHB 63**:

Amend **CSHB 63** (house committee report) as follows:

(1) On page 3, line 12, strike "or".

(2) On page 3, line 17, strike the period and substitute "; or".

(3) On page 3, between lines 17 and 18, insert the following:

(3) a peace officer stopped the operator's vehicle based solely on probable cause that the operator violated this section.

Representative Wu moved to table Amendment No. 4.

The motion to table prevailed by (Record 226): 74 Yeas, 68 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bohac; Branch; Burkett; Button; Callegari; Carter; Clardy; Coleman; Cook; Craddick; Darby; Davis, J.; Eiland; Farney; Farrar; Fletcher; Frullo; Geren; Guerra; Guillen; Harless; Hilderbran; Howard; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; Kuempel; Lewis; Lozano; Lucio; Márquez; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Orr; Otto; Parker; Patrick; Perez; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Sheets; Sheffield, R.; Simmons; Smith; Smithee; Strama; Thompson, E.; Turner, C.; Villarba; Villarreal; Wu; Zerwas.

Nays — Anderson; Bell; Bonnen, D.; Bonnen, G.; Burnam; Canales; Capriglione; Collier; Cortez; Creighton; Crownover; Dale; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Fallon; Farias; Flynn; Frank; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Gutierrez; Hernandez Luna; Herrero; Huberty; Hughes; Johnson; Keffer; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Larson; Laubenberg; Lavender; Leach; Longoria; Martinez; Martinez Fischer; Miles; Murphy; Nevárez; Paddie; Perry; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Simpson; Springer; Stephenson; Taylor; Thompson, S.; Toth; Turner, E.S.; Turner, S.; Vo; Walle; White; Workman; Zedler.

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

Absent, Excused — Oliveira; Stickland.

Absent — Giddings; Harper-Brown; Schaefer; Sheffield, J.

#### **STATEMENTS OF VOTE**

I was shown voting yes on Record No. 226. I intended to vote no.

Farney

I was shown voting no on Record No. 226. I intended to vote yes.

Herrero

When Record No. 226 was taken, I was excused because of family matters. I would have voted no.

Stickland

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

The following member was granted leave of absence for the remainder of today because his wife is in labor:

Guillen on motion of Raymond.

**CSHB 63 - (consideration continued)****Amendment No. 5**

Representative P. King offered the following amendment to **CSHB 63**:

Amend **CSHB 63** (house committee report) on page 4, between lines 8 and 9, by inserting the following:

(g) A peace officer who stops a motor vehicle for an alleged violation of this section may not, without the consent of the operator, take possession of or otherwise inspect a wireless communication device in the possession of the operator.

(h) A telecommunications provider may provide records related to the commission of an alleged offense under this section only as required by a search warrant issued under Chapter 18, Code of Criminal Procedure.

Amendment No. 5 was withdrawn.

**Amendment No. 6**

Representative Smithee offered the following amendment to **CSHB 63**:

Amend **CSHB 63** (house committee report) on page 4, between lines 8 and 9, by inserting the following:

(g) The Texas Department of Transportation shall post a sign at each point at which an interstate highway or United States highway enters this state that informs an operator that:

(1) the use of a handheld wireless communication device to read, write, or send a text-based communication while operating a motor vehicle is prohibited in this state; and

(2) the operator is subject to a fine if the operator uses a handheld wireless communication device to read, write, or send a text-based communication while operating a motor vehicle in this state.

Amendment No. 6 was adopted.

**Amendment No. 7**

Representatives Pickett and Moody offered the following amendment to **CSHB 63**:

Amend **CSHB 63** (house committee report) on page 4, between lines 2 and 3, by inserting the following:

(e-1) Subsection (e) does not apply to a local ordinance, rule, or regulation adopted by a political subdivision of this state before September 1, 2011.

Amendment No. 7 was adopted.

(Speaker in the chair)

**HB 2003 - RECOMMITTED**

Representative Deshotel moved to recommit **HB 2003** to the Committee on Land and Resource Management.

The motion prevailed.

**CSHB 63 - (consideration continued)****Amendment No. 8**

Representative P. King offered the following amendment to **CSHB 63**:

Amend **CSHB 63** (house committee report) on page 4, between lines 8 and 9, by inserting the following:

(g) A peace officer who stops a motor vehicle for an alleged violation of this section may not, without the consent of the operator, take possession of or otherwise inspect a wireless communication device in the possession of the operator.

(h) A telecommunications provider may provide records related to the commission of an alleged offense under this section only as required by a search warrant issued under Chapter 18, Code of Criminal Procedure.

**Amendment No. 9**

Representatives Phillips and Wu offered the following amendment to Amendment No. 8:

Amend Amendment No. 8 by P. King to **CSHB 63** (house committee report) on line 6 by striking the period and inserting the following "solely based on a violation of this section.".

Amendment No. 9 was adopted.

Amendment No. 8, as amended, was adopted.

**Amendment No. 10**

Representative Capriglione offered the following amendment to **CSHB 63**:

Amend **CSHB 63** (house committee report) on page 4 of the bill, between lines 8 and 9, by inserting the following:

"(g) This section expires September 1, 2015."

Representative Craddick moved to table Amendment No. 10.

The motion to table prevailed by (Record 227): 101 Yeas, 39 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Branch; Burkett; Button; Callegari; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Farias; Farrar; Fletcher; Frullo; Geren; Giddings; González, M.; Gooden; Guerra; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Lewis; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Orr; Otto; Parker; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Sheffield, R.; Smith; Smithee; Springer; Strama; Thompson, E.; Turner, C.; Turner, S.; Villalba; Villarreal; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Anderson; Bonnen, G.; Burnam; Canales; Capriglione; Cortez; Dale; Davis, S.; Dutton; Fallon; Farney; Flynn; Frank; Goldman; Gonzales; Gonzalez, N.; Gutierrez; Huberty; Hughes; Keffer; Klick; Krause; Larson; Laubenberg; Lavender; Leach; Márquez; Murphy; Paddie; Sanford; Schaefer; Simmons; Simpson; Stephenson; Taylor; Thompson, S.; Toth; Turner, E.S.; Vo.

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

Absent, Excused — Guillen; Oliveira; Stickland.

Absent — Alonzo; Lozano; Patrick; Phillips; White.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 227. I intended to vote yes.

Cortez

When Record No. 227 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 227 was taken, I was excused because of family matters. I would have voted no.

Stickland

### Amendment No. 11

Representative Dutton offered the following amendment to **CSHB 63**:

Amend **CSHB 63** (house committee report) as follows:

(1) On page 3, line 12, strike "or".

(2) On page 3, line 17, strike the period and substitute "; or".

(3) On page 3, between lines 17 and 18, insert the following:

(3) a peace officer stopped an operator's vehicle based primarily on probable cause that the operator violated this section.

Representative Harless moved to table Amendment No. 11.

The vote of the house was taken on the motion to table Amendment No. 11 and the vote was announced yeas 70, nays 75.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 228): 70 Yeas, 74 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Burkett; Button; Callegari; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Eiland; Elkins; Farrar; Frullo; Geren; Guerra; Harless; Harper-Brown; Herrero; Howard; Hunter; Kacal; King, K.; King, P.; King, S.; Kuempel; Lewis; Longoria; Lozano; Lucio; Márquez; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Otto; Parker; Patrick; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Sheets; Sheffield, R.; Simmons; Smith; Smithee; Strama; Thompson, E.; Turner, C.; Villalba; Wu; Zedler; Zerwas.

Nays — Allen; Bell; Bonnen, G.; Branch; Burnam; Canales; Capriglione; Coleman; Collier; Cortez; Dale; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Gutierrez; Hernandez Luna; Hilderbran; Huberty; Hughes; Isaac; Johnson; Keffer; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Larson; Laubenberg; Lavender; Leach; Martinez; Martinez Fischer; McClendon; Miles; Murphy; Nevárez; Orr; Paddie; Perez; Perry; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheffield, J.; Simpson; Springer; Stephenson; Taylor; Thompson, S.; Toth; Turner, E.S.; Turner, S.; Villarreal; Vo; Walle; White; Workman.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Guillen; Oliveira; Stickland.

Absent — Bonnen, D.; Giddings.

The speaker stated that the motion to table Amendment No. 11 was lost by the above vote.

### STATEMENT OF VOTE

When Record No. 228 was taken, I was excused because of family matters. I would have voted no.

Stickland

### LEAVE OF ABSENCE GRANTED

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

D. Bonnen on motion of Ritter.

### CSHB 63 - (consideration continued)

The vote of the house was taken on the adoption of Amendment No. 11 and the vote was announced yeas 72, nays 72.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 229): 69 Yeas, 74 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Bell; Bonnen, G.; Branch; Burnam; Canales; Capriglione; Collier; Cortez; Creighton; Dale; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Gutierrez; Hernandez Luna; Huberty; Hughes; Isaac; Johnson; Keffer; King, T.; Kleinschmidt; Klick; Krause; Laubenberg; Lavender; Leach; Longoria; Martinez; Martinez Fischer; McClendon; Miles; Murphy; Nevárez; Orr; Paddie; Perez; Reynolds; Rodriguez, E.; Rose; Sanford; Schaefer; Sheffield, J.; Simpson; Springer; Stephenson; Taylor; Thompson, S.; Toth; Turner, E.S.; Turner, S.; Vo; Walle; White.



Nays — Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Burkett; Button; Callegari; Carter; Clardy; Coleman; Cook; Craddick; Crownover; Darby; Davis, J.; Eiland; Elkins; Farrar; Frullo; Geren; Guerra; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Hunter; Kacal; King, K.; King, P.; King, S.; Kolkhorst; Kuempel; Lewis; Lozano; Lucio; Márquez; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Otto; Parker; Patrick; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Rodriguez, J.; Sheets; Sheffield, R.; Simmons; Smith; Smithee; Strama; Thompson, E.; Turner, C.; Villalba; Villarreal; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bonnen, D.; Guillen; Oliveira; Stickland.

Absent — Giddings; Larson.

The speaker stated that Amendment No. 11 failed of adoption by the above vote.

### STATEMENT OF VOTE

When Record No. 229 was taken, I was excused because of family matters. I would have voted yes.

Stickland

### CSHB 63 - POINT OF ORDER

Representative Simpson raised a point of order against further consideration of **CSHB 63** under Rule 8, Section 1(b) of the House Rules on the grounds that the caption does not indicate the general effect of the bill on the tax, assessment, surcharge, or fee.

The speaker overruled the point of order and submitted the following statement:

Representative Simpson raises a point of order that **CSHB 63** violates Rule 8, Section 1(b) of the House Rules. Specifically, Representative Simpson argues that **CSHB 63** violates Rule 8, Section 1(b) of the House Rules because the caption of the bill does not contain a statement that the bill contains an imposition of a charge in a tax, assessment, surcharge, or fee. Representative Simpson argued that the fine imposed by the bill is in fact a fee, citing Black's Law Dictionary's definition of fee. The point of order is respectfully overruled.

As noted, **CSHB 63** does not impose, authorize, increase, or charge the rate or amount of a tax, assessment, surcharge, or fee. Therefore, Rule 8, Section 1(b) cannot apply to **CSHB 63**. The purpose of the rule is to provide clear notice to house members and the public concerning the effect of a house bill on taxes, assessments, surcharges, and fees. By operation of Rule 9, Section 1(a), the new caption rule also applies to house joint resolutions proposing constitutional amendments.

In general, the rule applies to bills that expressly (within the four corners of the bill) impose, authorize, or change the rate or amount of a tax, assessment, surcharge, or fee, as well as to bills that have an equivalent purpose, such as a bill

whose primary purpose is to repeal a tax or to extend a temporary fee. However, the rule does not apply to bills that indirectly affect the payment or application of an existing tax, assessment, surcharge, or fee, such as a bill changing a due date, repealing or otherwise eliminating a program or agency that includes fee or assessment authority, modifying or adopting a tax exemption, or modifying a class of persons or transactions subject to an existing tax or fee. Application of the rule to such bills would require subjective judgment and render the rule far less useful due to the large number of bills that would be affected.

The key exception to the general rule that the bill must expressly refer to a tax, assessment, surcharge, or fee to fall within the new caption requirement is a bill that creates a special purpose district with authority to impose a tax, assessment, surcharge, or fee through a reference to other law or to the authority of other special districts or local governments. The rule applies to such a bill to ensure that the tax, assessment, surcharge, or fee authority created by the bill is apparent to the members of the house and to the public, regardless of whether the bill expressly refers to a tax, assessment, surcharge, or fee. The intent of the rule would be thwarted if new special districts with taxing or fee authority could be enacted without notice of that authority stated in the caption. For these bills, to minimize the risk of technical omissions, a caption is sufficient if it states that the bill authorizes "taxes, assessments, surcharges, or fees" or "taxes, assessments, or fees" as long as at least one of those items is authorized by the bill. While the rule requires notice for any bill that directly imposes or authorizes the imposition of taxes, assessments, surcharges, and fees by state or local governmental entities, bills affecting monetary transfers between governmental bodies and charges imposed by private sector entities, even if nominally referred to as a tax, assessment, surcharge, or fee, do not require the prescribed caption notice. Application of the rule to such matters could mislead the reader into assuming that the bill provides for a fee or assessment to be imposed by government and reduce the usefulness of the rule for its intended purpose.

To avoid hiding the explanation of the bill's effect on a tax, assessment, surcharge, or fee within a caption, the new rule requires the explanatory statement to appear "at the end" of the caption. However, the rule does not require that a separate redundant statement be added to the end of a brief caption that already provides the intended information. A caption complies with the rule if it is reasonably short and clearly states any direct effect of the bill on a tax, assessment, surcharge, or fee. For example, a caption that reads "relating to authorizing increases in the license fees applicable to dentists" is sufficient to comply with the rule without the addition of a redundant statement at the end such as "authorizing fee increases."

Bills affecting charges other than those specifically referred to as taxes, assessments, surcharges, and fees are not covered by the rule. Application of the rule to these other types of payments, such as civil or criminal penalties or interest on late payments, would water the rule down by covering too many bills that don't have the same impact as a bill authorizing or otherwise affecting a tax or fee imposed on a general class of persons.

**CSHB 63**, as amended, was passed to engrossment by (Record 230): 98 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, G.; Branch; Burkett; Button; Callegari; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Darby; Davis, J.; Davis, Y.; Dukes; Eiland; Elkins; Farias; Farrar; Frullo; Geren; Giddings; González, M.; Gooden; Guerra; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Hunter; Kacal; King, K.; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Orr; Otto; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, R.; Smith; Smithee; Strama; Thompson, E.; Turner, C.; Turner, S.; Villalba; Villarreal; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Bell; Burnam; Canales; Capriglione; Creighton; Dale; Davis, S.; Deshotel; Dutton; Fallon; Farney; Fletcher; Flynn; Frank; Goldman; Gonzales; Gonzalez, N.; Gutierrez; Hilderbran; Huberty; Hughes; Isaac; Johnson; Keffer; Kleinschmidt; Klick; Krause; Larson; Laubenberg; Lavender; Leach; Miles; Murphy; Paddie; Sanford; Schaefer; Sheffield, J.; Simmons; Simpson; Springer; Stephenson; Taylor; Thompson, S.; Toth; Turner, E.S.; Vo; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bonnen, D.; Guillen; Oliveira; Stickland.

#### STATEMENT OF VOTE

When Record No. 230 was taken, I was excused because of family matters. I would have voted no.

Stickland

(D. Bonnen now present)

#### HB 674 ON SECOND READING (by Ratliff)

**HB 674**, A bill to be entitled An Act relating to providing notice of certain proposed municipal zoning changes to a school district.

Representative Ratliff moved to postpone consideration of **HB 674** until the end of today's calendar.

The motion prevailed.

#### CSHB 2016 ON SECOND READING (by Keffer)

**CSHB 2016**, A bill to be entitled An Act relating to the receipt or consideration of a petition requesting detachment and annexation by the board of trustees of a school district after adoption of consolidation resolutions.

**CSHB 2016** was passed to engrossment.

**HB 1348 ON SECOND READING****(by Menéndez, Anderson, et al.)**

**HB 1348**, A bill to be entitled An Act relating to the taxation of certain tangible personal property located inside a defense base development authority.

**HB 1348** was passed to engrossment.

(Geren in the chair)

**HB 1205 ON SECOND READING****(by Parker, Raymond, Zerwas, Fallon, Naishtat, et al.)**

**HB 1205**, A bill to be entitled An Act relating to the offense of failure to report abuse or neglect of a child.

**Amendment No. 1**

Representatives Dale and Sheets offered the following amendment to **HB 1205**:

Amend **HB 1205** (house committee printing) on page 1, line 20, by striking "mental retardation" and substituting "an intellectual disability [~~mental retardation~~]"

Amendment No. 1 was adopted.

**HB 1205**, as amended, was passed to engrossment.

**CSHB 519 ON SECOND READING****(by Zerwas, Ratliff, and Taylor)**

**CSHB 519**, A bill to be entitled An Act relating to voluntary donations to the Glenda Dawson Donate Life-Texas Registry.

Representative Zerwas moved to postpone consideration of **CSHB 519** until 9 a.m. Monday, April 22.

The motion prevailed.

**POSTPONED BUSINESS**

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

**HB 674 ON SECOND READING****(by Ratliff)**

**HB 674**, A bill to be entitled An Act relating to providing notice of certain proposed municipal zoning changes to a school district.

**HB 674** was read second time earlier today and was postponed until this time.

**HB 674** was passed to engrossment.

### FIVE-DAY POSTING RULE SUSPENDED

Representative Dutton moved to suspend the five-day posting rule to allow the Committee on Urban Affairs to consider **HB 1734** upon recess today in E2.016.

The motion prevailed.

### COMMITTEES GRANTED PERMISSION TO MEET

Pursuant to Rule 4, Section 9 of the House Rules, Representative T. King requested permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings. For purposes of this motion, those committees and subcommittees that are scheduled to meet upon adjournment or final recess today shall be considered to be scheduled to meet during bill referral today, and those committees and subcommittees that are scheduled to meet upon adjournment today shall be considered to be scheduled to meet upon final recess today.

Permission to meet was granted.

### FIVE-DAY POSTING RULE SUSPENDED

Representative Coleman moved to suspend the five-day posting rule to allow the Committee on County Affairs to consider **HB 297**, **HB 1384**, **HB 2438**, and the previously posted agenda at 10:30 a.m. or upon final adjournment tomorrow in E2.016.

The motion prevailed.

Representative Hilderbran moved to suspend the five-day posting rule to allow the Committee on Ways and Means to consider **HB 178**, **HB 500**, **HB 1202**, **HB 1655**, **HB 2139**, **HB 3121**, **HB 3542**, and **HJR 133** at 2 p.m. or upon final adjournment tomorrow in E2.014.

The motion prevailed.

Representative Creighton moved to suspend the five-day posting rule to allow the Select Committee on Federalism and Fiscal Responsibility to consider **HCR 61** and previously posted business at 2 p.m. or upon recess today in E2.036.

The motion prevailed.

### COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Urban Affairs, 10:30 a.m. or upon recess today, E2.016, for a public hearing, to consider **HB 1734** and the previously posted agenda.

Select Committee on Federalism and Fiscal Responsibility, 2 p.m. or upon recess today, E2.036, for a public hearing, to consider **HCR 61** and previously posted business.

Judiciary and Civil Jurisprudence, upon recess today, Desk 106, for a formal meeting, to consider pending business.

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

Ways and Means, 2 p.m. or upon final adjournment tomorrow, E2.014, for a public hearing, to consider **HB 178, HB 500, HB 1202, HB 1655, HB 2139, HB 3121, HB 3542, HJR 133**, and the previously posted agenda.

County Affairs, during bill referral today, 3W.15, for a formal meeting, to consider pending business.

County Affairs, 10:30 a.m. or upon final adjournment tomorrow, E2.016, for a public hearing, to consider **HB 297, HB 1384, HB 2438**, and the previously posted agenda.

### **PROVIDING FOR RECESS**

At 2:59 p.m., Representative Johnson moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house recess until 10 a.m. tomorrow in memory of Erlinda Villasana Reyes of Dallas.

The motion prevailed.

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

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

(Raymond in the chair)

### **RECESS**

In accordance with a previous motion, the house, at 3:09 p.m., recessed until 10 a.m. tomorrow.

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### **ADDENDUM**

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### **REFERRED TO COMMITTEES**

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

**List No. 1**

**HR 1467** (By Márquez), Congratulating The University of Texas at El Paso on the occasion of its 100th anniversary.

To Rules and Resolutions.

**HR 1468** (By Márquez), Congratulating Dr. Diana Natalicio on her 25th anniversary as president of The University of Texas at El Paso.

To Rules and Resolutions.

**HR 1469** (By Dale), Honoring the organization AT&T Veterans for 30 years of service to military personnel, veterans, and their families.

To Rules and Resolutions.

**HR 1470** (By Dale), Recognizing April 23, 2013, as Williamson County Day at the State Capitol.

To Rules and Resolutions.

**HR 1471** (By Reynolds), Congratulating Charles Dupre on his appointment as superintendent of the Fort Bend Independent School District.

To Rules and Resolutions.

**HR 1472** (By Hughes), In memory of Eric White of Quitman.

To Rules and Resolutions.

**HR 1473** (By Hughes), In memory of Anita Whitus Huff of Mineola.

To Rules and Resolutions.

**HR 1475** (By Giddings), Congratulating Kevin Brent Washington III of Cedar Hill on winning the intermediate novice 132-pound championship at the 2013 Dallas Golden Gloves Tournament.

To Rules and Resolutions.

**HR 1477** (By Dutton), Congratulating Levetta M. Washington of Houston on her 60th birthday.

To Rules and Resolutions.

**HR 1478** (By Guerra), Congratulating Richard Cortez on his retirement as mayor of McAllen.

To Rules and Resolutions.

**HR 1479** (By Isaac), Congratulating Kim Cousins on her retirement as principal of Dripping Springs High School.

To Rules and Resolutions.

**HR 1480** (By Isaac), Honoring Linda Kinney of Hays County for her service to her community.

To Rules and Resolutions.

**HR 1481** (By Harless), Honoring Carolyn Hodges for her service as president of the Texas Federation of Republican Women.

To Rules and Resolutions.

**HR 1482** (By Patrick), Commemorating the 90th anniversary of the Rotary Club of Arlington.

To Rules and Resolutions.

**HR 1483** (By Raney), Congratulating Emil Ogden of Brazos County on receiving the first annual Arrowmoon District Scouting Patron Award.

To Rules and Resolutions.

**HR 1484** (By D. Bonnen), Congratulating Michael Treybig on his retirement as head football coach and athletic director of the Palacios Independent School District.

To Rules and Resolutions.

**HR 1485** (By D. Bonnen), Congratulating Norman and Martha Wood of Lake Jackson on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1486** (By Farney), Congratulating Wayne and Barbara Rhea of Liberty Hill on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1487** (By Farney), Congratulating Ryan Kjos on being selected as head baseball coach at Gateway College Preparatory School in Georgetown.

To Rules and Resolutions.

**HR 1488** (By Farney), Congratulating Jamie Czajkowski of Rockdale High School on winning the Texas High School Powerlifting Association Division 2 state championship in the 198-pound weight class.

To Rules and Resolutions.

**HR 1489** (By Farney), Congratulating Kristin Curtis on her induction into the Tarleton State University Athletic Hall of Fame as a member of the 1991-1992 TexAnns basketball team.

To Rules and Resolutions.

**HR 1490** (By Farney), Commending Liberty Hill High School student Austin Zamarripa for his accomplishments.

To Rules and Resolutions.

**HR 1491** (By Farney), Commemorating the dedication of the Army Master Sergeant Charles L. Price III Memorial Highway.

To Rules and Resolutions.

**HR 1492** (By Farney), Congratulating Captain Richard Baum on his retirement from the Horseshoe Bay Police Department.

To Rules and Resolutions.

**HR 1493** (By J. Sheffield), Congratulating Joe D. Standridge, Jr., and Rea Standridge on the occasion of their retirement from Tarleton State University.

To Rules and Resolutions.

**HR 1494** (By Herrero), Honoring Juan "Johnny" Canales for his achievements in the entertainment industry and his civic contributions.

To Rules and Resolutions.



**HR 1495** (By Herrero), In memory of Elsa Brown of Robstown.  
To Rules and Resolutions.

**HR 1496** (By Herrero), Honoring Driscoll Children's Hospital of Corpus Christi and its founder, Clara Driscoll, on the occasion of the hospital's 60th anniversary.

To Rules and Resolutions.

**HR 1497** (By Herrero), In memory of Margaret Oliveira of Corpus Christi.  
To Rules and Resolutions.

**HR 1498** (By Herrero), Congratulating Kaffie Middle School in Corpus Christi on the 25th anniversary of its founding.

To Rules and Resolutions.

**HR 1500** (By Lozano), Congratulating Andy Dang of Beeville on receiving the Barnhart Scholarship.

To Rules and Resolutions.

**HR 1501** (By Lozano), Honoring Alice Chevrolet for donating a van to the local Boys & Girls Club.

To Rules and Resolutions.

**HR 1502** (By Farney), Commending residents of Georgetown for their fund-raising efforts in behalf of five-year-old Wynter Young.

To Rules and Resolutions.

**HR 1503** (By Farney), Honoring Stacy Page of Horseshoe Bay for her many good works.

To Rules and Resolutions.

**HR 1504** (By Fallon), Commemorating the dedication of a Historic Texas Cemetery Marker at Belew Cemetery in Aubrey.

To Rules and Resolutions.

**HR 1505** (By Fallon), Congratulating Adil Zahiruddin on his graduation from The University of Texas Southwestern Medical School.

To Rules and Resolutions.

**HR 1506** (By Fallon), Honoring Mahaley Millican of Aubrey High School for her volunteer work in Louisiana with Eight Days of Hope.

To Rules and Resolutions.

**HR 1507** (By Fallon), In memory of Viola Daniel of Van.

To Rules and Resolutions.

**HR 1508** (By Fallon), In memory of Abbie King of Aubrey.

To Rules and Resolutions.

**HR 1509** (By Fallon), Congratulating Taylor Couzens of Pilot Point High School on being named a Senior of the Month for February 2013 by the Lake Ray Roberts Rotary Club.

To Rules and Resolutions.

**HR 1510** (By Fallon), Congratulating Lakyn Griffin of Pilot Point High School on being named a Senior of the Month for February 2013 by the Lake Ray Roberts Rotary Club.

To Rules and Resolutions.

**HR 1511** (By Fallon), Congratulating Mayor Gregory "Pete" Hollar on his selection as the 2013 Citizen of the Year by the Pilot Point Chamber of Commerce.

To Rules and Resolutions.

**HR 1512** (By White), Honoring the Newton Garden Club on the 50th anniversary of its founding.

To Rules and Resolutions.

**HR 1513** (By D. Miller), Honoring Jewel Preston Looney of New Braunfels for his service during World War II.

To Rules and Resolutions.

**HR 1514** (By E. Thompson), In memory of Powell Allen "Pal" Scheumack of Houston.

To Rules and Resolutions.

**HR 1515** (By E. Thompson), In memory of Folabi Akanbi of Pearland.

To Rules and Resolutions.

**HR 1517** (By Larson), Recognizing April 23, 2013, as Texas Desalination Day.

To Rules and Resolutions.

**HR 1519** (By Flynn), Commemorating the 165th anniversary of Van Zandt County.

To Rules and Resolutions.

**HR 1520** (By Márquez), Commemorating the 90th anniversary of St. Joseph's School in El Paso.

To Rules and Resolutions.

**HR 1521** (By Strama), Commending the Texas chapters of the U.S. Green Building Council for promoting green building practices.

To Rules and Resolutions.

**HR 1522** (By J. Sheffield), Congratulating the Priddy High School Agricultural Mechanics Team on being named the overall grand champions at the Houston Livestock Show and Rodeo Agricultural Mechanics Project Show.

To Rules and Resolutions.

**HR 1523** (By J. Sheffield), Honoring the Glen Rose High School Academic Team on its 2013 district championship.

To Rules and Resolutions.

**HR 1524** (By Dukes), Commending Charles E. Dupre for his achievements as superintendent of the Pflugerville Independent School District.

To Rules and Resolutions.

**HR 1525** (By Craddick), Congratulating R. L. and Virginia Shelton of Midland on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 1526** (By Simmons), Commemorating the centennial of the city of Carrollton.

To Rules and Resolutions.

**HR 1528** (By Callegari), Congratulating former state representative Hill Kemp on the successful development of a solar desalination process.

To Rules and Resolutions.

**HR 1529** (By Callegari), Congratulating the Texas honorees in the 2012 Buick Achievers Scholarship Program.

To Rules and Resolutions.

**HR 1530** (By Morrison), In memory of Valerian Huvar of Victoria.

To Rules and Resolutions.

**HR 1531** (By Rose), In memory of Nathaniel Bradshaw of Dallas.

To Rules and Resolutions.

**HR 1533** (By Longoria), Honoring the La Joya Independent School District for its accomplishments.

To Rules and Resolutions.

**HR 1534** (By S. King), Congratulating the Stamford High School football team on winning the 2012 UIL 1A Division 1 state championship.

To Rules and Resolutions.

**HR 1535** (By S. King), Congratulating the Wylie High School tennis team on winning the 3A title at the 2013 Texas Tennis Coaches Association State Team Tennis Tournament.

To Rules and Resolutions.

**HR 1536** (By Guillen), Congratulating the 2014 Texas Commission on the Arts honorees.

To Rules and Resolutions.

**HR 1537** (By Guillen), Congratulating the 2013 Texas Commission on the Arts honorees.

To Rules and Resolutions.

**HR 1538** (By Lewis), In memory of E. C. Locklear.

To Rules and Resolutions.

**HR 1539** (By G. Bonnen), Congratulating Kimberley Rodgers on her receipt of a Five Star Spirit Award from the City of Friendswood.

To Rules and Resolutions.

**HR 1540** (By G. Bonnen), Congratulating Bryan Holcomb of Friendswood on receiving the 2013 State Farm Texas Scholar Award.

To Rules and Resolutions.

**HR 1541** (By G. Bonnen), Congratulating the Galveston County 4-H Senior Horse Quiz Bowl team on its achievements.

To Rules and Resolutions.

**HR 1542** (By G. Bonnen), Congratulating Rick Wade on his selection as a 2013 Galveston County Everyday Hero by the Galveston Daily News.

To Rules and Resolutions.

**HR 1543** (By R. Sheffield), In memory of Elinor Margaret Brooks Kettler of Brenham.

To Rules and Resolutions.

**HR 1544** (By Alonzo), Recognizing the City of Dallas Sanitation Department's Waste Diversion Team and its Spring Recycling Round-up.

To Rules and Resolutions.

**SB 346** to State Affairs.

**SB 446** to Appropriations.

**SB 709** to Public Education.

**SB 734** to Insurance.

**SB 772** to Agriculture and Livestock.

**SB 857** to Higher Education.

**SB 1224** to Ways and Means.

**SB 1265** to County Affairs.

**SB 1541** to Public Education.

**SB 1546** to Culture, Recreation, and Tourism.

**SB 1584** to Special Purpose Districts.

**SB 1729** to Homeland Security and Public Safety.

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

**SB 1803** to Human Services.

#### **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**

**HCR 95**

**Senate List No. 14**

**SB 398**

#### **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  
Wednesday, April 17, 2013 - 1

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 346** Seliger

Relating to reporting requirements of certain persons who do not meet the definition of political committee.

**SB 446** Eltife

Relating to allowable transfers to the Parks and Wildlife Department and the Texas Historical Commission of proceeds from the taxes on the sale, storage, or use of sporting goods.

**SB 489** Paxton

Relating to the authority of a taxing unit other than a school district to establish a limitation on the amount of ad valorem taxes that the taxing unit may impose on the residence homesteads of individuals who are disabled or elderly and their surviving spouses.

**SB 709** Lucio

Relating to representation of a person in a special education impartial due process hearing.

**SB 734** Carona

Relating to the licensing of captive insurance companies; authorizing fees and authorizing and imposing taxes.

**SB 772** Uresti

Relating to the elimination of obsolete and redundant reporting requirements for the Department of Agriculture.

**SB 778** Carona

Relating to trusts.

**SB 857** Seliger

Relating to the authority of the Texas Higher Education Coordinating Board regarding the initiation, consolidation, or elimination of a degree or certificate program offered by a public institution of higher education.

**SB 895** Davis

Relating to access to records of a nonprofit organization supporting the Cancer Prevention and Research Institute of Texas under the public information law.

**SB 992** Taylor

Relating to misrepresentations in connection with certain drug testing devices or equipment; providing penalties.

**SB 1224** Taylor

Relating to the use by a property owner of a common or contract carrier to send a payment, report, application, statement, or other document or paper to a taxing unit or taxing official.

**SB 1265** Nichols

Relating to the election of board members for emergency services districts in certain counties.

**SB 1390** Davis

Relating to an audit by the state auditor of the Texas Enterprise Fund.

**SB 1409** Patrick

Relating to public information regarding facilities of school districts and open-enrollment charter schools.

**SB 1541** Van de Putte

Relating to discipline of public school students by school bus drivers.

**SB 1546** Eltife

Relating to the management and use of the Texas preservation trust fund.

**SB 1584** Rodríguez

Relating to the validation of the dissolution of the Development Corporation of Presidio and the creation of the Presidio Municipal Development District.

**SB 1708** Rodríguez

Relating to the acquisition of certain real property in El Paso County for the construction of facilities for the Department of Public Safety of the State of Texas.

**SB 1729** Nichols

Relating to an agreement between the Department of Public Safety and a county for the provision of renewal and duplicate driver's license and other identification certificate services; authorizing a fee.

**SB 1730** Nichols

Relating to comprehensive development agreements of the Texas Department of Transportation or a regional mobility authority.

**SJR 32** Paxton

Proposing a constitutional amendment to authorize a political subdivision other than a school district to establish a limitation on the amount of ad valorem taxes that the political subdivision may impose on the residence homesteads of persons who are disabled or elderly and their surviving spouses.

Respectfully,

Patsy Spaw

Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**April 16**

Agriculture and Livestock - **HB 1781, HB 2761, HB 2993**

Appropriations - **HB 3188, SB 559, SB 758**

Corrections - **HB 2719**

Defense and Veterans' Affairs - **SB 530**

Economic and Small Business Development - **HB 494, HB 660, HB 916, HB 1580, HB 2482**

Government Efficiency and Reform - **HB 2471, HB 2851, HB 3436, HB 3647**

International Trade and Intergovernmental Affairs - **HB 1970**

Investments and Financial Services - **HB 2459, HB 2561**

Judiciary and Civil Jurisprudence - **HB 1530, HB 1869, HB 2302**

Land and Resource Management - **HB 1250, HB 2892, HB 3459, HB 3577**

Pensions - **HB 2444, HB 3356, SB 200, SB 366, SB 649**

Public Education - **HB 202, HB 885, HB 897, HB 1328, HB 2318, HB 2836**

Public Health - **HB 772, HB 970, HB 1018, HB 1085, HB 2627**

State Affairs - **HB 3355, HCR 1**

Technology - **HB 889, HB 2576, HB 2638**

Transportation - **HB 2585, HB 2743, SB 487**

Ways and Means - **HB 1596**

**ENROLLED**

**April 16 - HCR 95**

