

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-THIRD DAY — THURSDAY, MAY 2, 2013

The house met at 2 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 436).

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

LEAVES OF ABSENCE GRANTED

On motion of Representative S. Thompson and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

RULES SUSPENDED

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

The motion prevailed.

MOTION FOR ONE RECORD VOTE

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

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

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

(Record 437): 147 Yeas, 0 Nays, 2 Present, not voting.

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

Absent, Excused — Oliveira.

SB 162

SB 166

SB 274

SB 276 (Capriglione, Sanford, Schaefer, and Simpson - no) (143 - 4 - 2)

SB 649 (Simpson - no) (146 - 1 - 2)

SB 748

SB 820

SB 852

SB 905

SB 965

HB 138 (Anderson, Flynn, Krause, Schaefer, Simpson, Stickland, and Zedler - no) (140 - 7 - 2)

SB 902

SB 181

HB 274 (Anderson, Capriglione, Flynn, and Schaefer - no) (143 - 4 - 2)

HB 294 (Anderson, Flynn, Frullo, Goldman, Hunter, Kleinschmidt, Kuempel, Lavender, Leach, Parker, Perry, Schaefer, Simmons, Simpson, and Springer - no) (132 - 15 - 2)

HB 340 (Anderson, Flynn, and Zedler - no) (144 - 3 - 2)

SB 265 (Krause - no) (146 - 1 - 2)

HB 396 (Anderson, Flynn, Simpson, and Zedler - no) (143 - 4 - 2)

SB 1041 (Anderson, Flynn, Krause, Stickland, and Zedler - no) (142 - 5 - 2)

SB 334

HB 693 (Krause and Stickland - no) (145 - 2 - 2)

HB 746

HB 796 (Anderson, Burkett, Capriglione, Flynn, Krause, Lavender, Perry, Phillips, Sanford, Schaefer, Simpson, Stickland, and Zedler - no) (134 - 13 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

HB 842

HB 843

HB 894

HB 932

SB 412 (Anderson, Flynn, Krause, Stickland, and Zedler - no) (142 - 5 - 2)

SB 458

HB 1018 (Capriglione, Phillips, Sanford, Schaefer, and Simpson - no) (142 - 5 - 2)

HB 1020

HB 1044 (Anderson, Capriglione, Flynn, Krause, Sanford, Schaefer, Simpson, Stickland, and Zedler - no) (138 - 9 - 2)

SB 506

HB 1185 (Krause, Schaefer, and Springer - no) (144 - 3 - 2)

HB 1198 (Krause, Stickland, Taylor, and E. S. Turner - no) (143 - 4 - 2)
(Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 365

SB 611

HB 1224

HB 1249 (Springer - no) (146 - 1 - 2)

HB 1354

HB 1355

HB 1442

HB 1454 (Krause, Schaefer, Simpson, and Stickland - no) (143 - 4 - 2)

HB 1458

HB 1472

HB 1492

HB 1506

HB 1520

SB 595 (Anderson, Flynn, and Zedler - no) (144 - 3 - 2)

HB 1563 (Anderson, Capriglione, Flynn, Schaefer, Simpson, and Zedler - no) (141 - 6 - 2)

HB 1586

HB 1593

HB 1594 (Taylor - no) (146 - 1 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

HB 1632

HB 1678 (Krause - no) (146 - 1 - 2)

SB 795

SB 777

SB 866

HB 1781

HB 1800 (Taylor - no) (146 - 1 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

HB 1801 (Taylor - no) (146 - 1 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 366

HB 1874

HB 1875

HB 1888 (Anderson, Flynn, Krause, Sanford, Schaefer, Simpson, Stickland, E. S. Turner, and Zedler - no) (138 - 9 - 2)

HB 1895

SB 411

SB 330

SB 849

HB 1947

SB 972

SB 466 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 1971 (Anderson and Flynn - no) (145 - 2 - 2)

HB 1982 (Schaefer and Simpson - no) (145 - 2 - 2)

SB 920

HB 2000 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 2028

HB 2029

HB 2055

HB 2099 (Schaefer - no) (146 - 1 - 2)

HB 2112

HB 2135

HB 2155

HB 2204 (Krause and Stickland - no) (145 - 2 - 2)

HB 2293

HB 2312 (Schaefer - no) (146 - 1 - 2)

STATEMENT OF VOTE

I support **HB 2312**. I initially voted against **HB 2312** on the local and consent calendar. However, upon closer examination of the bill, I realize that this legislation does not create a new government program. Rather, **HB 2312** clarifies procedures under existing law for implementation of a beef check-off program by cattle producers and the membership of the Texas Beef Council, if and when such a program is established.

Schaefer

HB 2318

HB 2356

HB 2362

HB 2407 (Lavender - no) (146 - 1 - 2)

HB 2409

HB 2424**HB 2448** (Schaefer - no) (146 - 1 - 2)**HB 2474** (Taylor - no) (146 - 1 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)**HB 2478** (Anderson and Flynn - no) (145 - 2 - 2)**HB 2482** (Anderson, Flynn, Schaefer, and Simpson - no) (143 - 4 - 2)**HB 2537** (Krause, Schaefer, and Simpson - no) (144 - 3 - 2)**HB 2549****HB 2550** (Goldman, Leach, R. Sheffield, Simmons, and Springer - no) (142 - 5 - 2)**HB 2580** (Capriglione, Harless, Schaefer, and Simpson - no) (143 - 4 - 2)**SB 655****HB 2610** (Schaefer and Simpson - no) (145 - 2 - 2)**HB 2619****HB 2621****HB 2645** (Schaefer and Simpson - no) (145 - 2 - 2)**HB 2688****HB 2704****HB 2718** (Capriglione, Goldman, Hunter, Krause, Kleinschmidt, Lavender, Leach, Parker, Perry, Sanford, Schaefer, Simmons, Simpson, Springer, Stickland, and Taylor - no) (131 - 16 - 2)**SB 1489** (Capriglione, Goldman, Isaac, Schaefer, Simmons, Simpson, and Taylor - no) (140 - 7 - 2)**HB 2749****HB 2766****HB 2806** (Schaefer and Simpson - no) (145 - 2 - 2)**HB 2912****HB 2913****HB 2935** (Schaefer and Simpson - no) (145 - 2 - 2)**HB 2947****HB 3028****HB 3063** (Simpson - no) (146 - 1 - 2)**HB 3066** (Simpson - no) (146 - 1 - 2)**HB 3067** (Simpson - no) (146 - 1 - 2)**HB 3097**

HB 3125 (Simpson - no) (146 - 1 - 2)

HB 3137

HB 3178

HB 3209 (Krause, R. Sheffield, Stickland, and Taylor - no) (143 - 4 - 2)
(Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

HB 3212 (Anderson, Capriglione, Flynn, and Schaefer - no) (143 - 4 - 2)

HB 3256 (Simpson - no) (146 - 1 - 2)

SB 1026

HB 3357

HB 3397

HB 3412

HB 3413

HB 3422

HB 3483 (Simpson and Springer - no) (145 - 2 - 2)

HB 3511

HB 3523 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 3662

HB 3677 (Krause - no) (146 - 1 - 2)

HB 3729 (Krause and Stickland - no) (145 - 2 - 2)

HB 3748 (Burkett, Capriglione, Frullo, Goldman, Gonzales, Harper-Brown, Hunter, Krause, Kleinschmidt, Kuempel, Lavender, Leach, Murphy, Otto, Parker, Perry, Price, Riddle, Sanford, Schaefer, Simmons, Simpson, Springer, E. S. Turner, and Zedler - no) (122 - 25 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

HB 3756 (Anderson, Flynn, and Zedler - no) (144 - 3 - 2)

HB 3764

HB 3787

HB 3795 (Capriglione, Sanford, Schaefer, and Simpson - no) (143 - 4 - 2)

HB 3798

HB 3813 (Sanford and Simpson - no) (145 - 2 - 2)

SB 1093

HB 3874

HB 3875

HB 3905

HB 3925

SB 471

SB 686

SB 733

HB 154

HB 339

HB 343 (Anderson, Flynn, Krause, Simpson, and Stickland - no)
(142 - 5 - 2)

HB 367 (Sanford, Schaefer, and Simpson - no) (144 - 3 - 2)

HB 438 (Anderson, Flynn, and Phillips - no) (144 - 3 - 2)

HB 655

HB 826

HB 1147

HB 1501 (Simpson - no) (146 - 1 - 2)

HB 1544 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 1662

HB 1692 (Capriglione, Lavender, Perry, Sanford, Schaefer, R. Sheffield, and
Springer - no) (140 - 7 - 2)

HB 1724

HB 1846 (Anderson, Flynn, Krause, Simpson, and Stickland - no)
(142 - 5 - 2)

SB 1537

HB 2094 (Anderson, Capriglione, Flynn, Krause, Sanford, Schaefer,
Simpson, Stickland, and Zedler - no) (138 - 9 - 2)

HB 2111 (Anderson, Flynn, Schaefer, and Zedler - no) (143 - 4 - 2)

SB 1236

HB 2380

HB 2388

HB 2485

HB 2501 (Schaefer - no) (146 - 1 - 2)

HB 2509 (Sanford and Simpson - no) (145 - 2 - 2)

HB 2562

HB 2607

HB 2662 (Simpson - no) (146 - 1 - 2)

HB 2772 (Anderson, Flynn, Frullo, Goldman, Krause, Kuempel, Lavender,
Parker, Schaefer, Simmons, Simpson, Springer, and Stickland - no) (134 - 13 - 2)

HB 2825

HB 2874

HB 2883 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 3070

HB 3085 (Burkett, Capriglione, Frullo, Goldman, Hunter, Kleinschmidt, Kuempel, Lavender, Leach, Murphy, Parker, Schaefer, R. Sheffield, Simmons, Simpson, and Stickland - no) (131 - 16 - 2)

HB 3096

HB 3106

HB 3296 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 3307

SB 1019

HB 3433 (Capriglione, Schaefer, and Simpson - no) (144 - 3 - 2)

HB 3567 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 3578 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 3589 (Simpson - no) (146 - 1 - 2)

HB 3604 (Anderson and Schaefer - no) (145 - 2 - 2)

HB 3605 (Anderson - no) (146 - 1 - 2)

HB 3613

HB 3659

HB 3739 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 3761 (Anderson and Simpson - no) (145 - 2 - 2)

HB 3762 (Krause - no) (146 - 1 - 2)

HB 3800

HB 3896 (Simpson - no) (146 - 1 - 2)

HB 3935

SB 901

HB 2454

HB 2620 (Harless, Schaefer, and Simpson - no) (144 - 3 - 2)

HB 2025

SB 1157

The following resolutions which were laid out on the previous legislative day on the local, consent, and resolutions calendar were adopted by the above referenced vote (Record 437): 147 Yeas, 0 Nays, 2 Present, not voting (members registering votes and the results of the vote are shown following bill number).

HCR 51

HCR 62

HCR 68

HCR 82

HCR 89 (Schaefer and Simpson - no) (145 - 2 - 2)

HCR 59

HCR 96

HR 964

(Oliveira now present)

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, Senate List No. 20).

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Pitts on motion of Geren.

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 885 ON THIRD READING
(Harper-Brown - House Sponsor)**

SB 885, A bill to be entitled An Act relating to notice of utility rate increases.

SB 885 was passed by (Record 438): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy;

Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; 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; Bonnen, D.(C).

Absent, Excused, Committee Meeting — Pitts.

**SB 971 ON THIRD READING
(Deshotel - House Sponsor)**

SB 971, A bill to be entitled An Act relating to the purposes, designation, and funding of a transportation reinvestment zone for port projects; providing authority to issue bonds; authorizing an assessment.

SB 971 was passed by (Record 439): 101 Yeas, 44 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Branch; Burkett; Burnam; Button; Callegari; Canales; Clardy; Coleman; Collier; Cook; Dale; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Phillips; Pickett; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Stephenson; Strama; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Bell; Bohac; Bonnen, G.; Capriglione; Carter; Craddick; Creighton; Crownover; Davis, S.; Elkins; Fallon; Fletcher; Flynn; Frank; Frullo; Goldman; Gooden; Harless; Harper-Brown; Hilderbran; Hughes; Isaac; King, S.; Klick; Krause; Larson; Laubenberg; Lavender; Leach; Lewis; Murphy; Parker; Perry; Price; Sanford; Schaefer; Sheets; Springer; Stickland; Taylor; Toth; Turner, E.S.; White; Zedler.

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

Absent, Excused, Committee Meeting — Pitts.

Absent — Cortez; Smithee.

STATEMENTS OF VOTE

I was shown voting no on Record No. 439. I intended to vote yes.

G. Bonnen

I was shown voting yes on Record No. 439. I intended to vote no.

Button

I was shown voting yes on Record No. 439. I intended to vote no.

Dale

I was shown voting yes on Record No. 439. I intended to vote no.

Gonzales

I was shown voting yes on Record No. 439. I intended to vote no.

Phillips

**SB 349 ON THIRD READING
(Creighton - House Sponsor)**

SB 349, A bill to be entitled An Act relating to standards for power lines.

SB 349 was passed by (Record 440): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; 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; Bonnen, D.(C).

Absent, Excused, Committee Meeting — Pitts.

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

HB 590 ON THIRD 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.

HB 590 was passed by (Record 441): 80 Yeas, 63 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bonnen, G.; Canales; Collier; Cortez; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Giddings; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Johnson; Kacal; Keffer; King, S.; King, T.; Kolkhorst; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, R.; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Patrick; Perez; Pickett; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Simmons; Simpson; Smith; Smithee; Strama; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Wu; Zerwas.

Nays — Anderson; Ashby; Bell; Bohac; Branch; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Darby; Elkins; Fallon; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Harless; Harper-Brown; Hilderbran; Hughes; Isaac; King, K.; King, P.; Kleinschmidt; Klick; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Miller, D.; Murphy; Orr; Paddie; Parker; Perry; Phillips; Price; Sanford; Schaefer; Sheets; Sheffield, R.; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, E.S.; White; Workman; Zedler.

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

Absent, Excused, Committee Meeting — Pitts.

Absent — Burnam; Coleman; Morrison; Raney.

STATEMENTS OF VOTE

I was shown voting no on Record No. 441. I intended to vote yes.

Bohac

I was shown voting no on Record No. 441. I intended to vote yes.

Cook

When Record No. 441 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

I was shown voting no on Record No. 441. I intended to vote yes.

S. Thompson

HB 6 ON THIRD READING**(by Otto, Anchia, Harless, Howard, et al.)**

HB 6, A bill to be entitled An Act relating to the creation and re-creation of funds and accounts in the state treasury, the dedication and rededication of revenue, and the exemption of unappropriated money from use for general governmental purposes.

HB 6 was passed by (Record 442): 144 Yeas, 1 Nays, 2 Present, not voting.

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

Nays — Simpson.

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

Absent, Excused, Committee Meeting — Pitts.

Absent — Coleman; Cortez.

STATEMENT OF VOTE

When Record No. 442 was taken, my vote failed to register. I would have voted yes.

Cortez

(Pitts now present)

HB 2503 ON THIRD READING**(by Bohac)**

HB 2503, A bill to be entitled An Act relating to the territory that may be included in a single county election precinct.

HB 2503 was passed by (Record 443): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Bonnen, D.(C).

Absent — Alonzo; Coleman.

HB 2290 ON THIRD READING **(by Lozano, et al.)**

HB 2290, A bill to be entitled An Act relating to the use for administrative costs of a portion of money received by certain entities to implement a supplemental environmental project.

HB 2290 was passed by (Record 444): 144 Yeas, 1 Nays, 3 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Workman; Wu; Zedler; Zerwas.

Nays — White.

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

Absent — Alonzo; Coleman.

STATEMENT OF VOTE

I was shown voting no on Record No. 444. I intended to vote yes.

White

HB 1448 ON THIRD READING (by Kuempel)

HB 1448, A bill to be entitled An Act relating to the use of money deposited to a justice court technology fund in certain counties.

HB 1448 was passed by (Record 445): 148 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Bonnen, D.(C).

HB 1358 ON THIRD READING (by Hunter, Cook, Eiland, Kleinschmidt, Muñoz, et al.)

HB 1358, A bill to be entitled An Act relating to procedures for certain audits of pharmacists and pharmacies.

HB 1358 was passed by (Record 446): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Bonnen, D.(C).

Absent — Aycock; Cortez; Darby; Eiland; Gooden; Gutierrez; Keffer.

STATEMENTS OF VOTE

When Record No. 446 was taken, my vote failed to register. I would have voted yes.

Cortez

When Record No. 446 was taken, my vote failed to register. I would have voted yes.

Gooden

HB 1079 ON THIRD READING

(by Smith, Guillen, Kleinschmidt, et al.)

HB 1079, A bill to be entitled An Act relating to the procedural requirements for action by the Texas Commission on Environmental Quality on applications for production area authorizations.

HB 1079 was passed by (Record 447): 135 Yeas, 10 Nays, 2 Present, not voting.

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

Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; 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.

Nays — Burnam; Canales; Collier; Farias; González, M.; Gonzalez, N.; Márquez; Morrison; Oliveira; Rodriguez, J.

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

Absent — Gooden; Gutierrez; Nevárez.

STATEMENTS OF VOTE

When Record No. 447 was taken, my vote failed to register. I would have voted yes.

Gooden

When Record No. 447 was taken, I was in the house but away from my desk. I would have voted no.

Nevárez

HB 7 ON THIRD READING

(by Darby, Pitts, Gonzales, Menéndez, S. Turner, et al.)

HB 7, A bill to be entitled An Act relating to the amounts, availability, and use of certain statutorily dedicated revenue and accounts; reducing or affecting the amounts or rates of certain statutorily dedicated fees and assessments.

HB 7 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE BURNAM: Mr. Darby, you and I had a little conversation earlier today, and you know that there's concern about the impact on the solid waste fee, is that correct?

REPRESENTATIVE DARBY: That's correct.

BURNAM: And, as you were explaining and laying it out yesterday, there was some conversation about the split. Exactly how has that split been working, and what is your intent for the future?

DARBY: It was split 50-50, now it's going to be split two-thirds, one-third. Two-thirds to pay the TCEQ to administer the program, and the third going to the local COGs.

BURNAM: And so, it's understandable if all they understand is that change in the percentage that a lot of our local governments and COGs could be concerned about this legislation, but what exactly is your intent, and why you think we need to do this?

DARBY: The intent is to fully fund the TCEQ to administer the program, but it brings—by doing a third percentage—it brings it more closely aligned to what we appropriate. And the idea is if we're not going to continue to accumulate balances into the account, then the urge would be for the appropriations to fully fund, if you will, that third to the COGs.

BURNAM: So do you think one of the concerns might be whether or not we're actually going to see it fully funded in this appropriation process this session?

DARBY: I don't think it's going to be fully funded, but there's still an appropriation process that needs to be involved, but, certainly, as we bring that percentage closer, I think it would be certainly argumentative that we should fully fund up to the percentage—up to that third percentage for the COGs.

BURNAM: So, perspectively—maybe not this session—you're thinking that that's something the Appropriations Committee should address?

DARBY: I think it will be.

BURNAM: How are we going to avoid shortfalls in the short term for our short COGs?

DARBY: Well, I don't think we're going to avoid—certainly, we're going to have to have a hand in the appropriation process, and have the Appropriations Committee and this house determine what's an appropriate level of funding, but by reducing the incentive to accumulate balances in the GR dedicated account that will give incentive, I believe, to the appropriations process to fully fund.

BURNAM: You think by passing this legislation, it will provide an incentive to increase the funding?

DARBY: Hopefully it will.

BURNAM: Okay, and so how do we make sure that happens? Do the COGs need to become lobbyists?

DARBY: I think we need to continue to work within the process we have. This allows us to bring more closely in line with the revenue, we're reducing the fees, and we're reallocating percentages, so hopefully we can get more to an appropriate figure to fund these COG projects.

REMARKS ORDERED PRINTED

Representative Burnam moved to print remarks between Representative Darby and Representative Burnam.

The motion prevailed.

Amendment No. 1

Representative Martinez Fischer offered the following amendment to **HB 7**:

Amend **HB 7** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter F, Chapter 401, Government Code, is amended by adding Section 401.106 to read as follows:

Sec. 401.106. DRIVING WHILE INTOXICATED PREVENTION; COLLECTION OF CERTAIN FEES. (a) In this section, "offense relating to the operating of a motor vehicle while intoxicated" has the meaning assigned by Section 49.09(c), Penal Code.

(b) Court costs imposed under Article 102.018(e), Code of Criminal Procedure, shall be deposited in a general revenue dedicated account to the credit of the office of the governor to be used and may be appropriated only for the support of programs for the prevention of offenses relating to the operating of a motor vehicle while intoxicated in this state.

SECTION _____. Article 102.018, Code of Criminal Procedure, is amended by adding Subsection (e) to read as follows:

(e) On the conviction of an offense relating to the operating of a motor vehicle while intoxicated, as defined by Section 49.09(c)(1)(A) or (B), Penal Code, the court shall impose a cost of \$10 on a defendant. A cost imposed under this subsection is in addition to a cost imposed under Subsection (a), (b), or (c). Each cost collected under this subsection shall be deposited in the account to the credit of the office of the governor as provided by Section 401.106, Government Code, for the prevention of driving while intoxicated.

SECTION _____. Subchapter B, Chapter 102, Government Code, is amended by adding Section 102.0215 to read as follows:

Sec. 102.0215. ADDITIONAL COURT COSTS: CODE OF CRIMINAL PROCEDURE. A defendant who is convicted of an offense relating to the operating of a motor vehicle while intoxicated shall pay a cost on conviction, in addition to all other costs, to help fund the prevention of driving while intoxicated under Section 401.106, Government Code (Art. 102.018(e), Code of Criminal Procedure) . . . \$10.

SECTION _____. Article 102.018(e), Code of Criminal Procedure, as added by this Act, applies only to a cost on conviction for an offense committed on or after September 1, 2013. An offense committed before September 1, 2013, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before September 1, 2013, if any element of the offense was committed before that date.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Y. Davis offered the following amendment to **HB 7**:

Amend **HB 7** on third reading by adding to the end of amended Section 501.138(b-2), Transportation Code, as amended by Amendment 10 by Darby, "The Texas Commission on Environmental Quality by rule shall adopt criteria for making the finding required by this subsection."

AMENDMENT NO. 2 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE Y. DAVIS: What I wanted to do was just ask a couple questions, because the amendment was not as—I'd expected it to have a couple things on it. One was—we were setting out the criterias so that we could make sure that TCEQ had a criteria to how these funds would be spent on various projects, that's correct?

REPRESENTATIVE DARBY: That's exactly correct.

Y. DAVIS: And one of the concerns I had is to make sure that those TIF dollars that were used for nonattainment areas could stay in nonattainment areas?

DARBY: That's exactly the purpose.

Y. DAVIS: And so, I just wanted to make sure that it is not the intent for us to take turf funds from areas who are used for mitigation, is that correct?

DARBY: That's correct.

REMARKS ORDERED PRINTED

Representative Y. Davis moved to print remarks between Representative Darby and Representative Y. Davis.

The motion prevailed.

Amendment No. 2 was adopted.

HB 7, as amended, was passed by (Record 448): 146 Yeas, 1 Nays, 2 Present, not voting.

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

Nays — Simpson.

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

Absent — King, S.

The chair stated that **HB 7** was passed subject to the provisions of Article III, Section 49a of the Texas Constitution.

STATEMENT OF VOTE

When Record No. 448 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

HB 29 ON THIRD READING

(by Branch, D. Bonnen, Alvarado, Herrero, et al.)

HB 29, A bill to be entitled An Act relating to requiring certain general academic teaching institutions to offer a four-year fixed tuition price plan to undergraduate students.

HB 29 was passed by (Record 449): 148 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Bonnen, D.(C).

HB 1803 ON THIRD READING

(by Callegari)

HB 1803, A bill to be entitled An Act relating to the renewal of a controlled substance registration by physicians; changing the payment schedule for a fee.

HB 1803 was passed by (Record 450): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton;

Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; 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; Bonnen, D.(C).

Absent — Cortez; King, S.; Larson.

STATEMENTS OF VOTE

When Record No. 450 was taken, my vote failed to register. I would have voted yes.

Cortez

When Record No. 450 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

HB 137 ON THIRD READING (by Raymond and R. Miller)

HB 137, A bill to be entitled An Act relating to the information reported to the comptroller by a coin-operated machine license holder, the penalty for failure to report that information, and the penalty for gambling promotion.

HB 137 was passed by (Record 451): 139 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.;

Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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.; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Schaefer; Simmons; Simpson; Stickland; Toth; White.

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

Absent — Anderson; Cortez; Hughes.

STATEMENT OF VOTE

When Record No. 451 was taken, my vote failed to register. I would have voted yes.

Cortez

HB 772 ON THIRD READING

(by Howard, Zerwas, Callegari, J. Sheffield, G. Bonnen, et al.)

HB 772, A bill to be entitled An Act relating to the immunization data included in and excluded from the immunization registry.

Amendment No. 1

Representatives Kolkhorst, G. Bonnen, and J. Sheffield offered the following amendment to **HB 772**:

Amend **HB 772** on third reading as follows:

(1) In SECTION 1 of the bill, in added Section 161.007(a)(4), Health and Safety Code (page 2, line 6, house committee printing), between "request removal" and the colon, insert "at any time, including".

(2) In SECTION 1 of the bill, in added Section 161.007(a)(4)(B), Health and Safety Code (page 2, line 9, house committee printing), strike "at the" and substitute "each".

(3) In SECTION 1 of the bill, in added Section 161.007(a)(4)(E), Health and Safety Code (page 2, line 16, house committee printing), strike "and" and substitute "[and]".

(4) In SECTION 1 of the bill, in amended Section 161.007(a)(5), Health and Safety Code (page 2, line 17, house committee printing), between "(5)" and "include", insert the following:

ensure that an individual or the individual's legally authorized representative is not required to request removal from the registry more than one time and that, after a request for removal is made, the individual's immunization information will not be included in the registry unless the individual or the individual's legally authorized representative submits to the department a written request for inclusion of the individual's information in the registry; and

(6)

(5) In SECTION 10 of the bill (page 11, line 23, house committee printing), between "SECTION 10." and "The changes", insert "(a)".

(6) Immediately following SECTION 10 of the bill (page 12, between lines 4-5, house committee printing), insert the following:

(b) The changes in law made by this Act do not authorize the Department of State Health Services to include in the immunization registry established under Subchapter A, Chapter 161, Health and Safety Code, immunization information of an individual who is 18 years of age or older and whose immunization information was not included in the registry on or before January 1, 2015, unless the department receives immunization data from a health care provider who:

(1) administers an immunization to the individual after that date and elects to provide the individual's immunization information to the department; and

(2) notifies the individual before submission of the information to the department:

(A) that the health care provider is providing the information to the department for inclusion in the registry;

(B) that the information will remain in the registry until removal is requested by the individual or the individual's legally authorized representative; and

(C) of the procedures for requesting removal from the registry under Subchapter A, Chapter 161, Health and Safety Code, as amended by this Act.

AMENDMENT NO. 1 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HOWARD: I want to make sure that this is correct, the way you understand it. You can opt out multiple times through this system, and once you opt out, you are always out unless you consent to be admitted back in? You are out once you opt out?

REPRESENTATIVE KOLKHORST: Correct.

HOWARD: Okay, and that adults are not automatically opted in. That this is mainly—

KOLKHORST: You and I are not in ImmTrac and we will not be in ImmTrac, unless we request to be in ImmTrac. We are given the information by our provider that says we're going to put this in, and we have the option at that point to opt out.

HOWARD: Okay, so, seems to me, do you not think that this clarifies what was brought up yesterday and that we've assured people that you have multiple opportunities to opt out, and once you opt out, you are always opted out?

KOLKHORST: Right. Representative Howard, I just want to say that the importance of—the reason I'm going to vote for your bill, and I appreciate your hard work on this bill, is I think it gives us more protections than we currently have in the ImmTrac system today. It empowers the parents at each and every vaccination to get out of the system, and that's what I want to do. As I told you, I wasn't even cognizant of if my children were in the ImmTrac system. I will now know every time I take a vaccination.

Amendment No. 1 was adopted.

HB 772, as amended, was passed by (Record 452): 99 Yeas, 47 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bohac; Bonnen, G.; Branch; Burnam; Callegari; Clardy; Coleman; Collier; Cook; Cortez; Crownover; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Fletcher; Geren; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kolkhorst; Kuempel; Larson; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Sheffield, R.; Smith; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Bell; Burkett; Button; Canales; Capriglione; Carter; Craddick; Creighton; Dale; Darby; Elkins; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Harless; Harper-Brown; Hilderbran; Hughes; Isaac; King, P.; Kleinschmidt; Klick; Krause; Laubenberg; Lavender; Leach; Parker; Perry; Phillips; Sanford; Schaefer; Sheets; Simmons; Simpson; Smithee; Springer; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Zedler.

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

Absent — Giddings; Morrison.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 452. I intended to vote no.

R. Miller

When Record No. 452 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

I was shown voting yes on Record No. 452. I intended to vote no.

Riddle

REMARKS ORDERED PRINTED

Representative Howard moved to print remarks between Representative Kolkhorst and Representative Howard.

The motion prevailed.

HB 3674 ON THIRD READING
(by Muñoz, Guillen, and Isaac)

HB 3674, A bill to be entitled An Act relating to eligibility of municipalities to participate in the historic courthouse preservation and maintenance programs administered by the Texas Historical Commission.

HB 3674 was passed by (Record 453): 85 Yeas, 60 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Burnam; Callegari; Canales; Carter; Coleman; Collier; Cortez; Crownover; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Fletcher; Geren; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; Keffèr; King, K.; King, S.; Klick; Kuempel; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Patrick; Perez; Pickett; Pitts; Price; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Smith; Stephenson; Strama; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Bell; Bonnen, G.; Branch; Burkett; Button; Capriglione; Clardy; Cook; Craddick; Creighton; Dale; Darby; Davis, S.; Elkins; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hughes; King, P.; King, T.; Kleinschmidt; Kolkhorst; Krause; Laubenberg; Lavender; Leach; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Otto; Paddie; Parker; Perry; Phillips; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stickland; Taylor; Toth; Turner, E.S.; Villalba; Villarreal; White; Zedler.

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

Absent — Lewis; Raney; Riddle.

STATEMENTS OF VOTE

I was shown voting no on Record No. 453. I intended to vote yes.

Cook

I was shown voting yes on Record No. 453. I intended to vote no.

J. Sheffield

I was shown voting yes on Record No. 453. I intended to vote no.

E. Thompson

I was shown voting no on Record No. 453. I intended to vote yes.

Villarreal

HB 3640 ON THIRD READING**(by Pitts)**

HB 3640, A bill to be entitled An Act relating to the creation of an extension center of the Texas State Technical College System.

HB 3640 was passed by (Record 454): 142 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; 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; Strama; Taylor; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Flynn; Laubenberg; Stickland; Thompson, E.; Zedler.

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

Absent — Toth.

STATEMENT OF VOTE

I was shown voting no on Record No. 454. I intended to vote yes.

Flynn

HB 316 ON THIRD READING**(by Otto and Guillen)**

HB 316, A bill to be entitled An Act relating to the pilot program authorizing a property owner to appeal to the State Office of Administrative Hearings regarding certain appraisal review board determinations.

HB 316 was passed by (Record 455): 148 Yeas, 0 Nays, 2 Present, not voting.

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

Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Bonnen, D.(C).

HB 1047 ON THIRD READING
(by Sheets)

HB 1047, A bill to be entitled An Act relating to the regulation of certain surety companies.

HB 1047 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE S. THOMPSON: What is the purpose of this bill?

REPRESENTATIVE SHEETS: To codify the current and past accounting practice of surety insurance companies writing bail bonds. Currently, this accounting practice, according to recent review by the Texas Department of Insurance, is not clearly defined in the Texas Insurance Code. This bill provides the needed Texas Department of Insurance clarification and removes ambiguity. The bill requires surety insurance companies to record the amount of money they actually receive, or are due, from a bail agent as premium in their financial records, and requires premium taxes to be paid on these premiums. As bail premium is fully earned when written, the bill also clarifies the long standing accounting position of no unearned premium reserve being required to be recorded on this business.

S. THOMPSON: Why is it important to codify the past accounting practices in **HB 1047** and to continue that practice until such time as the bill passes with an effective date?

SHEETS: Because of recent ambiguities raised by the Texas Department of Insurance, the Texas Department of Insurance has issued "permitted practice letters" to certain surety insurance companies allowing them to follow the accounting practices outlined in this bill. Permitted practice letters can be revoked at any time by the TDI. This bill provides clarification and certainty to surety insurance companies writing bail and for the Texas Department of Insurance in its regulatory capacity. Codifying the past accounting practice in **HB 1047** and continuing the practice until such time as the bill passes with an effective date

will ensure consistency within the financial records of surety insurance companies writing bail and consistency for the Texas Department of Insurance. It also establishes the legislature's intent that surety insurance companies not be unfairly taxed on the premiums in past years based on the application of accounting practices not spelled out in the permitted practice letter or this bill.

REMARKS ORDERED PRINTED

Representative S. Thompson moved to print remarks between Representative Sheets and Representative S. Thompson.

The motion prevailed.

HB 1047 was passed by (Record 456): 146 Yeas, 0 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; 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; Bonnen, D.(C); Canales; Miles.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

HB 1759 ON THIRD READING

(by Hunter, Herrero, Martinez Fischer, and Cook)

HB 1759, A bill to be entitled An Act relating to a correction, clarification, or retraction of incorrect information published.

HB 1759 was passed by (Record 457): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick;

Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; 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; Bonnen, D.(C).

Absent — Deshotel; Gutierrez; Rodriguez, E.

STATEMENT OF VOTE

When Record No. 457 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

HB 2414 ON THIRD READING

(by Button, Capriglione, Harper-Brown, Coleman, Elkins, et al.)

HB 2414. A bill to be entitled An Act relating to requirements for open meetings held by videoconference call.

HB 2414 was passed by (Record 458): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Bonnen, D.(C).

Absent — Dutton.

HB 2918 ON THIRD READING
(by S. Thompson)

HB 2918, A bill to be entitled An Act relating to statutory durable powers of attorney.

HB 2918 was passed by (Record 459): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Sheffield, J.; Sheffield, R.; 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; Bonnen, D.(C).

Absent — Sheets; Simmons.

STATEMENTS OF VOTE

When Record No. 459 was taken, I was in the house but away from my desk. I would have voted yes.

Sheets

When Record No. 459 was taken, I was in the house but away from my desk. I would have voted yes.

Simmons

HB 3116 ON THIRD READING
(by Cook)

HB 3116, A bill to be entitled An Act relating to the recovery of uniform statewide accounting project costs from state agencies and vendors.

HB 3116 was passed by (Record 460): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Bonnen, D.(C).

Absent — Elkins; Hughes.

HB 3831 ON THIRD READING
(by Herrero and Hunter)

HB 3831, A bill to be entitled An Act relating to the designation of a portion of State Highway 358 as the Peace Officers Memorial Highway.

HB 3831 was passed by (Record 461): 148 Yeas, 0 Nays, 2 Present, not voting.

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

Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Bonnen, D.(C).

HB 3355 ON THIRD READING
(by Cook)

HB 3355, A bill to be entitled An Act relating to cable operators' attachments on distribution poles owned or controlled by electric cooperatives.

HB 3355 was passed by (Record 462): 148 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycocock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Bonnen, D.(C).

HB 2585 ON THIRD READING
(by Harper-Brown, et al.)

HB 2585, A bill to be entitled An Act relating to the reimbursement of utilities for relocation of utility facilities following improvement or construction of certain tolled highways.

HB 2585 was passed by (Record 463): 131 Yeas, 16 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Geren; Giddings; Goldman; Gonzales; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Paddie; Patrick; Perez; Perry; 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; Thompson, E.; Thompson, S.; Toth; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Alvarado; Anchia; Elkins; Frank; González, M.; Gonzalez, N.; Hernandez Luna; Hilderbran; Lucio; Orr; Otto; Phillips; Pickett; Strama; Taylor; Turner, C.

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

Absent — Parker.

STATEMENTS OF VOTE

I was shown voting no on Record No. 463. I intended to vote yes.

Alvarado

I was shown voting no on Record No. 463. I intended to vote yes.

Anchia

I was shown voting yes on Record No. 463. I intended to vote no.

Creighton

I was shown voting yes on Record No. 463. I intended to vote no.

Dutton

I was shown voting no on Record No. 463. I intended to vote no.

Hilderbran

I was shown voting no on Record No. 463. I intended to vote yes.

Lucio

When Record No. 463 was taken, my vote failed to register. I would have voted yes.

Parker

I was shown voting yes on Record No. 463. I intended to vote no.

Walle

HB 800 ON THIRD READING**(by Murphy, Alvarado, Hilderbran, Button, E. Rodriguez, et al.)**

HB 800, A bill to be entitled An Act relating to a sales and use tax exemption and a franchise tax credit related to certain research and development activities.

HB 800 was passed by (Record 464): 146 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; 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; 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.

Nays — Simpson.

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

Absent — Orr.

STATEMENT OF VOTE

When Record No. 464 was taken, I was in the house but away from my desk. I would have voted yes.

Orr

HB 1376 ON THIRD READING**(by Kolkhorst)**

HB 1376, A bill to be entitled An Act relating to advertising by certain facilities that provide emergency services.

HB 1376 was passed by (Record 465): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes;

Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; 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; Bonnen, D.(C).

Absent — Dale.

STATEMENT OF VOTE

When Record No. 465 was taken, my vote failed to register. I would have voted yes.

Dale

(Ritter in the chair)

HB 955 ON THIRD READING (by Isaac and Guillen)

HB 955, A bill to be entitled An Act relating to the penalty for the offense of reckless driving.

HB 955 was passed by (Record 466): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; 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; 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; Ritter(C).

Absent — Aycock; Hughes; Martinez Fischer.

STATEMENT OF VOTE

When Record No. 466 was taken, I was in the house but away from my desk. I would have voted yes.

Martinez Fischer

HB 124 ON THIRD READING

(by Anderson, Stephenson, Price, Flynn, et al.)

HB 124, A bill to be entitled An Act relating to the addition of Salvia divinorum and its derivatives and extracts to Penalty Group 3 of the Texas Controlled Substances Act.

HB 124 - REMARKS

REPRESENTATIVE SIMPSON: I'm going to be brief here. We had some discussion on this bill yesterday, but this bill will criminalize a plant, and in 1 Timothy 4:4, God said there that all things that God created are good. I think what we should be doing here is punishing the wrongdoer, and if you use something, and neglect it, and do something wrong, then we should punish them, but we should not be making a felony out of just possessing a plant. And some people do use this plant as extract and things medicinally. The Harvard Medical School stated that salvia could reduce dependence upon stimulants. The National Institute of Mental Health's Psychoactive Drug Screening Program said that salvia could be useful for a range of diseases including Alzheimer's, depression, schizophrenia, chronic pain, or even AIDS or HIV. And there are some who do use this plant religiously, and though I differ with them, I believe it's my duty to protect their right to worship as they please and according to their conscience, as long as they're not harming someone else.

It's been said that this drug causes lots of problems, it's hallucinogenic. The effect is for about 10 minutes, and it's akin to having a daydream. And I think we make a mistake in going ahead and making this a part of the Schedule III drugs that are prohibited when the FDA has not added it to the list. So I urge you not to extend the war on drugs, which has been a real failure in many ways. Thank you for your consideration. I urge you to vote against the bill.

HB 124 was passed by (Record 467): 129 Yeas, 17 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Geren; Giddings;

Goldman; Gonzales; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, J.; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Walle; White; Workman; Zedler; Zerwas.

Nays — Burnam; Canales; Deshotel; Frank; Gooden; Hilderbran; Howard; Hughes; Miles; Nevárez; Rodriguez, E.; Rose; Schaefer; Simpson; Stickland; Villarreal; Wu.

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

Absent — González, M.; Sanford.

STATEMENTS OF VOTE

When Record No. 467 was taken, my vote failed to register. I would have voted present, not voting.

M. González

I was shown voting no on Record No. 467. I intended to vote yes.

Hilderbran

I was shown voting no on Record No. 467. I intended to vote yes.

Miles

HB 1337 ON THIRD READING (by D. Bonnen, Riddle, et al.)

HB 1337, A bill to be entitled An Act relating to the frequency with which the Board of Pardons and Paroles considers the eligibility of certain inmates for release on parole.

Amendment No. 1

Representative Toth offered the following amendment to **HB 1337**:

Amend **HB 1337** (second reading engrossment) on third reading in SECTION 1 of the bill, as added by Amendment No. 1 by Toth, as follows:

(1) On page 1, line 5, strike "Subsections (b) and (e)" and substitute "Subsections (b), (c), and (e)".

(2) On page 1, line 9, strike "consideration" and substitute "proceedings [~~consideration~~]".

(3) Strike all of the language appearing on page 1, line 16, through page 2, line 16, and substitute the following:

(b-1) Regardless of whether a victim, guardian of a victim, or close relative of a deceased victim provided a victim impact statement or indicated on the statement that the person did or did not wish to be notified of parole proceedings concerning an inmate, the victim, guardian, or close relative may at any time file with the division a written statement indicating that the person:

(1) eternally protests the release of the inmate under any circumstance and urges the protest to be considered in any parole proceeding concerning the inmate; and

(2) with respect to notification of parole proceedings concerning the inmate:

(A) wishes to be notified of any parole proceedings by the division;

(B) wishes to be notified only after a parole panel orders the release of the inmate; or

(C) does not wish to be notified at any time, including after a parole panel orders the release of the inmate.

(b-2) A victim, guardian of a victim, or close relative of a deceased victim who files a statement with the division under Subsection (b-1) may at any time on written notice to the division:

(1) withdraw the person's protest under Subsection (b-1)(1); or

(2) indicate a change in the circumstances under which the person wishes to be notified under Subsection (b-1)(2).

(c) If the notice is sent to a guardian or close relative of a deceased victim, the notice must contain a request by the division that the guardian or relative inform other persons having an interest in the matter that the inmate is the subject of a parole proceeding [~~being considered for release on parole~~].

(e) Before an inmate is released from the institutional division on parole or to mandatory supervision, the pardons and paroles division shall give notice of the release to a person entitled to notification of parole proceedings concerning [~~consideration for~~] the inmate under Subsection (a) or (b), unless:

(1) the person has filed with the division a written statement described by Subsection (b-1)(2)(C) and has not withdrawn that statement; or

(2) the parole panel ordering the release of the inmate determines that, notwithstanding a written statement described by Subsection (b-1)(2)(C), notification is necessary to the person's safety.

Amendment No. 1 was adopted.

HB 1337, as amended, was passed by (Record 468): 148 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; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson;

Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; 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; Ritter(C).

(Speaker in the chair)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 3:30 p.m. today, in 3W.9, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 3:30 p.m. today, 3W.9, for a formal meeting, to set a calendar.

POSTPONED BUSINESS

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

CSHB 318 ON SECOND READING

(by Giddings)

CSHB 318, A bill to be entitled An Act relating to employer access to the personal accounts of certain employees and job applicants through electronic communication devices; establishing an unlawful employment practice.

CSHB 318 was read second time on May 1, an amendment was offered and disposed of, and **CSHB 318** was postponed until 4 a.m. today.

Amendment No. 2

Representative Giddings offered the following amendment to **CSHB 318**:

Amend **CSHB 318** as follows:

1) In SECTION 1 of the bill, strike subsection (a) (page 1, lines 8 through 16) and substitute the following:

Sec. 21.0605. REQUIRING OR REQUESTING PERSONAL ACCOUNT ACCESS. (a) In this section, "electronic communication device" includes a computer, telephone, personal digital assistant, or similar device that uses electronic signals to create, transmit, and receive information.

2) In SECTION 1 of the bill, strike subsection (b) (page 1, lines 17 through 22) and substitute the following:

(b) An employer, other than a state or local law enforcement agency, commits an unlawful employment practice if the employer requires or requests that an employee or applicant for employment disclose a user name, password, or other means for accessing a personal account of the employee or applicant, including a personal e-mail account or a social networking website account or profile, through an electronic communication device.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Giddings offered the following amendment to **CSHB 318**:

Amend **CSHB 318** as follows:

1) In SECTION 1 of the bill, strike subsection (c) (page 1, line 23 through page 2, line 15) and substitute the following:

(c) This section does not prohibit an employer from:

(1) maintaining lawful workplace policies governing:

(A) employee usage of employer-provided electronic communication devices, including employee access to personal accounts on those devices; or

(B) employee usage of personal electronic communication devices during working hours;

(2) monitoring employee usage of employer-provided electronic communication devices or employer-provided e-mail accounts; or

(3) obtaining information about an employee or applicant for employment that is in the public domain or that is otherwise lawfully obtained.

2) In SECTION 1 of the bill, strike subsection (d) (page 2, lines 16 through 17) and substitute the following:

(d) This section does not apply to a personal social media account or an electronic communication device of a financial services employee who uses the account or device to conduct business of the employer that is subject to the content, supervision, and retention requirements imposed by federal securities laws and regulations or by a self-regulatory organization, as defined by Section 3(a)(26), Securities Exchange Act of 1934 (15 U.S.C. Section 78c).

3) In SECTION 1 of the bill, strike subsection (e) through subsection (g) (page 2, lines 18 through page 3, line 23).

Amendment No. 3 was adopted.

LEAVES OF ABSENCE GRANTED

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

Branch on motion of Raymond.

Button on motion of Raymond.

Cook on motion of Raymond.

Crownover on motion of Raymond.

S. Davis on motion of Raymond.

Eiland on motion of Bohac.

Fruzzo on motion of Raymond.

Geren on motion of Raymond.

Hunter on motion of Raymond.

Kuempel on motion of Raymond.

D. Miller on motion of Raymond.

CSHB 318 - (consideration continued)

(R. Sheffield in the chair)

Representative Giddings moved to postpone consideration of **CSHB 318** until 3:50 p.m. today.

The motion prevailed.

CSHB 866 ON SECOND READING

(by **Huberty, S. Turner, Cook, Miles, et al.**)

CSHB 866, A bill to be entitled An Act relating to the administration to public school students in certain grades of state-administered assessment instruments.

CSHB 866 was read second time on May 1 and was postponed until 8 a.m. today.

Amendment No. 1

Representative Huberty offered the following amendment to **CSHB 866**:

Amend **CSHB 866** (house committee report) as follows:

(1) On page 1, line 20, strike "and".
 (2) Strike page 1, line 23 through page 2, line 2, and substituting the following:

~~[(4)]~~ social studies, in grade eight; and
 (4) ~~[(5)]~~ science, in grades five and eight ~~[-, and~~
~~[(6)] any other subject and grade required by federal law].~~

Amendment No. 1 was adopted.

Amendment No. 2

Representative Huberty offered the following amendment to **CSHB 866**:

Amend **CSHB 866** (house committee report) on page 9, by striking lines 10-16 and substituting the following:

SECTION 2. (a) This Act takes effect on any date not later September 1, 2015, on which the commissioner of education:

(1) obtains any necessary waiver from the application of federal law or regulation conflicting with Section 39.023, Education Code, as amended by this Act, as required by Section 39.023(a-9), Education Code, as added by this Act; or

(2) receives written notification from the United States Department of Education that a waiver is not required.

(b) This Act applies beginning with the first school year that begins after the date on which this Act takes effect under Subsection (a) of this section.

(c) If the commissioner of education obtains any necessary waiver or receives written notification as described by Subsection (a) of this section, the commissioner shall certify that the commissioner has obtained the waiver or received notification that a waiver is not required, as applicable, and shall publish notice of that fact in the Texas Register as soon as practicable after obtaining the waiver or receiving notification.

Amendment No. 2 was adopted.

CSHB 866, as amended, was passed to engrossment.

(Branch, Button, Cook, Crownover, S. Davis, Eiland, Frullo, Geren, Hunter, Kuempel, and D. Miller now present)

CSHB 376 ON SECOND READING
(by Strama, Price, Zerwas, N. Gonzalez, Wu, et al.)

CSHB 376, A bill to be entitled An Act relating to the regulation of child-care providers by the Texas Workforce Commission and local workforce development boards.

CSHB 376 was read second time on May 1 and was postponed until 10 a.m. today.

Representative Strama moved to postpone consideration of **CSHB 376** until 4 p.m. today.

The motion prevailed.

CSHB 3447 ON SECOND READING
(by Gutierrez)

CSHB 3447, A bill to be entitled An Act relating to the establishment and functions of certain urban land bank demonstration programs.

CSHB 3447 was read second time on May 1 and was postponed until 12 p.m. today.

CSHB 3447 was passed to engrossment. (Anderson, Button, Carter, Schaefer, and Simpson recorded voting no.)

GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 3201 ON SECOND READING
(by Kolkhorst)

CSHB 3201, A bill to be entitled An Act relating to the practice of dentistry; imposing surcharges and fees.

Representative Kolkhorst moved to postpone consideration of **CSHB 3201** until 4 p.m. today.

The motion prevailed.

CSHB 983 ON SECOND READING
(by Elkins)

CSHB 983, A bill to be entitled An Act relating to the eligibility of temporary election officers for unemployment compensation.

CSHB 983 was passed to engrossment.

HB 985 ON SECOND READING
(by Elkins)

HB 985, A bill to be entitled An Act relating to the deadlines by which provisional ballots must be processed and the state canvass must be conducted for certain elections.

HB 985 was passed to engrossment.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today to attend a meeting of the Conference Committee on **SB 1**:

Pitts on motion of Geren.

MESSAGE FROM THE SENATE

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

CSHB 1010 ON SECOND READING
(by S. King)

CSHB 1010, A bill to be entitled An Act relating to the penalty for causing certain assaultive physical contact with a child.

Representative S. King moved to postpone consideration of **CSHB 1010** until 4:45 p.m. today.

The motion prevailed.

CSHB 1081 ON SECOND READING
(by M. González and Nevárez)

CSHB 1081, A bill to be entitled An Act relating to a study regarding the prohibition of dairy farming in certain areas of the state.

Amendment No. 1

Representative M. González offered the following amendment to **CSHB 1081**:

Amend **CSHB 1081** by striking page 1, line 22, through page 2, line 1, and renumbering the subsequent subdivisions of SECTION 1(c) of the bill accordingly.

Amendment No. 1 was adopted.

CSHB 1081, as amended, was passed to engrossment. (Carter and Simpson recorded voting no.)

CSHB 1324 ON SECOND READING
(by J. Davis, et al.)

CSHB 1324, A bill to be entitled An Act relating to exclusion of land from certain water districts that fail to provide service to the land; clarifying and limiting the authority of those districts with outstanding bonds payable from ad valorem taxes to impose taxes on excluded land.

CSHB 1324 was passed to engrossment.

(Márquez in the chair)

CSHB 585 ON SECOND READING
(by Villarreal, Workman, and P. King)

CSHB 585, A bill to be entitled An Act relating to ad valorem taxation; creating an offense.

Representative Otto moved to postpone consideration of **CSHB 585** until 4:30 p.m. today.

The motion prevailed.

SB 1546 ON SECOND READING
(Guillen - House Sponsor)

SB 1546, A bill to be entitled An Act relating to the management and use of the Texas preservation trust fund.

SB 1546 was considered in lieu of **HB 3651**.

Amendment No. 1

Representative Orr offered the following amendment to **SB 1546**:

Amend **SB 1546** (house committee printing) on page 3 of the bill as follows:

- (1) On line 8, strike "increase" and substitute "make".
- (2) On line 11, strike "seven" and substitute "six".

Amendment No. 1 was adopted.

SB 1546, as amended, was passed to third reading.

HB 3651 - LAID ON THE TABLE SUBJECT TO CALL

Representative Guillen moved to lay **HB 3651** on the table subject to call.

The motion prevailed.

POSTPONED BUSINESS

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

CSHB 318 ON SECOND READING
(by Giddings)

CSHB 318, A bill to be entitled An Act relating to employer access to the personal accounts of certain employees and job applicants through electronic communication devices; establishing an unlawful employment practice.

CSHB 318 was read second time on May 1, an amendment was offered and disposed of, and **CSHB 318** was postponed until 4 a.m. today. **CSHB 318** was laid before the house as postponed business earlier today, was further amended, and was again postponed until this time.

Amendment No. 4

Representative Kleinschmidt offered the following amendment to **CSHB 318**:

Amend **CSHB 318** (house committee printing), as follows:

(1) Add the following appropriately lettered subsection to Section 21.0605, Labor Code:

() This section does apply if an employer and an employee of the employer have entered into a contractual agreement under which the employee consents to the disclosure of a user name, password, or other means of accessing a personal account of the employee through an electronic communication device.

Amendment No. 4 was adopted.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Keffer requested permission for the Committee on Energy Resources to meet while the house is in session, at 4:30 p.m. today, in 3W.9, to consider **HB 2590**, **HB 3168**, and **HB 3597**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Energy Resources, 4:30 p.m. today, 3W.9, for a formal meeting, to consider **HB 2590**, **HB 3168**, and **HB 3597**.

CSHB 318 - (consideration continued)

CSHB 318 - REMARKS

REPRESENTATIVE WU: Members, let me clarify a few things. First of all, we need to make an important distinction between communications that are personal and communications that are business. They are separate. If you go to work for a large company, that company may give you a computer at your desk—that is the company's computer. They may give you a cell phone to use for your business—that is a company cell phone. They may give you an e-mail account to use to conduct company business—that is the company's e-mail. But, even still, you have your own personal cell phone, your own personal computer at home, your own personal e-mail account, okay? What this bill is saying is, we are protecting your personal phone, your personal computer, and your personal e-mail—not the company's. The company always has access to their own systems. A company always has access to their own machines and their own devices—we don't need a law to do that.

What we are protecting here—what we are setting as an example today is to make sure that our private accounts are protected. In the age of continuing advancement in social media and technology, this is an important first step. But even libertarian concerns aside, civil liberties concerns aside, there is an important, let's say, criminal concern. One of the basic things is, Texas provides higher evidentiary collection standards than the federal government. Representative Toth talked about the Fourth Amendment—the Fourth Amendment of the Constitution of the United States provides a baseline which no state may slip under. However, each state may provide higher protections than what the Constitution provides, and Texas is one of those states that actually provides higher standards than what the U.S. Constitution provides. In Texas, the law says if an officer violates your civil rights in collecting evidence, that evidence is out. The federal U.S. Constitution says the same thing. However, in Texas, the protections in the state also say, look, we don't care if it's an officer or a private individual. If a private individual, on their own, goes and digs for information and violates someone else's civil rights, that evidence is also out. They may not go dig for themselves and hand it to the police. Our Texas Constitution provides a higher standard of protection.

This is the concern—if an employer is able to access someone's personal e-mail, violating that person's rights, and then they discover some stuff that is unrelated business, that maybe links that person to a crime, if they hand that evidence over to the police, and the police investigate, and the police find further evidence, all of that evidence is now out. This law tries to prevent those types of situations from happening, saying, look, if you're an employer, and you think your employee is committing a crime against you and you want to get into their personal e-mail account, call an officer. The officer will call a DA. The DA will draft a warrant, and they will get it correctly to make sure the evidence is properly admissible.

REPRESENTATIVE TOTH: Gene, you've served as a district attorney, haven't you?

WU: I served as an assistant district attorney.

TOTH: So, you prosecuted cases, correct?

WU: Yes, sir.

TOTH: If a corporation went on a hunting expedition and violated someone's Fourth Amendment rights, could that potentially destroy the case?

WU: It potentially could, because if a court decided that evidence was gathered in violation of either the U.S. Constitution or the Texas Constitution, that evidence would most likely be excluded.

TOTH: So, the Villalba amendment could actually destroy a case?

WU: It's possible.

TOTH: It could actually have unintended consequences work against it?

WU: If that's what a court decides, and I'm saying that there is a distinct possibility of that.

CSHB 318, as amended, was passed to engrossment by (Record 469): 79 Yeas, 61 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Bohac; Branch; Burkett; Canales; Coleman; Collier; Cook; Cortez; Creighton; Crownover; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farrar; Fletcher; Frank; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hunter; King, S.; King, T.; Kleinschmidt; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, R.; Moody; Muñoz; Naishtat; Oliveira; Orr; Otto; Patrick; Perez; Pickett; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rose; Sheets; Smithee; Thompson, S.; Toth; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Anchia; Ashby; Aycoc; Bell; Bonnen, D.; Bonnen, G.; Button; Capriglione; Carter; Clardy; Craddick; Dale; Darby; Davis, S.; Fallon; Farney; Flynn; Frullo; Geren; Goldman; Gonzales; Gooden; Hilderbran; Isaac; Kacal; Keffer; King, K.; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Miller, D.; Murphy; Nevárez; Paddie; Parker; Perry; Phillips; Price; Raney; Rodriguez, J.; Sanford; Schaefer; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Turner, E.S.; Villalba; White.

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

Absent, Excused, Committee Meeting — Pitts.

Absent — Burnam; Callegari; Hughes; Johnson; King, P.; Laubenberg; Morrison.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 469. I intended to vote no.

Anderson

When Record No. 469 was taken, I was in the house but away from my desk. I would have voted yes.

Burnam

I was shown voting yes on Record No. 469. I intended to vote no.

Creighton

I was shown voting no on Record No. 469. I intended to vote yes.

J. Rodriguez

CSHB 376 ON SECOND READING

(by Strama, Price, Zerwas, N. Gonzalez, Wu, et al.)

CSHB 376, A bill to be entitled An Act relating to the regulation of child-care providers by the Texas Workforce Commission and local workforce development boards.

CSHB 376 was read second time on May 1, postponed until 10 a.m. today, and was again postponed until this time.

Amendment No. 1

Representative Y. Davis offered the following amendment to **CSHB 376**:

Amend **CSHB 376**, on page 5, at the end of line 20, by inserting "A board shall give priority to quality child care initiatives that benefit child care facilities that are working toward Texas Rising Star certification or are Texas Rising Star certified providers working toward a higher certification level.".

Amendment No. 1 was adopted.

CSHB 376, as amended, was passed to engrossment. (Phillips recorded voting no.)

CSHB 3201 ON SECOND READING

(by Kolkhorst)

CSHB 3201, A bill to be entitled An Act relating to the practice of dentistry; imposing surcharges and fees.

CSHB 3201 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Kolkhorst offered the following amendment to **CSHB 3201**:

Amend **CSHB 3201** (house committee printing) as follows:

- (1) On page 1, line 7, strike "\$80" and substitute "\$55".
- (2) On page 1, line 9, between "a" and "license", insert "dental".

(3) On page 1, line 10, between "a" and "license", insert "dental".

(4) On page 2, line 6, strike "45th" and substitute "60th".

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

(6) On page 8, between lines 9 and 10, add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 254.004(c), Occupations Code, as added by this Act, applies only to an application for an original dental license or for renewal of a dental license filed on or after September 1, 2013. An application filed before September 1, 2013, is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

(7) On page 8, line 20, strike "takes" and substitute "and Sections 254.004(c) and (d), Occupations Code, as added by this Act, take".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Kolkhorst offered the following amendment to **CSHB 3201**:

Amend **CSHB 3201** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill and references to those sections accordingly:

SECTION _____. Subchapter B, Chapter 258, Occupations Code, is amended by adding Section 258.055 to read as follows:

Sec. 258.055. PRACTICE OF DENTISTRY ON CERTAIN CHILDREN.

(a) The parent or guardian of a child younger than 18 years of age may be present in the treatment room during the child's dental treatment or procedure, unless the dentist determines in the dentist's professional judgment that the presence of the parent or guardian in the treatment room is likely to have an adverse effect on the treatment or the child.

(b) In this section, "parent or guardian" includes a person authorized by law to consent for the medical or dental treatment of a child younger than 18 years of age.

SECTION _____. (a) The Texas State Board of Dental Examiners shall collect the following information from dentists licensed by the board in conjunction with the first annual license renewal of each dental license that occurs after September 1, 2013:

(1) the number and type of dentists employed by the license holder, if any;

(2) the name under which the license holder provides dental services and each location at which those services are provided by that license holder;

(3) whether the license holder is a participating provider under the Medicaid program operated under Chapter 32, Human Resources Code, or the child health plan program operated under Chapter 62, Health and Safety Code;

(4) whether the license holder is employed by or contracts with a dental group practice and, if so, the name and address of the dental group practice;

(5) whether the license holder owns a dental group practice and, if so, the name and address of the dental group practice and of each dental office at which the dental group practice provides services to patients;

(6) whether the license holder is a party to a business support services agreement and, if so, the name and address of the management service organization that provides services under the agreement; and

(7) if the license holder owns a dental group practice, whether that practice is a party to a business support services agreement and, if so, the name and address of the management service organization that provides services under the agreement.

(b) Not later than November 1, 2014, the board shall provide a report to the legislature on the information collected under this section and on the board's use of the information in the exercise of the board's statutory authority to regulate the practice of dentistry.

(c) This section expires December 1, 2014.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Fletcher offered the following amendment to **CSHB 3201**:

Amend **CSHB 3201** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill and references to those sections accordingly:

SECTION _____. Section 254.018, Occupations Code, is amended to read as follows:

Sec. 254.018. ~~[EXPERT]~~ TESTIMONY. A member of the board may not express an oral or written opinion or serve as an expert witness in a suit involving a health care liability claim against a person licensed or registered under this subtitle ~~[dentist]~~ for injury to or death of a patient or for a violation of the standard of care or the commission of malpractice ~~[unless the member receives approval from the board or an executive committee of the board to serve as an expert witness].~~

Amendment No. 3 was adopted. (The vote was reconsidered later today, and Amendment No. 3 was amended and was adopted, as amended.)

CSHB 3201, as amended, was passed to engrossment. (Springer recorded voting no.) (The vote was reconsidered later today, and **CSHB 3201** was further amended and was passed to engrossment, as amended.)

GENERAL STATE CALENDAR (consideration continued)

CSHB 205 ON SECOND READING

(by McClendon, Kolkhorst, Burkett, J. Davis, Rose, et al.)

CSHB 205, A bill to be entitled An Act relating to the allocation of outpatient mental health services and beds in certain mental health facilities and the commitment of certain persons to receive mental health services.

Amendment No. 1

Representative Menéndez offered the following amendment to **CSHB 205**:

Amend **CSHB 205** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.0264 to read as follows:

Sec. 32.0264. SUSPENSION, TERMINATION, AND AUTOMATIC REINSTATEMENT OF ELIGIBILITY FOR CERTAIN PERSONS CONFINED IN COUNTY JAILS. (a) In this section, "county jail" means a facility operated by or for a county for the confinement of persons accused or convicted of an offense.

(b) If a person with mental illness is confined in a county jail, the department shall suspend the person's eligibility for medical assistance during the period the person is confined in the county jail if:

(1) the person has been charged with but not convicted of an offense;

and

(2) the department has reason to believe that the person:

(A) after release or discharge from the county jail, will be admitted to a state hospital for emergency detention under Chapter 573, Health and Safety Code, or ordered by a court under Chapter 574, Health and Safety Code, to receive inpatient mental health services at a state hospital; or

(B) will be committed to a state hospital to attain competency to stand trial under Chapter 46B, Code of Criminal Procedure, or to receive inpatient mental health services following an acquittal by reason of insanity under Chapter 46C, Code of Criminal Procedure.

(c) If a person with mental illness is confined in a county jail, the department shall, as appropriate, terminate the person's eligibility for medical assistance or suspend the person's eligibility during the period the person is confined in the county jail if:

(1) the person has been convicted of an offense; and

(2) the department has reason to believe that the person, after release or discharge from the county jail, will be admitted to a state hospital for emergency detention under Chapter 573, Health and Safety Code, or ordered by a court under Chapter 574, Health and Safety Code, to receive inpatient mental health services at a state hospital.

(d) Not later than 48 hours after the department is notified of the release from a county jail of a person whose eligibility for medical assistance has been suspended under this section, the department shall reinstate the person's eligibility, provided the person's eligibility certification period has not elapsed. Following the reinstatement, the person remains eligible until the expiration of the period for which the person was certified as eligible.

SECTION ____ . Subchapter C, Chapter 351, Local Government Code, is amended by adding Section 351.048 to read as follows:

Sec. 351.048. NOTICE TO CERTAIN GOVERNMENTAL ENTITIES. (a) The sheriff of a county may notify the Health and Human Services Commission:

(1) on the confinement in the county jail of a person with mental illness who:

(A) is receiving medical assistance benefits under Chapter 32, Human Resources Code; and

(B) the sheriff has reason to believe would qualify for a suspension of those benefits under Section 32.0264(b), Human Resources Code; and

(2) on the conviction of a prisoner with mental illness who:

(A) immediately before the prisoner's confinement in the county jail, was receiving medical assistance benefits; and

(B) the sheriff has reason to believe would qualify for a suspension of those benefits under Section 32.0264(c), Human Resources Code.

(b) If the sheriff of a county chooses to provide the notices described by Subsection (a), the sheriff shall provide the notices electronically or by other appropriate means as soon as possible and not later than the 30th day after the date of the person's confinement or prisoner's conviction, as applicable.

(c) The sheriff of a county may notify:

(1) the United States Social Security Administration of the release or discharge of a prisoner with mental illness:

(A) who immediately before the prisoner's confinement in the county jail, was receiving:

(i) Supplemental Security Income (SSI) benefits under 42 U.S.C. Section 1381 et seq.; or

(ii) Social Security Disability Insurance (SSDI) benefits under 42 U.S.C. Section 401 et seq.; and

(B) who:

(i) has been committed to a state hospital to attain competency to stand trial under Chapter 46B, Code of Criminal Procedure, or to receive inpatient mental health services following an acquittal by reason of insanity under Chapter 46C, Code of Criminal Procedure; or

(ii) the sheriff has reason to believe will be admitted to a state hospital for emergency detention under Chapter 573, Health and Safety Code, or ordered by a court under Chapter 574, Health and Safety Code, to receive inpatient mental health services at a state hospital; and

(2) the Health and Human Services Commission of the release or discharge of a prisoner with mental illness who, immediately before the prisoner's confinement in the county jail, was receiving medical assistance benefits and who:

(A) has been committed to a state hospital to attain competency to stand trial under Chapter 46B, Code of Criminal Procedure, or to receive inpatient mental health services following an acquittal by reason of insanity under Chapter 46C, Code of Criminal Procedure; or

(B) the sheriff has reason to believe will be admitted to a state hospital for emergency detention under Chapter 573, Health and Safety Code, or ordered by a court under Chapter 574, Health and Safety Code, to receive inpatient mental health services at a state hospital.

(d) If the sheriff of a county chooses to provide the notices described by Subsection (c), the sheriff shall provide the notices electronically or by other appropriate means not later than 48 hours after the prisoner's release or discharge from custody.

(e) If the sheriff of a county chooses to provide the notices described by Subsection (c), at the time of the prisoner's release or discharge, the sheriff shall provide the prisoner with a written copy of each applicable notice and a phone number at which the prisoner may contact the Health and Human Services Commission regarding confirmation of or assistance relating to reinstatement of the person's eligibility for medical assistance benefits, if applicable.

(f) The Health and Human Services Commission shall establish a means by which the sheriff of a county, or an employee of the county or sheriff, may determine whether a person confined in the county jail is or was, as appropriate, receiving medical assistance benefits under Chapter 32, Human Resources Code, for purposes of this section.

(g) The county or sheriff, or an employee of the county or sheriff, is not liable in a civil action for damages resulting from a failure to comply with this section.

SECTION _____. Sections 32.0264(a)-(c), Human Resources Code, and Section 351.048(a), Local Government Code, as added by this Act, apply to a person whose period of confinement in a county jail begins on or after the effective date of this Act, regardless of the date the person was determined eligible for medical assistance under Chapter 32, Human Resources Code.

SECTION _____. Section 32.0264(d), Human Resources Code, and Section 351.048(c), Local Government Code, as added by this Act, apply to the release or discharge of a prisoner from a county jail that occurs on or after the effective date of this Act, regardless of the date the prisoner was initially confined in the county jail.

SECTION _____. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

Amendment No. 1 failed of adoption.

CSHB 205 was passed to engrossment.

CSHB 439 ON SECOND READING
(by Dutton)

CSHB 439, A bill to be entitled An Act relating to the restoration of certain rights to a criminal defendant.

Amendment No. 1

Representative Dutton offered the following amendment to **CSHB 439**:

Amend **CSHB 439** (house committee printing) on page 1 by striking lines 22 through 24 and substituting the following:

(i) for which an individual is required to register as a sex offender under Chapter 62;

(ii) involving violence or the threat of violence;

(iii) involving drugs; or

(iv) involving firearms and punishable as a felony.

Amendment No. 1 was adopted.

CSHB 439, as amended, was passed to engrossment. (Anderson, Button, Carter, Flynn, Phillips, Springer, E. S. Turner, and Zedler recorded voting no.)

REMARKS ORDERED PRINTED

Representative Wu moved to print his remarks on **CSHB 318**.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hilderbran requested permission for the Committee on Ways and Means to meet while the house is in session, at 5 p.m. today, in 3W.15, to consider **HB 3571** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Ways and Means, 5 p.m. today, 3W.15, for a formal meeting, to consider **HB 3571** and pending business.

POSTPONED BUSINESS

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

CSHB 585 ON SECOND READING
(by Villarreal, Workman, and P. King)

CSHB 585, A bill to be entitled An Act relating to ad valorem taxation; creating an offense.

CSHB 585 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Villarreal offered the following amendment to **CSHB 585**:

Amend **CSHB 585** (house committee printing) as follows:

(1) On page 6, line 12, strike "Subsections (d-1) and (f)" and substitute "Subsections (d), (d-1), and (f)".

(2) On page 6, between lines 13 and 14, insert the following:

(d) Except as provided by Subsection (d-1), members of the board are independent contractors of the appraisal district appointed by resolution of a majority of the appraisal district board of directors. A vacancy on the board is filled in the same manner for the unexpired portion of the term.

(3) On page 6, line 17, between "are" and "appointed", insert "independent contractors of the appraisal district".

(4) On page 7, strike lines 1-12 and substitute the following:

(f) A member of the board serves at the pleasure [~~may be removed from the board by a majority vote~~] of the appraisal district board of directors[;] or [~~by~~] the local administrative district judge or the judge's designee, as applicable, that appointed the member. [~~Grounds for removal are:~~

~~[(1) a violation of Section 6.412, 6.413, 41.66(f), or 41.69; or~~

~~[(2) good cause relating to the attendance of members at called meetings of the board as established by written policy adopted by a majority of the appraisal district board of directors.]~~

Amendment No. 1 was adopted.

Amendment No. 2

Representative Otto offered the following amendment to **CSHB 585**:

Amend **CSHB 585** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Section 41.43, Tax Code, is amended by amending Subsection (a) and adding Subsections (a-3), (a-4), and (a-5) to read as follows:

(a) Except as provided by Subsections (a-1), (a-3), and (d), in a protest authorized by Section 41.41(a)(1) or (2), the appraisal district has the burden of establishing the value of the property by a preponderance of the evidence presented at the hearing. If the appraisal district fails to meet that standard, the protest shall be determined in favor of the property owner.

(a-3) In a protest authorized by Section 41.41(a)(1) or (2), the appraisal district has the burden of establishing the value of the property by clear and convincing evidence presented at the hearing if:

(1) the appraised value of the property was lowered under this subtitle in the preceding tax year;

(2) the appraised value of the property in the preceding tax year was not established as a result of a written agreement between the property owner or the owner's agent and the appraisal district under Section 1.111(e); and

(3) not later than the 14th day before the date of the first day of the hearing, the property owner files with the appraisal review board and delivers to the chief appraiser:

(A) information, such as income and expense statements or information regarding comparable sales, that is sufficient to allow for a determination of the appraised or market value of the property if the protest is authorized by Section 41.41(a)(1); or

(B) information that is sufficient to allow for a determination of whether the property was appraised unequally if the protest is authorized by Section 41.41(a)(2).

(a-4) If the appraisal district has the burden of establishing the value of property by clear and convincing evidence presented at the hearing on a protest as provided by Subsection (a-3) and the appraisal district fails to meet that standard, the protest shall be determined in favor of the property owner.

(a-5) Subsection (a-3)(3) does not impose a duty on a property owner to provide any information in a protest authorized by Section 41.41(a)(1) or (2). That subdivision is merely a condition to the applicability of the standard of evidence provided by Subsection (a-3).

(b) The change in law made by this section applies only to a protest filed with an appraisal review board on or after the effective date of this section. A protest filed with an appraisal review board before the effective date of this section is covered by the law in effect at the time the protest was filed, and the former law is continued in effect for that purpose.

(c) Notwithstanding any other provision of this Act, this section takes effect September 1, 2013.

Amendment No. 2 was adopted.

CSHB 585, as amended, was passed to engrossment. (Phillips recorded voting no.)

GENERAL STATE CALENDAR
(consideration continued)

CSHB 658 ON SECOND READING
(by Sheets and Krause)

CSHB 658, A bill to be entitled An Act relating to postjudgment interest on damages subject to Medicare subrogation.

CSHB 658 was passed to engrossment.

CSHB 1134 ON SECOND READING
(by Darby)

CSHB 1134, A bill to be entitled An Act relating to performance and payment security for certain comprehensive development agreements.

CSHB 1134 was passed to engrossment.

SB 567 ON SECOND READING
(Geren - House Sponsor)

SB 567, A bill to be entitled An Act relating to rates for water service, to the transfer of functions relating to the economic regulation of water and sewer service from the Texas Commission on Environmental Quality to the Public Utility Commission of Texas, and to the duties of the Office of Public Utility Counsel regarding the economic regulation of water and sewer service.

SB 567 was considered in lieu of **HB 1307**.

Amendment No. 1

Representative Geren offered the following amendment to **SB 567**:

Amend **SB 567** as follows:

(1) On page 62, line 18, between "unless the" and "commission has", insert "utility".

(2) Strike "Sections 11.041 and 12.013" and substitute "Section 12.013" in the following places:

(A) page 110, lines 19 and 20;

(B) page 111, line 20;

(C) page 111, line 25;

(D) page 112, line 12; and

(E) page 114, line 3.

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

SECTION _____. Section 8803.151(1), Special District Local Laws Code, is amended to read as follows:

(1) "Commission" means the Public Utility Commission of Texas [~~Commission on Environmental Quality~~].

SECTION _____. Section 8808.151(1), Special District Local Laws Code, is amended to read as follows:

(1) "Commission" means the Public Utility Commission of Texas [~~Commission on Environmental Quality~~].

Amendment No. 1 was adopted.

Amendment No. 2

Representative Dutton offered the following amendment to **SB 567**:

Amend **SB 567** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter G, Chapter 13, Water Code, is amended by adding Section 13.2552 to read as follows:

Sec. 13.2552. SINGLE CERTIFICATION IN POPULOUS MUNICIPALITIES. (a) This section applies only to:

(1) a retail public utility that:

(A) provides service in a municipality with a population of more than two million;

(B) provides service in more than 50 counties in this state; and

(C) obtains water from more than 500 source wells in this state;

and

(2) a municipality with a population of more than two million.

(b) Notwithstanding any other law, a municipality and a retail public utility that provides water or sewer service in the municipality under a certificate of convenience and necessity shall agree in writing that the utility's service area in the municipality shall be served only by a municipally owned utility and that the municipality shall purchase from the retail public utility:

(1) the certificate of convenience and necessity for the area in the municipality;

(2) the property of the retail public utility; and

(3) any property of the retail public utility that is rendered useless or valueless as a result of the transfer of the certificate.

(c) The minimum monetary compensation the municipality shall pay shall be determined in the manner provided by Sections 13.254(e)-(g-1). The municipality shall pay the compensation over a period of 50 years.

(d) The municipality, before providing service to the area, shall file an application with the commission to grant single certification to the municipally owned utility.

(e) The executed agreement described by Subsection (b) shall be filed with the commission, and the commission, on receipt of the agreement and the application described by Subsection (d), shall:

(1) incorporate the terms of the agreement into the respective certificates of convenience and necessity of the parties to the agreement; and

(2) grant single certification to the municipality.

(f) The commission shall deny an application for single certification by a municipality that fails to demonstrate compliance with the commission's minimum requirements for public drinking water systems.

Amendment No. 2 was withdrawn.

SB 567, as amended, was passed to third reading.

HB 1307 - LAID ON THE TABLE SUBJECT TO CALL

Representative Geren moved to lay **HB 1307** on the table subject to call.

The motion prevailed.

HB 2020 ON SECOND READING

(by Crownover, Alvarado, Lucio, Harless, and Callegari)

HB 2020, A bill to be entitled An Act relating to the adoption of wellness policies and programs by state agencies.

Amendment No. 1

Representative S. Davis offered the following amendment to **HB 2020**:

Amend **HB 2020** (house committee report) as follows:

(1) On page 1, line 16, between "POLICIES." and "A state", insert "(a)".

(2) On page 2, line 8, between "services" and the underlined semicolon, insert "in accordance with Subtitles B and J, Title 3, Occupations Code, including the requirements regarding delegation of certain medical acts under Chapter 157, Occupations Code".

(3) On page 2, between lines 10 and 11, insert the following:

(b) In addition to the requirements of Sections 2155.074, 2155.075, and 2254.003, in awarding a contract for on-site clinic or pharmacy services as provided by Subsection (a)(5), a state agency may consider:

(1) whether the on-site clinic services will be provided by a physician-led organization that has its principal place of business in this state; or

(2) whether the on-site pharmacy services will be provided by a business that has its principal place of business in this state.

Amendment No. 1 was adopted.

HB 2020, as amended, was passed to engrossment. (Phillips, Springer, and E. S. Turner recorded voting no.)

CSHB 2294 ON SECOND READING (by Kuempel and Lucio)

CSHB 2294, A bill to be entitled An Act relating to an exemption from air conditioning and refrigeration contracting regulation for installation of a thermostat.

CSHB 2294 was passed to engrossment.

CSHB 2962 ON SECOND READING (by Harper-Brown)

CSHB 2962, A bill to be entitled An Act relating to the use of a credit or charge card by certain state agencies to make certain purchases.

Amendment No. 1

Representatives Martinez Fischer, Flynn, Alvarado, and Nevárez offered the following amendment to **CSHB 2962**:

Amend **CSHB 2962** (house committee printing) as follows:

(1) On page 1, line 13, strike "and".

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

(2) require a state agency that uses a credit or charge card to make a purchase to post on the agency's Internet website a list of all purchases made with the credit or charge card, provided that the agency is not required to post any confidential information; and

(3) On page 1, line 14, strike "(2)" and substitute "(3)".

(4) On page 2, line 10, strike "and".

(5) On page 2, between lines 10 and 11, insert the following:

(2) the agency shall post on the agency's Internet website a list of all purchases made with the credit or charge card, provided that the agency is not required to post any confidential information; and

(6) On page 2, line 11, strike "(2)" and substitute "(3)".

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

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

(2) the agency shall post on the agency's Internet website a list of all purchases made with the credit or charge card, provided that the agency is not required to post any confidential information; and

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

Amendment No. 1 was adopted.

Amendment No. 2

Representative Otto offered the following amendment to **CSHB 2962**:

Amend **CSHB 2962** (house committee printing) by adding the following the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 403, Government Code, is amended by adding Section 403.0233 to read as follows:

Sec. 403.0233. CREDIT OR DEBIT CARD AGREEMENT BENEFITTING INSTITUTIONS OF HIGHER EDUCATION. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(b) A rule adopted by the comptroller under Section 403.023 may not prohibit an institution of higher education that enters into an agreement with a credit or debit card issuer under which the issuer is required to pay the institution an amount of money based on the use of the credit or debit card by a cardholder from retaining any money paid by the issuer to the institution under the agreement.

Amendment No. 2 was withdrawn.

CSHB 2962, as amended, was passed to engrossment. (Schaefer and Simpson recorded voting no.)

CSHB 3460 ON SECOND READING
(by Eiland)

CSHB 3460, A bill to be entitled An Act relating to the requirement that certain information be reported to the Texas Department of Insurance and the confidentiality of that information.

CSHB 3460 was passed to engrossment. (Simpson recorded voting no.)

HB 194 ON SECOND READING
(by Farias, Ratliff, Menéndez, Guerra, Collier, et al.)

HB 194, A bill to be entitled An Act relating to considering ownership interests of certain disabled veterans in determining whether a business is a historically underutilized business for purposes of state contracting.

Representative Farias moved to postpone consideration of **HB 194** until 2 p.m. Monday, May 6.

The motion prevailed.

CSHB 3105 ON SECOND READING
(by Morrison)

CSHB 3105, A bill to be entitled An Act relating to availability of certain benefits under individual accident and health insurance policies.

CSHB 3105 was passed to engrossment.

CSHB 3158 ON SECOND READING**(by Zerwas, Johnson, and Rose)**

CSHB 3158, A bill to be entitled An Act relating to Medicaid managed care pilot programs for contracts with provider-directed managed care organizations, including organizations that delegate to health care collaboratives, and to the establishment of those collaboratives.

Representative Rose moved to postpone consideration of **CSHB 3158** until 8 a.m. tomorrow.

The motion prevailed.

HB 3436 ON SECOND READING**(by Cook)**

HB 3436, A bill to be entitled An Act relating to formal action of responsible governmental entities on certain proposals or bids for certain projects.

Amendment No. 1

Representative Cook offered the following amendment to **HB 3436**:

Amend **HB 3436** (house committee report) as follows:

(1) On page 1, line 5, between "Government Code," and "is", insert "as added by Chapter 1334 (**SB 1048**), Acts of the 82nd Legislature, Regular Session, 2011,".

(2) On page 1, line 9, strike "September 1, 2013" and substitute "September 1, 2015".

(3) On page 1, line 10, strike "September 2, 2013" and substitute "September 2, 2015".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Cook offered the following amendment to **HB 3436**:

Amend **HB 3436** (house committee report) on page 1, line 5, between "Government Code," and "is", by inserting "as added by Chapter 1334 (**SB 1048**), Acts of the 82nd Legislature, Regular Session, 2011,".

Amendment No. 2 was adopted.

HB 3436, as amended, was passed to engrossment.

CSHB 3572 ON SECOND READING**(by Hilderbran, Eiland, Otto, Bohac, Alvarado, et al.)**

CSHB 3572, A bill to be entitled An Act relating to the administration, collection, and enforcement of taxes on mixed beverages; imposing a tax on sales of mixed beverages; decreasing the rate of the current tax on mixed beverages.

Representative Hilderbran moved to postpone consideration of **CSHB 3572** until the end of today's calendar.

The motion prevailed.

CSHB 3556 ON SECOND READING
(by Kolkhorst and Raymond)

CSHB 3556, A bill to be entitled An Act relating to the licensing and regulation of emergency medical services providers and a moratorium on the issuance of emergency medical services provider licenses.

Amendment No. 1

Representative Raymond offered the following amendment to **CSHB 3556**:

Amend **CSHB 3556** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 773.0571, Health and Safety Code, is amended to read as follows:

Sec. 773.0571. REQUIREMENTS FOR PROVIDER LICENSE. The department shall issue to an emergency medical services provider applicant a license that is valid for two years if the department is satisfied that:

(1) the applicant [~~emergency medical services provider~~] has adequate staff to meet the staffing standards prescribed by this chapter and the rules adopted under this chapter;

(2) each emergency medical services vehicle is adequately constructed, equipped, maintained, and operated to render basic or advanced life support services safely and efficiently;

(3) the applicant [~~emergency medical services provider~~] offers safe and efficient services for emergency prehospital care and transportation of patients; [~~and~~]

(4) the applicant:

(A) possesses sufficient professional experience and qualifications to provide emergency medical services; and

(B) has not been excluded from participation in the state Medicaid program;

(5) the applicant holds a letter of approval issued under Section 773.0573 by the governing body of the municipality or the commissioners court of the county in which the applicant is located and is applying to provide emergency medical services, as applicable; and

(6) the applicant [~~emergency medical services provider~~] complies with the rules adopted [~~by the board~~] under this chapter.

SECTION _____. Subchapter C, Chapter 773, Health and Safety Code, is amended by adding Section 773.0573 to read as follows:

Sec. 773.0573. LETTER OF APPROVAL FROM LOCAL GOVERNMENTAL ENTITY. (a) An emergency medical services provider applicant must obtain a letter of approval from:

(1) the governing body of the municipality in which the applicant is located and is applying to provide emergency medical services; or

(2) if the applicant is not located in a municipality, the commissioners court of the county in which the applicant is located and is applying to provide emergency medical services.

(b) A governing body of a municipality or a commissioners court of a county may issue a letter of approval to an emergency medical services provider applicant who is applying to provide emergency medical services in the municipality or county only if the governing body or commissioners court determines that:

(1) the addition of another licensed emergency medical services provider will not interfere with or adversely affect the provision of emergency medical services by the licensed emergency medical services providers operating in the municipality or county;

(2) the addition of another licensed emergency medical services provider will remedy an existing provider shortage that cannot be resolved through the use of the licensed emergency medical services providers operating in the municipality or county; and

(3) the addition of another licensed emergency medical services provider will not cause an oversupply of licensed emergency medical services providers in the municipality or county.

(c) An emergency medical services provider is prohibited from expanding operations to or stationing any emergency medical services vehicles in a municipality or county other than the municipality or county from which the provider obtained the letter of approval under this section until after the second anniversary of the date the provider's initial license was issued, unless the expansion or stationing occurs in connection with:

(1) a contract awarded by another municipality or county for the provision of emergency medical services;

(2) an emergency response made in connection with an existing mutual aid agreement; or

(3) an activation of a statewide emergency or disaster response by the department.

(d) This section does not apply to:

(1) renewal of an emergency medical services provider license; or

(2) a municipality, county, emergency services district, hospital, or emergency medical services volunteer provider organization in this state that applies for an emergency medical services provider license.

SECTION _____. Section 773.0571, as amended by this Act, and Section 773.0573, as added by this Act, apply only to an application for approval of an emergency medical services provider license submitted to the Department of State Health Services on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted.

CSHB 3556, as amended, was passed to engrossment. (Schaefer and Springer recorded voting no.)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 5:45 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 5:45 p.m. today, 3W.15, for a formal meeting, to set a calendar.

REMARKS ORDERED PRINTED

Representative Simpson moved to print his remarks on **HB 124**.

The motion prevailed.

CSHB 3238 ON SECOND READING

(by McClendon, Naishtat, Coleman, J. Davis, Zerwas, et al.)

CSHB 3238, A bill to be entitled An Act relating to disease control pilot programs to reduce the risk of certain communicable diseases; authorizing a fee.

Amendment No. 1

Representative Y. Davis offered the following amendment to **CSHB 3238**:

Amend **CSHB 3238** (house committee printing) as follows:

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

(4) provide for an HIV test as part of the participant's annual routine medical screening.

Amendment No. 1 was adopted.

LEAVES OF ABSENCE GRANTED

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

Branch on motion of T. King.

Button on motion of T. King.

Cook on motion of T. King.

Crownover on motion of T. King.

S. Davis on motion of T. King.

Eiland on motion of T. King.

Frullo on motion of T. King.

Hunter on motion of T. King.

Kuempel on motion of T. King.

D. Miller on motion of T. King.

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

Alvarado on motion of T. King.

Geren on motion of T. King.

CSHB 3238 - (consideration continued)

CSHB 3238, as amended, failed to pass to engrossment by (Record 470): 58 Yeas, 71 Nays, 2 Present, not voting. (The vote was later reconsidered on Friday, May 3, and **CSHB 3238** was further amended and failed to pass to engrossment by Record No. 502.)

Yeas — Allen; Alonzo; Anchia; Burnam; Canales; Coleman; Collier; Cortez; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Farias; Farrar; Giddings; González, M.; Gonzalez, N.; Guerra; Gutierrez; Hernandez Luna; Herrero; Howard; Huberty; Johnson; King, K.; King, S.; King, T.; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Perez; Pickett; Price; Raney; Ratliff; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Smith; Strama; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Wu.

Nays — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Carter; Clardy; Craddick; Creighton; Dale; Darby; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Hilderbran; Hughes; Isaac; Kacal; Keffer; King, P.; Kleinschmidt; Klick; Kolkhorst; Krause; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, R.; Morrison; Orr; Otto; Paddie; Parker; Patrick; Perry; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, E.S.; Villalba; White; Workman; Zedler.

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

Absent, Excused, Committee Meeting — Alvarado; Branch; Button; Cook; Crownover; Davis, S.; Eiland; Frullo; Geren; Hunter; Kuempel; Miller, D.; Pitts.

Absent — Callegari; Capriglione; Larson; Phillips; Raymond; Zerwas.

STATEMENTS OF VOTE

When Record No. 470 was taken, I was excused to attend a meeting of the Committee on Calendars. I would have voted no.

Button

When Record No. 470 was taken, my vote failed to register. I would have voted no.

Capriglione

I was shown voting yes on Record No. 470. I intended to vote no.

Muñoz

When Record No. 470 was taken, my vote failed to register. I would have voted no.

Phillips

I was shown voting yes on Record No. 470. I intended to vote no.

Ratliff

CSSB 1251 ON SECOND READING (Villarreal - House Sponsor)

CSSB 1251, A bill to be entitled An Act relating to authorized charges and terms for certain consumer loans.

CSSB 1251 was considered in lieu of **HB 2315**.

Representative Villarreal moved to postpone consideration of **CSSB 1251** until 10 a.m. Monday, May 6.

The motion prevailed.

HB 2315 - LAID ON THE TABLE SUBJECT TO CALL

Representative Villarreal moved to lay **HB 2315** on the table subject to call.
The motion prevailed.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:
(Button, S. Davis, Eiland, Kuempel, and D. Miller now present)

CSHB 3572 ON SECOND READING
(by Hilderbran, Eiland, Otto, Bohac, Alvarado, et al.)

CSHB 3572, A bill to be entitled An Act relating to the administration, collection, and enforcement of taxes on mixed beverages; imposing a tax on sales of mixed beverages; decreasing the rate of the current tax on mixed beverages.

CSHB 3572 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Hilderbran offered the following amendment to **CSHB 3572**:

Amend **CSHB 3572** (house committee report) on page 2, line 25, by striking "seven [~~44~~] percent" and substituting "6.7 [~~44~~] percent".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Hilderbran offered the following amendment to **CSHB 3572**:

Amend **CSHB 3572** (house committee report) as follows:

(1) Strike page 3, lines 4 through 11, and substitute the following appropriately numbered SECTION:

SECTION _____. Sections 183.0212(a) and (b), Tax Code, are amended to read as follows:

(a) For informational purposes only, a permittee may provide that each sales invoice, billing, service check, ticket, or other receipt to a customer for the purchase of an item subject to taxation under this subchapter [~~chapter~~] include:

(1) a separate statement disclosing the amount of tax to be paid by the permittee under this subchapter [~~chapter~~] in relation to that item; or

(2) a statement of the mixed beverage taxes, consisting of the combined amount of the tax to be paid by the permittee under this subchapter in relation to that item and the amount of tax imposed under Subchapter B-1 on that item.

(b) A [~~The separate~~] statement under Subsection (a)(1) must clearly disclose the amount of tax payable by the permittee.

(2) Strike page 6, lines 6 through 13, and substitute the following:

Sec. 183.042. DISCLOSURE OF TAX. A permittee may provide that a sales invoice, billing, service check, ticket, or other receipt to a customer for the purchase of an item subject to taxation under this subchapter include:

(1) a statement that mixed beverage sales tax is included in the sales price;

(2) a separate statement of the amount of tax imposed under this subchapter on that item; or

(3) a statement of the mixed beverage taxes, consisting of the combined amount of the tax to be paid by the permittee under Subchapter B in relation to that item and the amount of tax imposed under this subchapter on that item.

Amendment No. 2 was adopted.

(Branch, Crownover, and Frullo now present)

CSHB 3572, as amended, was passed to engrossment.

CSHB 3238 - NOTICE GIVEN

Pursuant to the provisions of Rule 7, Section 37(c) of the House Rules, at 5:56 p.m., Representative Lozano announced his intention to make the motion to reconsider the vote by which **CSHB 3238**, as amended, failed to pass to engrossment by Record No. 470.

CSHB 3201 - VOTE RECONSIDERED

Representative Kolkhorst moved to reconsider the vote by which **CSHB 3201**, as amended, was passed to engrossment.

The motion to reconsider prevailed.

CSHB 3201 ON SECOND READING (by Kolkhorst)

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

CSHB 3201, A bill to be entitled An Act relating to the practice of dentistry; imposing surcharges and fees.

CSHB 3201 was read second time earlier today and was passed to engrossment, as amended.

Amendment No. 3 - Vote Reconsidered

Representative Kolkhorst moved to reconsider the vote by which Amendment No. 3 was adopted.

The motion to reconsider prevailed.

Amendment No. 4

Representative Nevárez offered the following amendment to Amendment No. 3:

Amend Amendment No. 3 by Fletcher on **CSHB 3201** by striking the text of the amendment and substituting the following:

SECTION _____. Section 254.018, Occupations Code, is amended to read as follows:

Sec. 254.018. ~~[EXPERT]~~ TESTIMONY. A member of the board may not express an oral or written opinion or serve as an expert witness in a suit or administrative claim pending before the same board ~~[involving a health care liability claim]~~ against or for a person licensed or registered under this subtitle ~~[dentist]~~ for injury to or death of a patient or for a violation of the standard of care or the commission of malpractice ~~[unless the member receives approval from the board or an executive committee of the board to serve as an expert witness].~~

Amendment No. 4 was adopted.

Amendment No. 3, as amended, was adopted.

CSHB 3201, as amended, was passed to engrossment.

POSTPONED BUSINESS

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

(Hunter now present)

CSHB 1010 ON SECOND READING

(by S. King)

CSHB 1010, A bill to be entitled An Act relating to the penalty for causing certain assaultive physical contact with a child.

CSHB 1010 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representatives S. King and Moody offered the following amendment to **CSHB 1010**:

Amend **CSHB 1010** (house committee report) by striking added SECTION 2 (beginning on page 1, line 12, through page 2, line 16) and substituting the following:

SECTION 2. Section 22.01(c), Penal Code, is amended to read as follows:

(c) An offense under Subsection (a)(2) or (3) is a Class C misdemeanor, except that the offense is:

(1) a Class A misdemeanor if the offense is committed under Subsection (a)(3) against an elderly individual or disabled individual, as those terms are defined by Section 22.04; ~~or~~

(2) a Class A misdemeanor if the offense is committed under Subsection (a)(3) by a person who is 17 years of age or older against a child as defined by Section 22.04; or

(3) ~~(2)~~ a Class B misdemeanor if the offense is committed by a person who is not a sports participant against a person the actor knows is a sports participant either:

(A) while the participant is performing duties or responsibilities in the participant's capacity as a sports participant; or

(B) in retaliation for or on account of the participant's performance of a duty or responsibility within the participant's capacity as a sports participant.

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. 4).

(Cook now present)

CSHB 1010 - (consideration continued)

Amendment No. 1 - Point of Order

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

The point of order was withdrawn.

Amendment No. 1 was adopted.

CSHB 1010, as amended, was passed to engrossment by (Record 471): 96 Yeas, 38 Nays, 2 Present, not voting.

Yeas — Anchia; Ashby; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Clardy; Coleman; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Farney; Farrar; Fletcher; Flynn; Frullo; Goldman; Gonzales; González, M.; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Hunter; Isaac; Johnson; King, K.; King, P.; King, S.; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Martinez; Martinez Fischer; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Orr; Otto; Parker; Patrick; Perez; Phillips; Pickett; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Rodriguez, E.; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smithee; Springer; Stephenson; Strama; Thompson, E.; Toth; Turner, C.; Turner, E.S.; Villalba; Villarreal; Walle; White; Workman; Wu; Zedler.

Nays — Allen; Alonzo; Bonnen, D.; Canales; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Fallon; Farias; Frank; Gonzalez, N.; Guerra; Hernandez Luna; Huberty; Hughes; Kleinschmidt; Klick; Lewis; Longoria; Lozano; Lucio; Miles; Murphy; Oliveira; Perry; Reynolds; Rodriguez, J.; Rose; Schaefer; Simpson; Smith; Stickland; Taylor; Thompson, S.; Turner, S.; Vo.

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

Absent, Excused, Committee Meeting — Alvarado; Geren; Pitts.

Absent — Anderson; Aycock; Dukes; Eiland; Giddings; Kacal; Keffer; King, T.; McClendon; Paddie; Zerwas.

STATEMENTS OF VOTE

When Record No. 471 was taken, I was in the house but away from my desk. I would have voted no.

Anderson

I was shown voting yes on Record No. 471. I intended to vote no.

Callegari

I was shown voting no on Record No. 471. I intended to vote yes.

Canales

I was shown voting no on Record No. 471. I intended to vote yes.

Fallon

I was shown voting no on Record No. 471. I intended to vote yes.

Guerra

I was shown voting yes on Record No. 471. I intended to vote no.

Price

I was shown voting no on Record No. 471. I intended to vote yes.

J. Rodriguez

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Government Efficiency and Reform, upon final adjournment today, Desk 77, for a formal meeting, to consider pending business.

Homeland Security and Public Safety, upon final adjournment today, Desk 15, for a formal meeting, to consider pending business.

Public Health, upon final adjournment today, Desk 100, for a formal meeting, to consider pending business.

Insurance, upon final adjournment today, Desk 13, for a formal meeting, to consider pending business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Cook requested permission for the Committee on State Affairs to meet while the house is in session, during bill referral today, in 1W.14, to consider pending and previously posted business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

State Affairs, during bill referral today, 1W.14, for a formal meeting, to consider pending and previously posted business.

FIVE-DAY POSTING RULE SUSPENDED

Representative D. Bonnen moved to suspend the five-day posting rule to allow the Committee on Ways and Means to consider **HB 509**, **HB 607**, **HB 716**, **HB 1338**, **HB 1943**, **HB 3742**, **HJR 84**, and **HJR 102** at 8:30 a.m. Saturday, May 4 in E2.014.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Ways and Means, 8:30 a.m. Saturday, May 4, E2.014, for a public hearing, to consider **HB 509**, **HB 607**, **HB 716**, **HB 1338**, **HB 1943**, **HB 3742**, **HJR 84**, **HJR 102**, and pending business.

SB 1803 - RECOMMITTED

Representative Raymond moved to recommit **SB 1803** to the Committee on Human Services.

The motion prevailed.

HB 1829 - RECOMMITTED

Representative Raymond moved to recommit **HB 1829** to the Committee on Human Services.

The motion prevailed.

PROVIDING FOR ADJOURNMENT

At 6:46 p.m., Representative Elkins moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow in memory of Helen W. Prince of Southold, New York.

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.)

(Taylor in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 6:52 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HR 1809 (By R. Sheffield), In memory of Ina Faye Minyard McGinnis of Troy.

To Rules and Resolutions.

HR 1810 (By E. S. Turner), Congratulating Spencer Sosnowski of Rockwall-Heath High School on his selection to perform with the U.S. Marine Corps Band.

To Rules and Resolutions.

HR 1811 (By Márquez), Congratulating El Paso artist and author Bill "Rak" Rakocy on his 89th birthday.

To Rules and Resolutions.

HR 1815 (By J. Sheffield), Paying tribute to the life of Michael Cook Walton of Stephenville.

To Rules and Resolutions.

HR 1816 (By Farney), Congratulating Dr. Michael Douglas on being named executive director of the Texas Life-Sciences Collaboration Center in Georgetown.

To Rules and Resolutions.

HR 1818 (By Farney), Congratulating the Marble Falls Independent School District on receiving perfect scores at all campuses on its most recent cafeteria health inspection.

To Rules and Resolutions.

HR 1819 (By Dutton), Commending Dr. W. E. Bosarge, Jr., of Houston on his achievements.

To Rules and Resolutions.

HR 1820 (By Dutton), Commending Marie Taylor Bosarge of Houston on her contributions to her community.

To Rules and Resolutions.

HR 1821 (By Wu), Commemorating the Memorial Hermann Foundation 2013 Circle of Life Gala and the fund-raising campaign Revolutionizing Neuroscience and honoring Elizabeth and Gary Petersen for their philanthropy.

To Rules and Resolutions.

HR 1822 (By Wu), In memory of the Reverend Ben Sanchez Riojas of Houston.

To Rules and Resolutions.

HR 1823 (By Wu), In memory of Ralph Kilpatrick Cox Brown of Houston.

To Rules and Resolutions.

HR 1824 (By Menéndez), Honoring David Sinclair for his 40 years of service to the Texas Parks and Wildlife Department.

To Rules and Resolutions.

HR 1825 (By Menéndez), Congratulating Colonel Pete Flores on his retirement as Law Enforcement Division director of the Texas Parks and Wildlife Department.

To Rules and Resolutions.

HR 1826 (By Menéndez), Congratulating Susan Blackwood on her achievements as executive director of San Antonio Sports.

To Rules and Resolutions.

HR 1827 (By Sanford), Commending Blake Allen for his service as deputy district director in the office of State Representative Scott Sanford.

To Rules and Resolutions.

HR 1828 (By J. Rodriguez), Commending Leon Valley on earning designation as a "Tree City USA" by the Arbor Day Foundation and Texas A&M Forest Service.

To Rules and Resolutions.

HR 1830 (By Gooden), In memory of Gilbert Willie, Sr., of Terrell.

To Rules and Resolutions.

HR 1831 (By G. Bonnen), Congratulating Brittany Harris on her receipt of the Service Above Self Award from the Friendswood Rotary Club.

To Rules and Resolutions.

HR 1832 (By G. Bonnen), In memory of Taylor Lake Village Mayor-elect Lilian Norman Keeney.

To Rules and Resolutions.

HR 1833 (By G. Bonnen), Congratulating Devon Joel Carter of Friendswood on attaining the rank of Eagle Scout.

To Rules and Resolutions.

HR 1834 (By Lewis), Commemorating the 10th Annual Senior Celebration in Ector County.

To Rules and Resolutions.

HR 1835 (By Bohac), Commending Thomas Neumann on his service as executive director of the Jewish Institute for National Security Affairs.

To Rules and Resolutions.

HR 1836 (By Bohac), Honoring Judge Herman Paul Pressler III of Houston for his service to the State of Texas.

To Rules and Resolutions.

HR 1837 (By Bohac), Congratulating Wayne F. Schaper, Sr., on having the Spring Branch ISD administration building named in his honor.

To Rules and Resolutions.

HR 1838 (By Bohac), In memory of David Allan Schwerdtfeger of Seguin.

To Rules and Resolutions.

HR 1839 (By Bohac), Honoring U.S. Circuit Judge Jerry E. Smith for his 25 years of service on the Fifth Circuit Court of Appeals.

To Rules and Resolutions.

HR 1840 (By Bohac), In memory of Stella Marion Hawes of Mineral Wells.

To Rules and Resolutions.

HR 1841 (By Bohac), In memory of Lloyd "Bland" McReynolds of Houston.

To Rules and Resolutions.

HR 1842 (By Bohac), In memory of Miguel A. Hernandez of Houston.

To Rules and Resolutions.

HR 1843 (By T. King), Commemorating the rededication of the SSgt. Willie De Leon Civic Center in Uvalde.

To Rules and Resolutions.

HR 1844 (By Price), Congratulating the Valero McKee Refinery on its receipt of a Texas Environmental Excellence Award.

To Rules and Resolutions.

HR 1845 (By Sanford), Congratulating Christopher Paxton for his service as legislative director for Representative Scott Sanford.

To Rules and Resolutions.

HR 1847 (By Craddick), Congratulating Dally Willis of Midland on his 93rd birthday.

To Rules and Resolutions.

HR 1848 (By Gutierrez), In memory of Vojt J. Holub of San Antonio.

To Rules and Resolutions.

SB 38 to Public Education.

SB 39 to Public Education.

SB 110 to Judiciary and Civil Jurisprudence.

SB 377 to Public Education.
SB 766 to Licensing and Administrative Procedures.
SB 1191 to Public Health.
SB 1360 to Criminal Jurisprudence.
SB 1401 to Public Health.
SB 1427 to Agriculture and Livestock.
SB 1451 to Criminal Jurisprudence.
SB 1606 to Ways and Means.
SB 1662 to Ways and Means.
SB 1750 to Agriculture and Livestock.
SB 1799 to Public Education.
SB 1878 to Special Purpose Districts.
SB 1883 to Special Purpose Districts.
SB 1889 to Public Health.
SJR 54 to County Affairs.

SIGNED BY THE SPEAKER

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

Senate List No. 20

SB 283, SB 294, SB 297, SB 312, SB 618, SB 966, SB 1248

MESSAGES FROM THE SENATE

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

Message No. 2

MESSAGE FROM THE SENATE
 SENATE CHAMBER
 Austin, Texas
 Thursday, May 2, 2013 - 2

The Honorable Speaker of the House
 House Chamber
 Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 31 Eiland SPONSOR: Taylor
 Designating the Kemp's ridley sea turtle as the official State Sea Turtle of Texas.

SB 171 West
 Relating to the establishment of a workgroup to study the use by state agencies of a uniform application form following disasters.

SB 338 Rodríguez
Relating to the liability of certain social workers who provide volunteer health care services to charitable organizations.

SB 644 Huffman
Relating to the creation of a standard request form for prior authorization of prescription drug benefits.

SB 1258 Hinojosa
Relating to improving access to nursing education programs.

SB 1436 Paxton
Relating to the service retirement annuity of certain members of the Judicial Retirement System of Texas Plan One.

SB 1836 Deuell
Relating to the funding of the Texas Home Visiting Program; authorizing voluntary contributions.

SB 1890 Hinojosa
Relating to procedures for the dissolution of the Hidalgo County Water Improvement District No. 3.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 2, 2013 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 514 Davis
Relating to the installation, maintenance, operation, and relocation of saltwater pipeline facilities.

SB 977 West
Relating to the procedure used to petition for an order of nondisclosure of criminal history record information.

SB 1216 Eltife
Relating to the creation of a standard request form for prior authorization of medical care or health care services.

SB 1801 Watson
Relating to the adoption of fire hydrant requirements for a wildland-urban interface in certain municipalities.

Respectfully,
Patsy Spaw

Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER

Austin, Texas

Thursday, May 2, 2013 - 4

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 212 Nichols
Relating to the continuation, functions, and name of the Railroad Commission of Texas; providing for the imposition of fees and the elimination of a fee.

SB 873 Hegar
Relating to the permitting authority of a groundwater conservation district for the drilling or operation of a water well used to supply water for the drilling, exploration, or production of oil or gas.

SB 1727 Deuell
Relating to the use of the Texas emissions reduction plan fund.

SB 1775 West
Relating to school campus information, student transfers, and the public education grant program.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 1

Agriculture and Livestock - **HB 1998**

Business and Industry - **HB 3750, SB 60, SB 887**

County Affairs - **HB 714, HB 1384, HB 3895, HB 3949, HB 3950, HB 3951, HJR 148**

Criminal Jurisprudence - **HB 2559, SB 1114** (corrected)

Economic and Small Business Development - **HB 2181, HB 2390**

Elections - **HB 1398**

Environmental Regulation - **HB 3110**

Higher Education - **HB 1004, HB 2036, HB 3498**

Human Services - **HB 1143, HB 1396, HB 1633, HB 1828, SB 1236**

Insurance - **HB 1183, HB 2717, HB 3451, SB 147**

Investments and Financial Services - **HB 1575, SB 581**

Judiciary and Civil Jurisprudence - **HB 1710, HB 2547, HB 2930, HB 3170**

Land and Resource Management - **SB 1157**

Licensing and Administrative Procedures - **HB 619, HB 871, HB 2378, HB 3038**

Natural Resources - **HB 1796, HB 2133, HB 2577, HB 2739, HB 3924, SB 567**

Public Health - **HB 947, HB 1039, HB 2709, SB 406, SB 869**

Special Purpose Districts - **HB 1157, HB 1357, HB 3911, HB 3913, HB 3917, HB 3932, HB 3933**

State Affairs - **HB 2342, HJR 150, SB 1023**

Transparency in State Agency Operations, Select - **HB 9, HB 12, HB 16**

Transportation - **SB 1489**

Ways and Means - **HB 97, HB 178, HB 214, HB 357, HB 500, HB 862, HB 875, HB 1060, HB 1202, HB 1655, HB 2139, HB 2274, HB 2445, HB 2972, HB 3121, HB 3169, HJR 21, HJR 24, HJR 62, HJR 72, HJR 133**

ENGROSSED

May 1 - **HB 21, HB 127, HB 259, HB 489, HB 517, HB 545, HB 580, HB 642, HB 697, HB 717, HB 824, HB 827, HB 939, HB 1086, HB 1372, HB 2259, HB 2442, HB 2443, HB 2961, HB 3176, HJR 147**

ENROLLED

May 1 - **HCR 47, HCR 67, HCR 105, HCR 107**

