

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-FIRST DAY — TUESDAY, APRIL 30, 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 375).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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, 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; Oliveira; 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; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Carter; Fallon; King, P.

The speaker recognized Representative Smith who introduced Reverend Paul E. Lowe, Jr., pastor, First Christian Church of Baytown, who offered the invocation as follows:

Holy Father, you have given us another day of opportunity to serve the people. I stand here in this great chamber with many who have chosen to focus their time and energy in making decisions for the State of Texas and its people. This is not an easy task, Father, to compete with all of the many ideas being shared and coming up with what is right.

Today, I ask for your guidance for everyone to prepare their hearts, minds, and ears to the information shared, remembering that peace and harmony should always prevail in reaching positive decisions that would benefit our state. I ask for your blessings on everyone assembled here today. Please direct everyone

accordingly in their endeavors. I thank you for your love and patience with all humanity in their trying to do what is right not only for Texas, but also our country and the world. In your Most Holy Name, I pray. Amen.

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

LEAVES OF ABSENCE GRANTED

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

Fallon on motion of Toth.

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

Carter on motion of J. Davis.

CAPITOL PHYSICIAN

The speaker recognized Representative Howard who presented Dr. William Medrano of Austin as the "Doctor for the Day."

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

(Lozano in the chair)

LEAVE OF ABSENCE GRANTED

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

Branch on motion of J. Sheffield.

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).

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. 21).

HR 1619 - ADOPTED (by Springer)

Representative Springer moved to suspend all necessary rules to take up and consider at this time **HR 1619**.

The motion prevailed.

The following resolution was laid before the house:

HR 1619, In memory of Giles W. Dalby of Post.

HR 1619 was read and was unanimously adopted by a rising vote.

On motion of Representative Darby, the names of all the members of the house were added to **HR 1619** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Springer who introduced family members and friends of Giles W. Dalby.

HR 1417 - PREVIOUSLY ADOPTED (by Lewis)

The chair laid out the following previously adopted resolution:

HR 1417, Recognizing October 2013 as Dwarfism Awareness Month.

HR 1536 - PREVIOUSLY ADOPTED (by Guillen)

The chair laid out the following previously adopted resolution:

HR 1536, Congratulating the 2014 Texas Commission on the Arts honorees.

On motion of Representative Márquez, the names of all the members of the house were added to **HR 1536** as signers thereof.

HR 1537 - PREVIOUSLY ADOPTED (by Guillen)

The chair laid out the following previously adopted resolution:

HR 1537, Congratulating the 2013 Texas Commission on the Arts honorees.

On motion of Representative Márquez, the names of all the members of the house were added to **HR 1537** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Guillen who introduced 2013 and 2014 Texas Commission on the Arts honorees.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 11:15 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, 11:15 a.m. today, 3W.15, for a formal meeting, to set a calendar.

HR 1678 - ADOPTED (by Harless)

Representative Harless moved to suspend all necessary rules to take up and consider at this time **HR 1678**.

The motion prevailed.

The following resolution was laid before the house:

HR 1678, Congratulating Ron Hickman, Harris County Precinct 4 constable, on his selection as the National Constable of the Year by the National Constables and Marshals Association.

HR 1678 was adopted.

On motion of Representatives Fletcher and Riddle, the names of all the members of the house were added to **HR 1678** as signers thereof.

HR 1802 - ADOPTED
(by Reynolds)

Representative Reynolds moved to suspend all necessary rules to take up and consider at this time **HR 1802**.

The motion prevailed.

The following resolution was laid before the house:

HR 1802, Recognizing April 30, 2013, as Tri-County Black Chamber of Commerce Day at the State Capitol.

HR 1802 was adopted.

HR 1749 - ADOPTED
(by Fallon)

Representative Parker moved to suspend all necessary rules to take up and consider at this time **HR 1749**.

The motion prevailed.

The following resolution was laid before the house:

HR 1749, Commending The Colony for being named a finalist for the National Civic League All-America City Award.

HR 1749 was adopted.

On motion of Representative Crownover, the names of all the members of the house were added to **HR 1749** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Parker who introduced a delegation from The Colony.

(Parker in the chair)

HR 1814 - ADOPTED
(by Hunter)

Representative Hunter moved to suspend all necessary rules to take up and consider at this time **HR 1814**.

The motion prevailed.

The following resolution was laid before the house:

HR 1814, Recognizing April 30, 2013, as Tourism Day.

HR 1814 was adopted.

(Raney in the chair)

HR 1741 - ADOPTED
(by Lozano and Hunter)

Representative Lozano moved to suspend all necessary rules to take up and consider at this time **HR 1741**.

The motion prevailed.

The following resolution was laid before the house:

HR 1741, Recognizing April 30, 2013, as San Patricio County Day.

HR 1741 was adopted.

On motion of Representative Hunter, the names of all the members of the house were added to **HR 1741** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Lozano who introduced a delegation from San Patricio County.

HR 921 - PREVIOUSLY ADOPTED
(by Larson)

The chair laid out the following previously adopted resolution:

HR 921, Commending the San Antonio Water System on its water preservation initiatives.

On motion of Representative Farias, the names of all the members of the house were added to **HR 921** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Larson who introduced representatives of the San Antonio Water System.

(Speaker in the chair)

MAJOR STATE CALENDAR
SENATE BILLS
THIRD READING

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

SB 202 ON THIRD READING
(Price and Guillen - House Sponsors)

SB 202, A bill to be entitled An Act relating to the continuation and functions of the Texas Commission on the Arts.

Amendment No. 1

Representative Price offered the following amendment to **SB 202**:

Amend **SB 202** on third reading as follows:

(1) In Subsection (c) of SECTION 5 of the bill, directing the governor to appoint members to the Texas Commission on the Arts for terms scheduled to begin September 1, 2015, immediately following the period (page 2, line 23), insert the following:

Two of the three members appointed to the commission for terms expiring August 31, 2021, must be residents of a county with a population of less than 50,000, as provided by Section 444.003, Government Code.

(2) Add the following appropriately lettered subsection to SECTION 5 of the bill and reletter subsequent subsections accordingly:

() To the extent that the reduction in positions on the Texas Commission on the Arts under this Act causes the composition of the commission to violate the residency requirement of Section 444.003(a), Government Code, that provision of law is suspended from the effective date of this Act until September 1, 2015.

Amendment No. 1 was adopted.

SB 202, as amended, was passed by (Record 376): 118 Yeas, 26 Nays, 1 Present, not voting.

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

Nays — Bell; Bohac; Bonnen, D.; Bonnen, G.; Button; Capriglione; Frank; Goldman; Gooden; Isaac; Klick; Krause; Laubenberg; Leach; Perry; Sanford; Schaefer; Simpson; Springer; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Naishtat.

STATEMENT OF VOTE

I was shown voting yes on Record No. 376. I intended to vote no.

Simmons

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 52 ON THIRD READING
(by Flynn)**

HB 52, A bill to be entitled An Act relating to the sale of a cemetery plot; providing penalties; authorizing a fee.

HB 52 was passed by (Record 377): 137 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycocock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Capriglione; Klick; Laubenberg; Perry; Phillips; Schaefer; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Thompson, E.

STATEMENT OF VOTE

When Record No. 377 was taken, my vote failed to register. I would have voted no.

E. Thompson

**HB 346 ON THIRD READING
(by Deshotel)**

HB 346, A bill to be entitled An Act relating to the electronic storage of personal identification information obtained from driver's licenses or personal identification certificates.

HB 346 was passed by (Record 378): 141 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; 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; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Schaefer; Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Hughes; Thompson, E.

STATEMENT OF VOTE

When Record No. 378 was taken, I was in the house but away from my desk. I would have voted yes.

E. Thompson

HB 671 ON THIRD READING

(by Ratliff, et al.)

HB 671, A bill to be entitled An Act relating to the calculation of the rollback tax rate of a school district.

HB 671 was passed by (Record 379): 113 Yeas, 31 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Burnam; Callegari; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Geren; Giddings; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hunter; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Lavender; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez;

Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Sheffield, R.; Simpson; Smith; Springer; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Bohac; Bonnen, D.; Bonnen, G.; Burkett; Capriglione; Dale; Elkins; Frank; Goldman; Gonzales; Harper-Brown; Hughes; Isaac; Klick; Krause; Laubenberg; Leach; Orr; Perry; Sanford; Schaefer; Sheets; Simmons; Smithee; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Button.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 379. I intended to vote no.

Creighton

I was shown voting yes on Record No. 379. I intended to vote no.

Gooden

I was shown voting yes on Record No. 379. I intended to vote no.

Parker

I was shown voting no on Record No. 379. I intended to vote yes.

Villalba

HB 1791 ON THIRD READING

(by J. Davis, Lucio, Oliveira, Anderson, et al.)

HB 1791, A bill to be entitled An Act relating to the facilitation and operation of space flight activities in this state.

HB 1791 was passed by (Record 380): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; 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, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto;

Paddie; Parker; Patrick; Perez; Perry; 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; Stickland; 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); Geren.

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Lavender; Phillips.

HB 3188 ON THIRD READING

(by Otto)

HB 3188, A bill to be entitled An Act relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.

HB 3188 was passed by (Record 381): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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, 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; Oliveira; 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; Stickland; 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 — Branch; Carter; Fallon; King, P.

The speaker stated that **HB 3188** was passed subject to the provisions of Article III, Section 49a of the Texas Constitution.

HB 2836 ON THIRD READING**(by Ratliff, Farney, K. King, Patrick, Huberty, et al.)**

HB 2836, A bill to be entitled An Act relating to the requirements for and use of certain state-administered assessment instruments administered to public school students.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Calendars:

Cook on motion of Raymond.

Frullo on motion of Raymond.

Geren on motion of Raymond.

Hunter on motion of Raymond.

Kuempel on motion of Raymond.

HB 2836 - (consideration continued)

(Márquez in the chair)

Amendment No. 1

Representative Lavender offered the following amendment to **HB 2836**:

Amend **HB 2836** by striking page 1, line 6, through page 3, line 8, and substituting the following:

SECTION 1. Section 39.023(a), Education Code, is amended to read as follows:

(a) The agency shall adopt an assessment instrument described under this subsection ~~[or develop appropriate criterion referenced assessment instruments designed]~~ to assess essential knowledge and skills in reading, writing, mathematics, social studies, and science. ~~All [Except as provided by Subsection (a-2), all]~~ students, other than students assessed under Subsection (b) or (l) or exempted under Section 39.027, shall be assessed annually in grades three through eight using that assessment instrument[-

~~(1) mathematics, annually in grades three through seven without the aid of technology and in grade eight with the aid of technology on any assessment instrument that includes algebra;~~

~~(2) reading, annually in grades three through eight;~~

~~(3) writing, including spelling and grammar, in grades four and seven;~~

~~(4) social studies, in grade eight;~~

~~(5) science, in grades five and eight;]~~ and in

~~(6)]~~ any other subject and grade as required by federal law. The agency may adopt one of the following assessment instruments as required under this subsection:

(1) SAT;

(2) ACT;

(3) PSAT/NMSQT;

(4) Stanford Achievement Test (SAT-9 or SAT-10);

- (5) Iowa Test of Basic Skills (ITBS);
- (6) National Assessment of Educational Progress (NAEP);
- (7) Independent School Entrance Exam (ISEE);
- (8) Secondary School Admission Test (SSAT);
- (9) EXPLORE;
- (10) PLAN;
- (11) International Baccalaureate Exam (IB); and
- (12) Advanced Placement Exams (AP).

SECTION 2. Sections 39.023(a-1) and (a-2), Education Code are repealed.

(Frullo now present)

Amendment No. 1 - Point of Order

Representative S. Thompson raised a point of order against further consideration of Amendment No. 1.

The point of order was withdrawn.

(Geren and Hunter now present)

Amendment No. 2

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

Amend Amendment No. 1 to **HB 2836** on third reading by Lavender on page 1, line 26, between "subsection" and the colon, by inserting ", as long as the company that creates or writes the instrument is at least 51 percent American-owned"

Amendment No. 2 was adopted.

(Kuempel now present)

Representative Ratliff moved to table Amendment No. 1, as amended.

The motion to table was lost by (Record 382): 65 Yeas, 73 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Bell; Burnam; Coleman; Collier; Cortez; Craddick; Crownover; Darby; Davis, Y.; Dukes; Dutton; Eiland; Farney; Farrar; Geren; Giddings; González, M.; Guerra; Harless; Hernandez Luna; Herrero; Howard; Kacal; King, K.; King, S.; Kolkhorst; Kuempel; Larson; Longoria; Lucio; Martinez; Martinez Fischer; Miles; Moody; Naishtat; Nevárez; Oliveira; Otto; Patrick; Perez; Pitts; Price; Ratliff; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Smith; Strama; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu.

Nays — Ashby; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Creighton; Dale; Davis, J.; Davis, S.; Deshotel; Elkins; Farias; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harper-Brown; Hilderbran; Hughes; Isaac; Johnson; Kleinschmidt; Klick; Krause; Laubenberg; Lavender; Leach; Lewis; Lozano;

McClendon; Menéndez; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Orr; Paddie; Parker; Perry; Phillips; Pickett; Raney; Raymond; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Zedler; Zerwas.

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

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent, Excused, Committee Meeting — Cook.

Absent — Huberty; Hunter; Keffer; King, T.; Smithee.

STATEMENTS OF VOTE

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

Bell

When Record No. 382 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

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

Hunter

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

Paddie

(Cook now present)

HR 1782 - ADOPTED (by Simmons and Gonzales)

Representative Simmons moved to suspend all necessary rules to take up and consider at this time **HR 1782**.

The motion prevailed.

The following resolution was laid before the house:

HR 1782, Recognizing April 30, 2013, as Autism Awareness Day at the State Capitol.

HR 1782 was adopted.

On motion of Representatives Lucio and Menéndez, the names of all the members of the house were added to **HR 1782** as signers thereof.

HB 2836 - (consideration continued)

Amendment No. 1, as amended, was withdrawn.

Representative Ratliff moved to postpone consideration of **HB 2836** until the end of third reading bills on today's General State Calendar.

The motion prevailed.

HB 1762 ON THIRD READING**(by Price)**

HB 1762, A bill to be entitled An Act relating to workers' compensation and other remedies available to an injured temporary employee.

HB 1762 was passed by (Record 383): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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; King, K.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; 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; Springer; Stephenson; Stickland; 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; Márquez(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Keffer; Klick; Morrison; Smithee.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 383. I intended to vote no.

Creighton

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

Morrison

HB 394 ON THIRD READING**(by S. Thompson)**

HB 394, A bill to be entitled An Act relating to limits on prizes for bingo games.

HB 394 was passed by (Record 384): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Dukes; Dutton; Eiland; Elkins; 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; King, K.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; 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; Stickland; 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; Márquez(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Deshotel; Keffer; Klick; Lozano; Murphy.

STATEMENT OF VOTE

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

Deshotel

HB 2811 ON THIRD READING (by Toth, et al.)

HB 2811, A bill to be entitled An Act relating to programs provided by volunteer organizations to inmates in the Texas Department of Criminal Justice.

HB 2811 was passed by (Record 385): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; 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; Stickland; 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; Márquez(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Keffer.

HB 1548 ON THIRD READING
(by Callegari and Parker)

HB 1548, A bill to be entitled An Act relating to the effect of certain agreements with a collective bargaining organization on certain state-funded public work contracts.

HB 1548 was passed by (Record 386): 85 Yeas, 56 Nays, 2 Present, not voting.

Yeas — Anderson; Ashby; Aycock; Bell; Bonnen, D.; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Clardy; Cook; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pitts; Price; Raney; Ratliff; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Burnam; Canales; Coleman; Collier; Cortez; Creighton; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King, T.; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, R.; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Wu.

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

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Bohac; Keffer; Simpson.

STATEMENTS OF VOTE

I was shown voting no on Record No. 386. I intended to vote yes.

Creighton

I was shown voting no on Record No. 386. I intended to vote yes.

R. Sheffield

When Record No. 386 was taken, I was at my desk voting and preparing to vote on this bill and others. I thought I had voted aye, but must have neglected to do so. I would have voted yes.

Simpson

HB 885 ON THIRD READING

(by Murphy, Harper-Brown, Ratliff, Huberty, et al.)

HB 885, A bill to be entitled An Act relating to the guarantee of refinanced open-enrollment charter school bonds by the permanent school fund.

HB 885 was passed by (Record 387): 139 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; 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; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Phillips.

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

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Keffer; Nevárez; Turner, E.S.; White.

STATEMENTS OF VOTE

When Record No. 387 was taken, I was in the house but away from my desk. I would have voted no.

Nevárez

When Record No. 387 was taken, I was temporarily out of the house chamber. I would have voted yes.

White

HB 1231 ON THIRD READING
(by Giddings)

HB 1231, A bill to be entitled An Act relating to the application of the offenses of disrupting public school classes or transportation to persons younger than 12 years of age.

HB 1231 was passed by (Record 388): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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; Hunter; Isaac; Johnson; Kacal; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; 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; Stickland; 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; Márquez(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Hughes; Keffer.

HB 1310 ON THIRD READING
(by Button, Bohac, N. Gonzalez, Paddie, Eiland, et al.)

HB 1310, A bill to be entitled An Act relating to the exclusion from total revenue of the cost of certain vaccines for purposes of the franchise tax.

HB 1310 was passed by (Record 389): 135 Yeas, 7 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Johnson; Kacal; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach;

Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; 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.; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zerwas.

Nays — Capriglione; Goldman; Harless; Isaac; Simmons; Turner, E.S.; Zedler.

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

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Keffer; Workman.

HB 2439 ON THIRD READING
(by Parker, Carter, et al.)

HB 2439, A bill to be entitled An Act relating to the review of certain contracts by the state auditor.

HB 2439 was passed by (Record 390): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Dukes; Dutton; Eiland; Elkins; 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; King, K.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; 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; Stickland; 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; Márquez(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Deshotel; Keffer; Klick.

STATEMENT OF VOTE

When Record No. 390 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 1815 ON THIRD READING
(Zerwas, Ratliff, and Taylor - House Sponsors)**

SB 1815, A bill to be entitled An Act relating to voluntary donations to the Glenda Dawson Donate Life-Texas Registry.

SB 1815 was passed by (Record 391): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; 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; Stickland; 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; Márquez(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Keffer.

**SB 312 ON THIRD READING
(Laubenberg - House Sponsor)**

SB 312, A bill to be entitled An Act relating to the regulation of speech-language pathology and audiology and the fitting and dispensing of hearing instruments.

SB 312 was passed by (Record 392): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; 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; Stickland; 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; Márquez(C).

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Cortez; Creighton; Keffer.

SB 120 ON THIRD READING

(N. Gonzalez, Branch, et al. - House Sponsors)

SB 120, A bill to be entitled An Act relating to the creation of the Texas Tech University Health Sciences Center at El Paso as a component institution of the Texas Tech University System.

SB 120 was passed by (Record 393): 141 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; 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, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez(C); Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff;

Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Bonnen, D.; Sanford; Zedler.

Present, not voting — Mr. Speaker.

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Davis, J.

SB 297 ON THIRD READING
(Flynn - House Sponsor)

SB 297, A bill to be entitled An Act relating to prepaid funeral benefits contracts.

SB 297 was passed by (Record 394): 122 Yeas, 17 Nays, 2 Present, not voting.

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

Nays — Capriglione; Isaac; Klick; Krause; Laubenberg; Parker; Patrick; Perry; Phillips; Sanford; Schaefer; Sheets; Simpson; Stickland; Taylor; Turner, E.S.; White.

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

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Button; Cortez; Davis, J.; Gonzales; Hughes.

STATEMENTS OF VOTE

When Record No. 394 was taken, I was excused because of important business in the district. I would have voted no.

Branch

I was shown voting yes on Record No. 394. I intended to vote no.

Toth

SB 900 ON THIRD READING
(Wu - House Sponsor)

SB 900, A bill to be entitled An Act relating to the amounts of the administrative, civil, and criminal penalties for violating certain statutes under the jurisdiction of, rules or orders adopted by, or licenses, permits, or certificates issued by the Railroad Commission of Texas.

SB 900 was passed by (Record 395): 133 Yeas, 5 Nays, 2 Present, not voting.

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

Nays — Bell; Schaefer; Springer; Stickland; Taylor.

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

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Cortez; Elkins; Gonzales; Johnson; Ritter; Sheffield, J.

STATEMENT OF VOTE

I was shown voting yes on Record No. 395. I intended to vote no.

E. S. Turner

SB 966 ON THIRD READING
(Perry - House Sponsor)

SB 966, A bill to be entitled An Act relating to creation of the Judicial Branch Certification Commission and the consolidation of judicial profession regulation; imposing penalties; authorizing fees.

SB 966 was passed by (Record 396): 134 Yeas, 7 Nays, 2 Present, not voting.

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

Nays — Dale; Harless; Klick; Krause; Schaefer; Simpson; White.

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

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Cortez; Elkins; Hughes.

STATEMENTS OF VOTE

I was shown voting no on Record No. 396. I intended to vote yes.

Harless

I was shown voting yes on Record No. 396. I intended to vote no.

Harper-Brown

SB 1730 ON THIRD READING (Phillips - House Sponsor)

SB 1730, A bill to be entitled An Act relating to comprehensive development agreements of the Texas Department of Transportation or a regional mobility authority.

SB 1730 was passed by (Record 397): 113 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farney; Farrar; Fletcher; Flynn; Frullo; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kuempel; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat;

Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Smith; Smithee; Stephenson; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Capriglione; Elkins; Farias; Frank; Goldman; Harless; Hilderbran; Hughes; Isaac; Kleinschmidt; Klick; Kolkhorst; Krause; Larson; Laubenberg; Lavender; Leach; Morrison; Perry; Sanford; Schaefer; Sheffield, R.; Simmons; Simpson; Springer; Stickland; Taylor; Turner, E.S.; White.

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

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Cortez; Menéndez.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 397. I intended to vote no.

Anderson

I was shown voting yes on Record No. 397. I intended to vote no.

Bohac

I was shown voting yes on Record No. 397. I intended to vote no.

Creighton

I was shown voting no on Record No. 397. I intended to vote yes.

Springer

SB 945 ON THIRD READING (S. Davis - House Sponsor)

SB 945, A bill to be entitled An Act relating to the identification requirements of certain health care providers associated with a hospital.

SB 945 was passed by (Record 398): 107 Yeas, 27 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Burnam; Button; Callegari; Canales; Capriglione; Coleman; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Howard; Hunter; Kacal; King, K.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sheets;

Sheffield, J.; Sheffield, R.; Simpson; Smith; Springer; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Ashby; Bell; Bonnen, D.; Bonnen, G.; Clardy; Creighton; Frank; Frullo; Goldman; Harless; Isaac; Klick; Krause; Kuempel; Miller, R.; Perry; Phillips; Sanford; Schaefer; Simmons; Smithee; Stickland; Taylor; Thompson, E.; Toth; White; Zedler.

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

Absent, Excused — Branch; Carter; Fallon; King, P.

Absent — Anderson; Burkett; Cortez; Hilderbran; Huberty; Hughes; Johnson; Keffer; Rose; Turner, E.S.

STATEMENTS OF VOTE

When Record No. 398 was taken, I was excused because of important business in the district. I would have voted no.

Branch

When Record No. 398 was taken, my vote failed to register. I would have voted yes.

Burkett

I was shown voting yes on Record No. 398. I intended to vote no.

Crownover

When Record No. 398 was taken, I was in the house but away from my desk. I would have voted no.

Hilderbran

When Record No. 398 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

I was shown voting yes on Record No. 398. I intended to vote no.

S. King

POSTPONED BUSINESS

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

HB 2836 ON THIRD READING

(by Ratliff, Farney, K. King, Patrick, Huberty, et al.)

HB 2836, A bill to be entitled An Act relating to the requirements for and use of certain state-administered assessment instruments administered to public school students.

HB 2836 was read third time earlier today, amendments were offered and disposed of, and **HB 2836** was postponed until this time.

Representative Ratliff moved to postpone consideration of **HB 2836** until 1 p.m. today.

The motion prevailed.

HB 939 ON SECOND READING
(by J. Davis)

HB 939, A bill to be entitled An Act relating to repealing the employment and training investment assessment; changing the rate of certain unemployment taxes.

HB 939 was read second time on April 29 and was postponed until 8 a.m. today.

Amendment No. 1

Representative J. Davis offered the following amendment to **HB 939**:

Amend **HB 939** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. TRANSFER. On the effective date of this Act:

(1) 15 percent of the amount in the employment and training investment holding fund under Section 204.122, Labor Code, and 1 percent of the amount in the training stabilization fund under Section 302.101, Labor Code, shall be transferred to the Texas Workforce Commission to be used for one-time expenses related to workforce development or the administration of Subtitle A, Title 4, Labor Code; and

(2) the Texas Workforce Commission shall transfer 15 percent of the total amount received by the commission under Subdivision (1) of this section to the Texas Veterans Commission to be used to fund employment programs for veterans.

SECTION 2. EFFECTIVE DATE. This Act takes effect September 1, 2013.

Amendment No. 1 was adopted.

HB 939, as amended, was passed to engrossment.

GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 489 ON SECOND READING
(by Menéndez)

CSHB 489, A bill to be entitled An Act relating to rights and responsibilities of persons with disabilities, including with respect to the use of assistance animals that provide assistance to those persons; providing penalties.

HR 1214 - PREVIOUSLY ADOPTED
(by Coleman)

The chair laid out the following previously adopted resolution:

HR 1214, Recognizing April 30, 2013, as County Government Day at the State Capitol.

CSHB 489 - (consideration continued)

Amendment No. 1

Representative Menéndez offered the following amendment to **CSHB 489**:

Amend **CSHB 489** (house committee printing) as follows:

- (1) On page 1, line 9, strike "ASSISTANCE" and substitute "SERVICE".
- (2) On page 1, line 11, strike "an assistance" and substitute "a service".
- (3) On page 1, line 15, strike "assistance" and substitute "service".
- (4) On page 1, line 17, strike "assistance" and substitute "service".
- (5) On page 1, line 19, strike "an assistance" and substitute "a service".
- (6) On page 2, line 1, strike "assistance" and substitute "service".
- (7) On page 2, line 3, strike "assistance" and substitute "service".
- (8) On page 2, line 5, strike "assistance animal" and substitute "service animal".
- (9) On page 2, line 8, strike "an assistance" and substitute "a service".
- (10) On page 2, line 9, strike "an assistance" and substitute "a service".
- (11) On page 2, line 24, strike "means" and substitute "and service animal" mean [means]".
- (12) On page 4, line 12, strike "an assistance" and substitute "a service [an assistance]".
- (13) On page 4, line 27, strike "an assistance" and substitute "a service [an assistance]".
- (14) On page 5, line 5, strike "An assistance" and substitute "A service [An assistance]".
- (15) On page 5, line 13, strike "an assistance" and substitute "a service".
- (16) On page 5, line 15, strike "assistance animal" and substitute "service animal".
- (17) On page 5, line 18, strike "an assistance" and substitute "a service".
- (18) On page 5, line 20, strike "assistance" and substitute "service".
- (19) On page 5, line 22, strike "assistance" and substitute "service".
- (20) On page 6, line 26, strike "an assistance" and substitute "a service [an assistance]".
- (21) On page 7, line 2, strike "assistance" and substitute "service [assistance]".
- (22) On page 7, line 18, strike "Assistance" and substitute "Service".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Taylor offered the following amendment to **CSHB 489**:

Amend **CSHB 489** (house committee report) as follows:

(1) Strike page 2, line 24 through page 3, line 6 and substitute the following:

- (1) "Assistance animal" means:

(A) an animal that is specially trained or equipped to help a person with a disability and that [:

~~[(A)] is used by a person with a disability; or [who has satisfactorily completed a specific course of training in the use of the animal; and]~~

(B) a service dog that is trained or being trained by a person with a certification issued by the National Association for Search and Rescue or another state or nationally recognized search and rescue agency to be a search and rescue dog that assists a law enforcement agency, fire department, or state or nationally recognized search and rescue agency in search and rescue activities ~~[has been trained by an organization generally recognized by agencies involved in the rehabilitation of persons with disabilities as reputable and competent to provide animals with training of this type].~~

(2) On page 5, line 5, between "training" and "shall" insert "or use".

Amendment No. 2 was adopted.

Amendment No. 3

Representative R. Sheffield offered the following amendment to **CSHB 489**:

Amend **CSHB 489** on page 2, line 24, by striking "an animal" and substituting "a canine ~~[an animal]~~".

Amendment No. 3 was adopted.

CSHB 489, as amended, was passed to engrossment. (Button, Flynn, Schaefer, and Simpson recorded voting no.)

CSHB 517 ON SECOND READING (by Pitts and Price)

CSHB 517, A bill to be entitled An Act relating to the eligibility of inmates convicted of certain intoxication offenses for release on parole or mandatory supervision.

Amendment No. 1

Representative Martinez Fischer offered the following amendment to **CSHB 517**:

Amend **CSHB 517** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subtitle B, Title 4, Government Code, is amended by adding Chapter 423 to read as follows:

CHAPTER 423. DRIVING WHILE INTOXICATED PREVENTION

Sec. 423.001. DEFINITION. In this chapter, "offense relating to the operating of a motor vehicle while intoxicated" has the meaning assigned by Section 49.09(c), Penal Code.

Sec. 423.002. STUDIES. (a) The office of the governor shall conduct a biennial study on driving while intoxicated in this state that monitors and analyzes:

(1) the efficacy of restrictions on eligibility for release on parole or to mandatory supervision for persons convicted of certain intoxication offenses in deterring or preventing future intoxication offenses, including the provisions of 508.145(d)(1) and 508.149(a), Government Code, as amended by Chapter 1 (SB 24) and 122 (HB 3000), Acts of the 82nd Legislature, Regular Session

(2) driving while intoxicated data collected in this state, including data relating to:

(A) driving fatalities involving intoxicated drivers;

(B) automatic driver's license suspensions by the Department of Public Safety for convictions of an offense relating to the operating of a motor vehicle while intoxicated; and

(C) the number of intoxication offenses resulting in a sentence of 25 years or more for an offense under Chapter 49, Penal Code

(3) the laws and programs of other states that have been successful in reducing the occurrence of offenses relating to the operating of a motor vehicle while intoxicated, including sentencing of intoxication offenses;

(4) the impact on public safety of repeat and habitual offenders and intoxication offenses causing serious bodily injury or death, including the sentencing of intoxication offenses; and

(b) Based on the studies conducted under Subsection (a), the office of the governor shall collaborate with the Texas Department of Transportation, the Department of Public Safety, and the Department of State Health Services to reduce alcoholism and recidivism and the number of driving while intoxicated offenses committed in this state, including repeat and habitual offenses and offenses causing serious bodily injury or death.

(c) Not later than January 1 of each odd-numbered year, the office of the governor shall submit a report to the legislature that:

(1) describes the total number of sentences imposed of 25 years or more for an offense under Chapter 49, Penal Code

(2) describes the success of state laws and programs in reducing the occurrence of offenses relating to the operating of a motor vehicle while intoxicated;

(3) analyzes the efficacy of restrictions on eligibility for release on parole or to mandatory supervision for persons convicted of certain intoxication offenses in deterring or preventing future intoxication offenses; and

(4) recommends legislation relating to the prevention of those offenses in this state, including repeat and habitual offenses and offenses causing serious bodily injury or death.

Amendment No. 1 was adopted.

CSHB 517 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE WU: Mr. Pitts, I just want to make sure I clarify. In the bill, it says 25 years for an offense. Now, intoxication manslaughter is one of the few offenses in the state penal code that is what we call a "stackable" offense. Most of the time, when there is a crime where there are multiple charges out of that crime, the charges, if you get convicted on all of them, those sentences run concurrently.

That means they run all together at the same time. Does your bill intend to calculate the 25 years based on an offense that is stacked, or a single offense that a person receives 25 years?

REPRESENTATIVE PITTS: A singular offense.

WU: Okay, so that, if a person—if there is an intoxication manslaughter charge where, let's say, multiple people were killed, and that person received 10 years for each of those deaths, that person would not fall into this bill?

PITTS: That is right.

CSHB 517, as amended, was passed to engrossment.

HB 545 ON SECOND READING

(by J. Davis, Oliveira, Craddick, and Anderson)

HB 545, A bill to be entitled An Act relating to the authority of a municipality to authorize the creation of a spaceport development corporation.

HB 545 was passed to engrossment. (Schaefer, Simpson, Toth, and White recorded voting no.)

HB 580 ON SECOND READING

(by Howard, et al.)

HB 580, A bill to be entitled An Act relating to use of compensatory education allotment funding to provide assistance with child care to students at risk of dropping out of school.

HB 580 was passed to engrossment. (Anderson, Carter, Flynn, Schaefer, Taylor, and Toth recorded voting no.)

REMARKS ORDERED PRINTED

Representative Wu moved to print remarks between Representative Pitts and Representative Wu on **CSHB 517**.

The motion prevailed.

HB 590 ON SECOND READING

(by Naishtat)

HB 590, A bill to be entitled An Act relating to determining a child's eligibility for a school district's special education program on the basis of a visual impairment.

Representative Naishtat moved to postpone consideration of **HB 590** until 4:30 p.m. today.

The motion prevailed.

CSHB 827 ON SECOND READING**(by K. King, Clardy, Larson, Raymond, Ritter, et al.)**

CSHB 827, A bill to be entitled An Act 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.

(Keffer in the chair)

Amendment No. 1

Representatives K. King and Y. Davis offered the following amendment to **CSHB 827**:

Amend **CSHB 827** (house committee printing) on page 1, line 12, between "county" and "to" by inserting "with a population of 50,000 or less".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Springer offered the following amendment to **CSHB 827**:

Amend **CSHB 827** (house committee report) as follows:

SECTION _____. Section 505.153, Local Government Code, is amended to read as follows:

On page 2, line 20, strike "\$1" and substitute "\$5".

Renumber SECTIONS of the bill appropriately.

Amendment No. 2 was adopted.

CSHB 827, as amended, was passed to engrossment.

SB 367 ON SECOND READING
(Murphy and Wu - House Sponsors)

SB 367, A bill to be entitled An Act relating to the disposition of abandoned or unclaimed property seized at the time of certain arrests.

SB 367 was considered in lieu of **HB 884**.

Amendment No. 1

Representative Murphy offered the following amendment to **SB 367**:

Amend **SB 367** (house committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Article 18.17, Code of Criminal Procedure, is amended by adding Subsections (d-1) and (d-2) to read as follows:

(d-1) Notwithstanding Subsection (a), (b), (c), or (d), if property described by Subsection (a), other than money, is seized by a peace officer at the time the owner of the property is arrested for an offense punishable as a Class C misdemeanor, the law enforcement agency may provide notice to the owner at the time the owner is taken into or released from custody. On receiving the notice, the owner must sign the notice and attach a thumbprint to the notice. The notice must include:

(1) a description of the property being held;
(2) the address where the property is being held; and
(3) a statement that if the owner does not claim the property before the 31st day after the date the owner is released from custody, the property will be disposed of and the proceeds of the property, after deducting the reasonable expense of keeping and disposing of the property, will be placed in the treasury of the municipality or county providing the notice.

(d-2) If the property for which notice is provided under Subsection (d-1) is not claimed by the owner before the 31st day after the date the owner is released from custody, the law enforcement agency holding the property shall deliver the property for disposition to a person designated by the municipality or to the purchasing agent or sheriff of the county in which the property was seized, as applicable. The person designated by the municipality, the purchasing agent, or the sheriff may sell or donate the property without mailing or publishing an additional notice as required by Subsection (b), (c), or (d). The sale proceeds, after deducting the reasonable expense of keeping and disposing of the property, must be deposited in the treasury of the municipality or county disposing of the property.

SECTION 2. Article 18.17, Code of Criminal Procedure, as amended by this Act, applies to personal property seized or taken into custody on or after the effective date of this Act. Personal property seized or taken into custody before the effective date of this Act is governed by the law in effect on the date the property is seized or taken into custody, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Amendment No. 1 was adopted.

SB 367, as amended, was passed to third reading.

HB 884 - LAID ON THE TABLE SUBJECT TO CALL

Representative Murphy moved to lay **HB 884** on the table subject to call.

The motion prevailed.

(Branch now present)

CSHB 2443 ON SECOND READING **(by Parker)**

CSHB 2443, A bill to be entitled An Act relating to the composition of the Texas Juvenile Justice Board.

CSHB 2443 was passed to engrossment.

HB 3176 ON SECOND READING**(by Bohac)**

HB 3176, A bill to be entitled An Act relating to the appointment of a board member of a property owners' association to fill a vacancy.

HB 3176 was passed to engrossment.

HB 2961 ON SECOND READING**(by Huberty)**

HB 2961, A bill to be entitled An Act relating to the social security numbers of school district employees.

HB 2961 was passed to engrossment.

SB 618 ON SECOND READING**(Vo - House Sponsor)**

SB 618, A bill to be entitled An Act relating to the elimination of the licensing and registration requirements for ringside physicians and timekeepers for combative sports events.

SB 618 was considered in lieu of **HB 1551**.

SB 618 was passed to third reading.

HB 1551 - LAID ON THE TABLE SUBJECT TO CALL

Representative Vo moved to lay **HB 1551** on the table subject to call.

The motion prevailed.

HB 1372 ON SECOND READING**(by Muñoz)**

HB 1372, A bill to be entitled An Act relating to filling certain vacancies on the governing body of certain home-rule municipalities.

Amendment No. 1

Representative Goldman offered the following amendment to **HB 1372**:

Amend **HB 1372** as follows:

- (1) On page 2, line 2, strike "24" and substitute "12".
- (2) On page 2, line 7, strike "24" and substitute "12".

Amendment No. 1 was adopted.

HB 1372, as amended, was passed to engrossment. (Schaefer recorded voting no.)

POSTPONED BUSINESS

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

HB 2836 ON THIRD READING**(by Ratliff, Farney, K. King, Patrick, Huberty, et al.)**

HB 2836, A bill to be entitled An Act relating to the requirements for and use of certain state-administered assessment instruments administered to public school students.

HB 2836 was read third time earlier today, amendments were offered and disposed of, **HB 2836** was postponed until 1 p.m today, and was again postponed until this time.

HB 2836 was passed by (Record 399): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Dukes; Dutton; Eiland; Elkins; 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; King, K.; 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; Nevárez; Oliveira; 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; Stickland; 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; Keffer(C).

Absent, Excused — Carter; Fallon; King, P.

Absent — Deshotel; Murphy; Naishtat.

STATEMENTS OF VOTE

When Record No. 399 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 399 was taken, I was in the house but away from my desk. I would have voted yes.

Murphy

GENERAL STATE CALENDAR
(consideration continued)

HB 21 ON SECOND READING
(by Martinez Fischer, Villalba, and Lucio)

HB 21, A bill to be entitled An Act relating to a central database containing information about offenders who have committed certain offenses against children or offenses involving family or dating violence.

Amendment No. 1

Representative Martinez Fischer offered the following amendment to **HB 21**:

Amend **HB 21** (house committee printing) as follows:

(1) On page 2, line 21, strike "of family violence".

(2) On page 2, line 22, between "Procedure" and the semicolon, insert the following:

, the most recent of which was an offense under:

(A) Section 22.01, Penal Code, for which the punishment was enhanced because the offense was committed against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; or

(B) Section 25.11, Penal Code

(3) On page 3, lines 10-11, strike "the person's last known address; (3)".

(4) On page 3, line 13, strike "(4)" and substitute "(3)".

(5) On page 3, line 17, strike "(5)" and substitute "(4)".

(6) On page 4, line 10, strike "and".

(7) On page 4, line 12, between "petition" and the period, insert the following:

; and

(3) contact information for family violence organizations

(8) On page 4, between lines 12 and 13, insert the following:

(f) The department shall consult with a representative of a statewide advocacy organization for issues related to family violence regarding implementation of the database and the information required to be included on the database website under Subsection (e)(3).

Amendment No. 1 was adopted.

HB 21, as amended, was passed to engrossment. (Flynn, Schaefer, Simpson, and Springer recorded voting no.)

CSHB 620 ON SECOND READING
(by Eiland and G. Bonnen)

CSHB 620, A bill to be entitled An Act relating to the regulation of certain health care provider network contract arrangements; providing an administrative penalty; authorizing a fee.

Representative Eiland moved to postpone consideration of **CSHB 620** until 10 a.m. Tuesday, May 7.

The motion prevailed.

CSHB 259 ON SECOND READING
(by **Simmons, Vo, Krause, Klick, Johnson, et al.**)

CSHB 259, A bill to be entitled An Act relating to electioneering conducted near a polling place.

CSHB 259 was passed to engrossment.

CSHB 1086 ON SECOND READING
(by **E. Rodriguez and Bohac**)

CSHB 1086, A bill to be entitled An Act relating to interruption of electric service by a residential landlord.

CSHB 1086 was passed to engrossment.

HB 127 ON SECOND READING
(by **Raymond**)

HB 127, A bill to be entitled An Act relating to electioneering on the premises of certain privately owned polling places.

HB 127 - POINT OF ORDER

Representative Stickland raised a point of order against further consideration of **HB 127** under Rule 8, Section 10 of the House Rules and Article III, Section 56 and Article III, Section 57 of the Texas Constitution on the grounds that the bill is limited to one or more subdivisions by means of artificial devices.

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

Representative Stickland raised a point of order against further consideration of **HB 127** under Rule 8, Section 10 of the House Rules and Article III, Section 56 and Article III, Section 57 of the Texas Constitution. Representative Stickland asserts that because the bill's provisions limit its application to one county by means of an artificial device, a population bracket, it is an impermissible bracket bill that functions as a local bill in violation of the Texas Constitution and House Rules. The point of order is respectfully overruled.

The chair in reviewing the bill finds that this classification scheme applies uniformly, is broad enough to include a substantial class or geographic area and that the membership of the class may expand or contract over time, and is based on characteristics that legitimately distinguish, in relation to the public purpose to be served, the class or area from other classes or areas. Therefore, the bill complies with the requirements of the Texas Constitution and Rule 8, Section 10 of the House Rules.

(Speaker in the chair)

Amendment No. 1

Representatives Toth, R. Sheffield, and Bohac offered the following amendment to **HB 127**:

Amend **HB 127** (house committee report) as follows:

(1) On page 2, line 2, strike "electioneering will be prohibited" and insert "the owner intends to impose reasonable restrictions concerning the time, place, and manner of electioneering".

(2) On page 2, line 24, strike "prohibited" and insert "restricted".

(3) On page 2, line 25, between "premises" and the period, insert ", and the electioneering violates the restrictions".

(4) On page 3, line 17, strike "prohibited" and insert "reasonably restricted concerning its time, place, and manner".

(5) On page 3, line 18, between "premises" and the period, insert ", and the electioneering violates the restrictions".

Amendment No. 1 was adopted.

HB 127, as amended, was passed to engrossment by (Record 400): 114 Yeas, 19 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Frullo; Geren; Giddings; Goldman; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Hunter; Johnson; Kacal; King, K.; King, T.; Klick; Kuempel; Larson; Lavender; 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; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheffield, J.; Sheffield, R.; Smith; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Burkett; Frank; Harper-Brown; Hughes; Isaac; King, S.; Kleinschmidt; Kolkhorst; Krause; Laubenberg; Leach; Sanford; Sheets; Simpson; Stickland; Turner, E.S.; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Carter; Fallon; King, P.

Absent — Aycock; Branch; Coleman; Flynn; Gonzales; Huberty; Keffer; Oliveira; Perez; Reynolds; Simmons; Smithee; Springer.

STATEMENTS OF VOTE

When Record No. 400 was taken, my vote failed to register. I would have voted no.

Branch

When Record No. 400 was taken, I was excused because of important business in the district. I would have voted no.

Carter

When Record No. 400 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

I was shown voting no on Record No. 400. I intended to vote yes.

S. King

When Record No. 400 was taken, I was in the house but away from my desk. I would have voted no.

Springer

SB 1248 ON SECOND READING
(Flynn - House Sponsor)

SB 1248, A bill to be entitled An Act relating to the documentary fee charged in connection with the sale of certain recreational vehicles and boats.

SB 1248 was considered in lieu of **HB 1233**.

SB 1248 was passed to third reading.

HB 1233 - LAID ON THE TABLE SUBJECT TO CALL

Representative Flynn moved to lay **HB 1233** on the table subject to call.

The motion prevailed.

CSHB 2442 ON SECOND READING
(by Parker)

CSHB 2442, A bill to be entitled An Act relating to a pre-suit deposition in inmate litigation.

CSHB 2442 was passed to engrossment. (Collier recorded voting no.)

CSHB 824 ON SECOND READING
(by Callegari)

CSHB 824, A bill to be entitled An Act relating to a volume-based exemption from reporting requirements for accidental sanitary sewer overflows.

Amendment No. 1

Representative Burnam offered the following amendment to **CSHB 824**:

Amend **CSHB 824** (house committee report) as follows:

(1) On page 1, line 6, strike "Subsection (b-1)" and substitute "Subsections (b-1) and (b-2)".

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

(b-2) The individual shall report sanitary sewer overflows described by Subsection (b-1) on a monthly basis to the commission. The report shall include the information required for a notice under Subsection (b), and must be made in a manner determined by commission rule.

Amendment No. 1 was adopted.

CSHB 824 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE LUCIO: We heard this bill in the natural resource committee and we voted it out. I just wanted to make sure that we had a little bit of legislative intent and that the main points of your bill are addressed here on the floor today. I think the points of your bill, one, would be less than a thousand gallons of water, correct?

REPRESENTATIVE CALLEGARI: Correct.

LUCIO: And that spill cannot reach a state waterway, nor could it adversely affect drinking water, correct?

CALLEGARI: That's correct. It'd be water or either semi-treated or untreated wastewater. Yes.

LUCIO: So, what your exemption would be is when there is a very quick, very minor spill that doesn't adversely affect drinking water or state waterways, that's immediately repaired, and it's not your intent—my understanding—that you're trying to lessen the requirements of those who knowingly pollute our waterways?

CALLEGARI: That is correct, absolutely not, yes. The intent is just to allow them to make the—try to treat it as best they can and make sure it's under control and it doesn't go into any public water.

LUCIO: And given that we've cut resources to TCEQ and other state agencies, we like them to focus on issues that are more pressing and not be involved in minor issues like this, so they're addressed correctly and they don't adversely affect our environment, correct?

CALLEGARI: That's correct, yes.

REMARKS ORDERED PRINTED

Representative Lucio moved to print remarks between Representative Callegari and Representative Lucio.

The motion prevailed.

CSHB 824, as amended, was passed to engrossment.

SB 1792 ON SECOND READING (Phillips - House Sponsor)

SB 1792, A bill to be entitled An Act relating to remedies for nonpayment of tolls for the use of toll projects; authorizing a fee; creating an offense.

SB 1792 was considered in lieu of **HB 3048**.

Amendment No. 1

Representative Phillips offered the following amendment to **SB 1792**:

Amend **SB 1792** (house committee printing) as follows:

(1) On page 2, lines 26-27, strike "in the same manner as provided by general law for a private litigant".

(2) On page 3, line 22, strike "shall" and substitute "may".

(3) On page 6, strike lines 11-14 and substitute:

(c) A party requesting a hearing shall pay a filing fee of \$100 to the clerk of the justice court. If that party prevails under the justice's finding under Subsection (f), the other party shall reimburse the prevailing party for the amount of the filing fee within 10 days after issuance of the finding.

(4) On page 11, between lines 4 and 5, insert:

(c) For the purposes of Section 2303.155(b)(4), Occupations Code, fees required to be submitted to a governmental entity include an amount for unpaid tolls and fees owed by the registered owner of an impounded vehicle as set out in timely written notice given by the toll project entity to the operator of the vehicle storage facility where the vehicle is impounded. The toll project entity may set out in that notice an amount less than all unpaid tolls and fees owed by the registered owner without releasing the registered owner from liability under any other law for the full amount of unpaid tolls and fees.

(5) On page 12, line 4, strike "five" and substitute "two".

(6) On page 13, line 17, strike "A reasonable fee not to exceed \$100 may be" and substitute "A filing fee of \$100 shall be".

(7) On page 13, lines 18-19, strike "as court costs".

(8) Strike page 13, line 21, and substitute:

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Stickland offered the following amendment to **SB 1792**:

Amend **SB 1792** (house committee printing) on page 12, between lines 22 and 23, by inserting:

Sec. 372.116. TEMPORARY GRACE PERIOD FOR REGIONAL TOLLWAY AUTHORITIES. (a) Not later than the 30th day after the effective date of this subchapter, a regional tollway authority shall send to each person the authority determines to be a habitual violator on the effective date of this subchapter the notice required by Section 372.106(b).

(b) The notice under Subsection (a) must also include:

(1) the total amount the person would owe for the events of nonpayment in the notice, not including any otherwise applicable administrative fees or penalties; and

(2) information regarding the terms of the grace period under this section.

(c) Not later than the 90th day after the effective date of this subchapter, a person who receives notice under this section may:

(1) request a hearing under Section 372.107; or

(2) become an electronic toll collection customer of the regional tollway authority and:

(A) pay the amount specified under Subsection (b) plus an administrative fee in an amount not to exceed 10 percent of the amount specified under Subsection (b); or

(B) enter into a contract under Section 372.103 to pay the amount specified under Subsection (b) plus an administrative fee in an amount not to exceed 10 percent of the amount specified under Subsection (b).

(d) A regional tollway authority may not pursue habitual toll violator remedies under this subchapter against a person who becomes an electronic toll collection customer and:

(1) pays the amount specified under Subsection (b) plus an administrative fee in an amount not to exceed 10 percent of the amount specified under Subsection (b); or

(2) enters into a contract under Section 372.103 to pay the amount specified under Subsection (b) plus an administrative fee in an amount not to exceed 10 percent of the amount specified under Subsection (b) and makes the required payments.

(e) This section expires August 31, 2015.

Amendment No. 2 was adopted.

SB 1792, as amended, was passed to third reading. (Schaefer and Simpson recorded voting no.)

HB 3048 - LAID ON THE TABLE SUBJECT TO CALL

Representative Phillips moved to lay **HB 3048** on the table subject to call.
The motion prevailed.

**HB 717 ON SECOND READING
(by Kolkhorst)**

HB 717, A bill to be entitled An Act relating to the duties of and the application of the professional prosecutors law to the county attorney in Lavaca County and to the duties of the district attorney for the 25th Judicial District.

HB 717 was passed to engrossment.

**HB 2259 ON SECOND READING
(by Moody)**

HB 2259, A bill to be entitled An Act relating to circumstances under which a vacancy on the governing body occurs in certain municipalities.

HB 2259 was passed to engrossment. (Schaefer recorded voting no.)

**SB 294 ON SECOND READING
(Menéndez - House Sponsor)**

SB 294, A bill to be entitled An Act relating to extending a local behavioral health intervention pilot project.

SB 294 was considered in lieu of **HB 39**.

SB 294 was passed to third reading. (Schaefer recorded voting no.)

HB 39 - LAID ON THE TABLE SUBJECT TO CALL

Representative Menéndez moved to lay **HB 39** on the table subject to call.
The motion prevailed.

**SB 283 ON SECOND READING
(P. King - House Sponsor)**

SB 283, A bill to be entitled An Act relating to the number of members of the Texas Historical Commission.

SB 283 was considered in lieu of **HB 408**.

SB 283 was passed to third reading.

HB 408 - LAID ON THE TABLE SUBJECT TO CALL

Representative Flynn moved to lay **HB 408** on the table subject to call.
The motion prevailed.

**CSHB 642 ON SECOND READING
(by Patrick)**

CSHB 642, A bill to be entitled An Act relating to continuing education requirements for certain educators.

Amendment No. 1

Representative Allen offered the following amendment to **CSHB 642**:

Amend **CSHB 642** (house committee report) as follows:

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

- (2) On page 3, strike lines 12-14.
- (3) Strike SECTION 4 (page 3, line 24 through page 4, line 2).
- (4) Renumber SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

CSHB 642, as amended, was passed to engrossment. (Schaefer and Simpson recorded voting no.)

HB 697 ON SECOND READING

(by **Springer, Huberty, Perry, S. Thompson, White, et al.**)

HB 697, A bill to be entitled An Act relating to a sales and use tax exemption for certain items sold by school booster clubs and support organizations; authorizing a sales and use tax exemption.

HB 697 was passed to engrossment. (Collier recorded voting no.)

(Deshotel in the chair)

FIVE-DAY POSTING RULE SUSPENDED

Representative Cook moved to suspend the five-day posting rule to allow the Committee on State Affairs to consider **HCR 44**, **HCR 114**, **HB 2692**, **SB 583**, and **SB 1457** at 1 p.m. tomorrow in JHR 140.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

State Affairs, 1 p.m. tomorrow, JHR 140, for a public hearing, to consider **HCR 44**, **HCR 114**, **HB 2692**, **SB 583**, **SB 1457**, and the previously posted agenda.

Defense and Veterans' Affairs, upon adjournment today, Desk 11, for a formal meeting, to consider **SB 1476** and pending business.

Land and Resource Management, upon adjournment today, Desk 47, for a formal meeting, to consider pending business.

Agriculture and Livestock, upon adjournment today, 1W.14, for a formal meeting, to consider pending legislation.

Elections, upon adjournment today, Desk 86, for a formal meeting, to consider pending business.

Public Health, upon adjournment today, 1W.14, for a formal meeting, to consider pending business.

Criminal Jurisprudence, 9:30 a.m. tomorrow, 3W.9, for a formal meeting, to consider pending business.

FIVE-DAY POSTING RULE SUSPENDED

Representative Guillen moved to suspend the five-day posting rule to allow the Committee on Culture, Recreation, and Tourism to consider **HCR 113** and **HCR 115** at 2 p.m. or upon final adjournment/recess tomorrow in E2.026.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Culture, Recreation, and Tourism, 2 p.m. or upon final adjournment/recess tomorrow, E2.026, for a public hearing, to consider **HCR 113**, **HCR 115**, and the previously posted agenda.

PROVIDING FOR ADJOURNMENT

At 2:06 p.m., Representative Burkett moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

ADJOURNMENT

In accordance with a previous motion, the house, at 2:12 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HB 3948 (By Guerra), Relating to procedures for the dissolution of the Hidalgo County Water Improvement District No. 3.

To Special Purpose Districts.

SB 94 to Judiciary and Civil Jurisprudence.

SB 238 to Defense and Veterans' Affairs.

SB 496 to Higher Education.

SB 593 to Business and Industry.

SB 620 to Higher Education.

SB 646 to Public Health.

SB 651 to Judiciary and Civil Jurisprudence.

SB 670 to Judiciary and Civil Jurisprudence.

SB 690 to Special Purpose Districts.

SB 722 to Elections.

SB 853 to Insurance.
SB 878 to Criminal Jurisprudence.
SB 922 to Higher Education.
SB 1086 to Natural Resources.
SB 1095 to Agriculture and Livestock.
SB 1133 to Pensions.
SB 1189 to Homeland Security and Public Safety.
SB 1202 to Business and Industry.
SB 1240 to Energy Resources.
SB 1285 to State Affairs.
SB 1312 to Agriculture and Livestock.
SB 1313 to Higher Education.
SB 1379 to Insurance.
SB 1386 to Insurance.
SB 1415 to Economic and Small Business Development.
SB 1460 to Judiciary and Civil Jurisprudence.
SB 1461 to Transportation.
SB 1471 to Judiciary and Civil Jurisprudence.
SB 1489 to Transportation.
SB 1508 to Ways and Means.
SB 1509 to Public Education.
SB 1510 to Ways and Means.
SB 1531 to Higher Education.
SB 1556 to Homeland Security and Public Safety.
SB 1636 to Economic and Small Business Development.
SB 1678 to Economic and Small Business Development.
SB 1757 to Transportation.
SB 1771 to Urban Affairs.
SB 1795 to Insurance.
SB 1806 to Judiciary and Civil Jurisprudence.
SB 1810 to Higher Education.
SB 1820 to Special Purpose Districts.
SB 1821 to Special Purpose Districts.
SB 1828 to Special Purpose Districts.
SB 1840 to Special Purpose Districts.
SB 1841 to Special Purpose Districts.
SB 1852 to Special Purpose Districts.

SB 1854 to Natural Resources.

SB 1855 to Higher Education.

SB 1864 to Special Purpose Districts.

SB 1870 to Special Purpose Districts.

SCR 30 to Land and Resource Management.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 21

HCR 75, HCR 90, HCR 98, HCR 99, HCR 100, HCR 101, HCR 108

MESSAGES FROM THE SENATE

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

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Tuesday, April 30, 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:

HB 4 Ritter SPONSOR: Fraser
Relating to the administration and functions of the Texas Water Development Board; authorizing the issuance of revenue bonds.
(Committee Substitute/Amended)

SB 4 Fraser
Relating to the administration and functions of the Texas Water Development Board; authorizing the issuance of revenue bonds.

SB 1003 Carona
Relating to a review of and report regarding the use of adult and juvenile administrative segregation in facilities in this state.

SB 1052 Carona
Relating to search warrants issued in this state and other states for certain customer data, communications, and other information held in electronic storage in this state and other states by providers of electronic communications services and remote computing services.

SB 1243 Hegar
Relating to the issuance of interest-bearing time warrants and certain notes by school districts.

SB 1533 Carona

Relating to municipal sales and use tax remittances by certain retailers.

SB 1536

Van de Putte

Relating to the Texas military; imposing criminal penalties; authorizing fees.

SB 1719

Rodríguez

Relating to the construction, remodeling, or rehabilitation of certain hotel projects.

SB 1814

Estes

Relating to a requirement that members of the Public Safety Commission hold a secret security clearance.

SB 1896

García

Relating to the confidentiality of information in ad valorem tax appraisal records that identifies the home address of certain judges.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 29

Agriculture and Livestock - **HB 3761**

Business and Industry - **HB 3803**

County Affairs - **HB 1544, HB 2094, HB 2117, HB 2118, HB 2825, HB 2907, HB 2991, HB 3762, HB 3800, HB 3896, SB 265, SB 1265**

Criminal Jurisprudence - **HB 1552, HB 1608, HB 1748, HB 2344, HB 2396, HB 2403, HB 2539, HB 2914, HB 3365, HB 3366, SB 361, SB 367, SB 743, SB 1114**

Criminal Procedure Reform, Select - **HB 1021, HB 1022, HB 1067, HB 3493, SB 12**

Culture, Recreation, and Tourism - **HCR 96, SCR 13**

Defense and Veterans' Affairs - **HB 2485, HB 2562, SB 61**

Economic and Small Business Development - **HB 1524**

Elections - **HB 289, HB 506, HB 1518, HB 1565, HB 1866, HB 1996, HB 1999, HB 2373, HB 2570, HB 3101, HB 3257, SB 169**

Energy Resources - **HB 2532, HB 2767, HB 2982, SB 385**

Federalism and Fiscal Responsibility, Select - **HCR 26, HCR 38, HCR 61**

Government Efficiency and Reform - **HB 87, HB 595, HB 2336, HB 3648, HJR 128, SB 471, SB 983**

Higher Education - **HB 2555, HB 2829, HB 3191, HB 3659, SB 146**

Homeland Security and Public Safety - **HB 438, HB 461, HB 1077, HB 1856, HB 1931, HB 1951, HB 2008, HB 2234, HB 2883, HB 3096, HB 3142, HB 3370, HB 3433, HR 964, HR 987**

Human Services - **HB 2111, HB 2303, HB 3686**

Judiciary and Civil Jurisprudence - **HB 2380, HB 2795**

Licensing and Administrative Procedures - **HB 1352, HB 1659, HB 1692, HB 2114, HB 2126, HB 2157, HB 2501, HB 2693, HB 2953, HB 3307, SB 618, SB 972**

Natural Resources - **HB 1797, HB 3234, HB 3923, HB 3927, HB 3934, HB 3935, SB 611, SB 1876**

Pensions - **HB 1882, HB 1884, HB 2136, HB 3148**

Public Education - **HB 308, HB 1415, HB 1501, HB 1751, HB 1853, HB 2057, HB 2662, HB 2694, HB 3809, HB 3907**

Public Health - **HB 217, HB 2560, HB 2887, HB 3283, SB 312**

State Affairs - **SB 894**

Technology - **HB 2939**

Transportation - **HB 2225, HB 2875, HB 3126, HB 3379, HB 3520, SB 1487, SB 1792, SB 1815**

Ways and Means - **HB 1133, HB 1360, HB 1712, HB 1908, HB 2500, HB 3536, HJR 86**

ENGROSSED

April 29 - HB 654, HB 897, HB 916, HB 1025, HB 1394, HB 1819, HB 2058, HB 2311, HB 3068, HB 3309, HJR 87

ENROLLED

April 29 - HCR 75, HCR 90, HCR 99, HCR 101, HCR 108

SENT TO THE GOVERNOR

April 29 - HB 174, HB 701, HB 2035, HCR 43, HCR 85, HCR 91, HCR 94