

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-FOURTH DAY — FRIDAY, MAY 3, 2013

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

The roll of the house was called and a quorum was announced present (Record 472).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycok; 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; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; McClendon; Menéndez; Miles; 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; 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 — Keffer.

Absent — Martinez Fischer; Nevárez.

The speaker recognized Representative J. Rodriguez who introduced Father Robert Wright, associate professor, Oblate School of Theology, San Antonio, who offered the invocation as follows:

We are here, Spirit of God, weighed down by the burden of sin, it is true, but gathered together in your name. Come to us, remain with us, purify our hearts. Teach us what we are to do, where we are to go, and show us what we must accomplish, so that with your help, we may be able to please you in all things. May you be the sole initiator and guide of our decisions.

You desire justice for all. Do not let us disturb the rights of others; do not allow our ignorance to betray us into evil, nor let favoritism influence us, nor respect for high office or persons corrupt us. Unite us to yourself in the bond of

love. Let us be one together with you, that we may never depart from the truth. As we gather in your name, may we temper justice with love so that we may never think differently from you and we may obtain the eternal reward you promised to good and faithful servants.

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

LEAVE OF ABSENCE GRANTED

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

Keffer on motion of Murphy.

REGULAR ORDER OF BUSINESS SUSPENDED

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

CAPITOL PHYSICIAN

The speaker recognized Representative Crossover who presented Dr. Elizabeth Seymour of Corinth as the "Doctor for the Day."

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

(Price in the chair)

HR 1687 - PREVIOUSLY ADOPTED (by Howard and Dukes)

The chair laid out the following previously adopted resolution:

HR 1687, Commemorating the 20th anniversary of the Young Women's Alliance in Austin.

On motion of Representative Dukes, the names of all the members of the house were added to **HR 1687** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Howard who introduced representatives of the Young Women's Alliance.

(Nevárez now present)

HR 1334 - PREVIOUSLY ADOPTED (by Y. Davis)

The chair laid out the following previously adopted resolution:

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

On motion of Representative Rose, the names of all the members of the house were added to **HR 1334** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Y. Davis who introduced coaches and players of the Triple A Academy boys' basketball team.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 23).

HR 1094 - PREVIOUSLY ADOPTED

(by G. Bonnen)

The chair laid out the following previously adopted resolution:

HR 1094, Congratulating the Friendswood High School Academic Decathlon Team on winning the 2013 4A state championship.

On motion of Representative D. Bonnen, the names of all the members of the house were added to **HR 1094** as signers thereof.

LEAVE OF ABSENCE GRANTED

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

Johnson on motion of Moody.

(Martinez Fischer now present)

(Speaker in the chair)

CSHB 500 - COMMITTEE ON CALENDARS RULE ADOPTED

Pursuant to Rule 3, Section 4(2) and Rule 6, Section 16(f) of the House Rules, Representative Hunter moved to adopt the following rule governing floor consideration for **CSHB 500**:

Section 1. All original amendments that will be offered during second reading consideration of the bill must be filed with the chief clerk by 10 a.m. on Monday, May 6.

Section 2. (a) During second and third reading consideration of the bill, any amendment, including an amendment to an amendment, is not in order unless the comptroller has reviewed the amendment and provided a written assessment in dollars of the effect of the amendment.

(b) Before any amendment is laid before the house, the presiding officer shall read the written assessment of the fiscal effect of the amendment.

(c) The provisions of this section do not apply to an amendment that makes an adjustment in an item of taxation solely to correct a technical clerical error.

The Committee on Calendars rule was adopted by (Record 473): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycok; 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; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; 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; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Hernandez Luna; Isaac; Lewis; Miller, D.; Parker; Raney; Taylor; Thompson, E.

STATEMENTS OF VOTE

When Record No. 473 was taken, my vote failed to register. I would have voted yes.

Parker

When Record No. 473 was taken, I was temporarily out of the house chamber. I would have voted yes.

Taylor

When Record No. 473 was taken, I was in the house but away from my desk. I would have voted yes.

E. Thompson

CSHB 3238 - VOTE RECONSIDERED

Representative Lozano moved to reconsider the vote by which **CSHB 3238**, as amended, failed to pass to engrossment on Thursday, May 2.

The motion to reconsider prevailed.

CSHB 3238 ON SECOND READING

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

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

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.

CSHB 3238 was read second time on Thursday, May 2 and failed to pass to engrossment, as amended, by Record No. 470.

Representative Coleman moved to postpone consideration of **CSHB 3238** until 2:15 p.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 866 ON THIRD READING
(by Huberty, S. Turner, Cook, Miles, et al.)**

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

HB 866 was passed by (Record 474): 142 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Dale; Deshotel; Gonzales; King, P.; Villalba.

STATEMENTS OF VOTE

When Record No. 474 was taken, I was in the house but away from my desk. I would have voted yes.

Dale

When Record No. 474 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 474 was taken, I was in the house but away from my desk. I would have voted yes.

Gonzales

When Record No. 474 was taken, I was in the house but away from my desk. I would have voted yes.

P. King

When Record No. 474 was taken, I was in the house but away from my desk. I would have voted yes.

Villalba

HB 3447 ON THIRD READING
(by Gutierrez)

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

HB 3447 was passed by (Record 475): 86 Yeas, 57 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Callegari; Canales; Coleman; Collier; Cook; Cortez; Crownover; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Fletcher; Giddings; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Hernandez Luna; Herrero; Howard; Hunter; Kacal; King, S.; King, T.; Larson; Lavender; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Perez; Pickett; Pitts; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Smith; Smithee; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Bell; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Capriglione; Carter; Clardy; Craddick; Creighton; Darby; Elkins; Fallon; Flynn; Frank; Frullo; Goldman; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Isaac; King, K.; King, P.; Kleinschmidt; Klick; Kolkhorst; Krause; Laubenberg; Leach; Lewis; Miller, R.; Murphy; Paddie; Parker; Patrick; Perry; Phillips; Price; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Springer; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Burnam; Geren; Gutierrez; Kuempel.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 475. I intended to vote no.

Callegari

I was shown voting yes on Record No. 475. I intended to vote no.

Gooden

I was shown voting yes on Record No. 475. I intended to vote no.

Morrison

HB 983 ON THIRD READING

(by Elkins)

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

HB 983 was passed by (Record 476): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; 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; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Burnam; Davis, S.; Gonzales; Gutierrez; Laubenberg; Lavender; McClendon; Orr; Otto; Stephenson.

HB 985 ON THIRD 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 by (Record 477): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; 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.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Coleman; Gooden; Lavender; Reynolds.

STATEMENT OF VOTE

When Record No. 477 was taken, my vote failed to register. I would have voted yes.

Gooden

HB 1081 ON THIRD READING (by M. González and Nevárez)

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

HB 1081 was passed by (Record 478): 134 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; 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; Kacal; King, K.; King, P.; King, S.; King, T.; Klick; Kolkhorst; Krause; Kuempel; Laubenberg; Lavender; Leach; Longoria; 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; Pickett; Pitts; Price; 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 — Capriglione; Carter; Fallon; Farney; Larson; Lozano; Phillips; Raney; Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Davis, S.; Kleinschmidt; Lewis; Miles.

STATEMENT OF VOTE

I was shown voting no on Record No. 478. I intended to vote yes.

Farney

HB 1324 ON THIRD READING

(by J. Davis, et al.)

HB 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.

HB 1324 was passed by (Record 479): 144 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Farney; Farrar; Lewis.

STATEMENT OF VOTE

When Record No. 479 was taken, I was in the house but away from my desk. I would have voted yes.

Farney

HB 318 ON THIRD READING (by Giddings)

HB 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.

HB 318 was passed by (Record 480): 79 Yeas, 64 Nays, 2 Present, not voting.

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

Nays — Anchia; Anderson; Ashby; Aycock; Bell; Bonnen, D.; Bonnen, G.; Branch; Button; Capriglione; Carter; Clardy; Craddick; Creighton; Crownover; Dale; Darby; Davis, S.; Fallon; Fletcher; Flynn; Frullo; Geren; Goldman; Gonzales; Gooden; Hilderbran; Hughes; Isaac; Kacal; King, K.; King, S.; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Miller, D.; Morrison; Murphy; Orr; Paddie; Parker; Perry; Phillips; Price; 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(C); Patrick.

Absent, Excused — Johnson; Keffer.

Absent — Farney; Miles; Sheets.

STATEMENT OF VOTE

I was shown voting present, not voting on Record No. 480. I intended to vote yes.

Patrick

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

HB 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.

HB 376 was passed by (Record 481): 124 Yeas, 19 Nays, 1 Present, not voting.

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

Nays — Bell; Capriglione; Clardy; Creighton; Flynn; Hilderbran; Kolkhorst; Krause; Laubenberg; Leach; Phillips; Sheets; Sheffield, R.; Simpson; Smithee; Stickland; Taylor; Thompson, E.; Turner, E.S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Bonnen, D.; Elkins; Farney; Parker.

STATEMENT OF VOTE

I was shown voting yes on Record No. 481. I intended to vote no.

Fallon

HB 205 ON THIRD READING

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

HB 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.

HB 205 was passed by (Record 482): 145 Yeas, 1 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Klick.

STATEMENT OF VOTE

I was shown voting no on Record No. 482. I intended to vote yes.

R. Sheffield

HB 439 ON THIRD READING (by Dutton)

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

HB 439 was passed by (Record 483): 83 Yeas, 62 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Burnam; Callegari; Canales; Coleman; Collier; Cortez; Craddick; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Frank; Frullo; Geren; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Hughes; Hunter; Isaac; Kacal; King, K.; King, T.; Kleinschmidt; Kuempel; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Perez; Perry; Pickett; Pitts; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheffield, J.; Simpson; Smith; Stickland; Strama; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Wu; Zerwas.

Nays — Anderson; Ashby; Aycock; Bell; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Capriglione; Carter; Clardy; Cook; Creighton; Crownover; Dale; Darby; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Goldman; Gonzales; Gooden; Harper-Brown; Hilderbran; Huberty; King, P.; King, S.; Klick; Kolkhorst; Krause; Larson; Laubenberg; Lavender; Leach; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Phillips; Price; Raney; Ratliff; Riddle; Sanford; Sheets; Sheffield, R.; Simmons; Smithee; Springer; Stephenson; Taylor; Thompson, E.; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Harless; Lewis.

STATEMENT OF VOTE

When Record No. 483 was taken, I was in the house but away from my desk. I would have voted no.

Harless

HB 585 ON THIRD READING

(by Villarreal, Workman, and P. King)

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

HB 585 was passed by (Record 484): 143 Yeas, 2 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; Kacal; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; 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.

Nays — Lozano; Phillips.

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

Absent, Excused — Johnson; Keffer.

Absent — Raymond.

STATEMENT OF VOTE

I was shown voting no on Record No. 484. I intended to vote yes.

Lozano

HB 658 ON THIRD READING
(by Sheets and Krause)

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

HB 658 was passed by (Record 485): 141 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; 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.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; 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; 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.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Button.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Deshotel; Gooden; Oliveira; Sheffield, R.; Toth.

STATEMENTS OF VOTE

I was shown voting no on Record No. 485. I intended to vote yes.

Button

When Record No. 485 was taken, my vote failed to register. I would have voted yes.

Gooden

When Record No. 485 was taken, I was in the house but away from my desk. I would have voted yes.

R. Sheffield

When Record No. 485 was taken, I was in the house but away from my desk. I would have voted yes.

Toth

HB 1134 ON THIRD READING
(by Darby)

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

HB 1134 was passed by (Record 486): 147 Yeas, 0 Nays, 1 Present, not voting.

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

Absent, Excused — Johnson; Keffer.

HB 2020 ON THIRD 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.

HB 2020 was passed by (Record 487): 135 Yeas, 9 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; 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; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison;

Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Collier; Flynn; Klick; Laubenberg; Phillips; Rose; Springer; Stickland; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Bonnen, G.; Sheets; Turner, E.S.

STATEMENT OF VOTE

When Record No. 487 was taken, I was in the house but away from my desk. I would have voted yes.

Sheets

HB 2294 ON THIRD READING (by Kuempel and Lucio)

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

HB 2294 was passed by (Record 488): 141 Yeas, 3 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; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; 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.; Gooden; Guerra; Guillen; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; 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; 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.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Eiland; Harless; Perry.

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

Absent, Excused — Johnson; Keffer.

Absent — Capriglione; Klick.

STATEMENTS OF VOTE

When Record No. 488 was taken, my vote failed to register. I would have voted yes.

Capriglione

I was shown voting present, not voting on Record No. 488. I intended to vote yes.

Toth

HB 2962 ON THIRD READING (by Harper-Brown)

HB 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.

HB 2962 was passed by (Record 489): 143 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; 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; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; 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; 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 — Schaefer.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Burnam; Cook; Harless.

STATEMENT OF VOTE

When Record No. 489 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

HB 3460 ON THIRD READING

(by Eiland)

HB 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.

HB 3460 was passed by (Record 490): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; 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; 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; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Frank; Turner, E.S.

HB 3105 ON THIRD READING

(by Morrison)

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

HB 3105 was passed by (Record 491): 144 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Lozano; Ritter; White.

STATEMENT OF VOTE

When Record No. 491 was taken, my vote failed to register. I would have voted no.

White

HB 3436 ON THIRD 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.

HB 3436 was passed by (Record 492): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; 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; Kacal; 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; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick;

Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Elkins; Hughes; Martinez Fischer; Murphy; Simmons.

STATEMENT OF VOTE

When Record No. 492 was taken, I was temporarily out of the house chamber. I would have voted yes.

Martinez Fischer

HB 3556 ON THIRD READING (by Kolkhorst and Raymond)

HB 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.

HB 3556 was passed by (Record 493): 126 Yeas, 2 Nays, 1 Present, not voting.

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

Nays — Schaefer; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Alvarado; Branch; Burkett; Coleman; Collier; Davis, S.; Deshotel; Lavender; Lewis; Lozano; Muñoz; Pitts; Riddle; Smith; Stephenson; Thompson, S.; Turner, C.; Workman; Zedler.

STATEMENTS OF VOTE

When Record No. 493 was taken, my vote failed to register. I would have voted yes.

Collier

When Record No. 493 was taken, my vote failed to register. I would have voted yes.

Muñoz

When Record No. 493 was taken, my vote failed to register. I would have voted yes.

C. Turner

When Record No. 493 was taken, I was in the house but away from my desk. I would have voted yes.

Zedler

HB 3572 ON THIRD READING

(by Hilderbran, Eiland, Otto, Bohac, Alvarado, et al.)

HB 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.

Amendment No. 1

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

Amend **HB 3572** on third reading as follows:

(1) In Section 1, Section 151.308(a), Tax Code, insert a new subparagraph (1) on page 1, line 11 to read and renumber accordingly:

(1) gas as taxed by Chapter 201.

(2) On page 1, line 13, between the word "fuel" and "and" add a "," and the words "compressed and liquefied natural gas".

(3) In added Section 183.042(2), Tax Code, as added by Floor Amendment No. 2 by Hilderbran, following the semicolon, strike "or".

(4) In added Section 183.042(3), Tax Code, as added by Floor Amendment No. 2 by Hilderbran, strike the underlined period and substitute "or".

(5) Immediately following added Section 183.042(3), Tax Code, as added by Floor Amendment No. 2 by Hilderbran, insert the following:

(4) a statement of the combined amount of taxes imposed under this subchapter and Chapter 151 on all items listed on the invoice, billing, service check, ticket, or other receipt.

Amendment No. 1 was adopted.

HB 3572, as amended, was passed by (Record 494): 143 Yeas, 2 Nays, 1 Present, not voting.

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

Nays — Schaefer; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Gonzalez, N.; Klick.

HB 3201 ON THIRD READING **(by Kolkhorst)**

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

HB 3201 was passed by (Record 495): 140 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hunter; Isaac; 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; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff;

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

Nays — Schaefer; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Callegari; Crownover; Giddings; Hughes; Menéndez.

HB 1010 ON THIRD READING

(by S. King)

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

HB 1010 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE S. KING: Representative Schaefer, did you vote for the bill that you're saying was something that you voted for—did you vote for this coming out of committee?

REPRESENTATIVE SCHAEFER: No, I did not.

S. KING: What was the vote? Do you know?

SCHAEFER: I believe there were at least two votes against it.

S. KING: Two votes against—one was yourself, and one was another person.

SCHAEFER: Yes.

S. KING: Would you agree that any bill that comes through this house and goes into law is—as submitted, as adopted in a committee, with no amendments, no changes—would you agree that that's the predominance of all bills passed in this house that have not been changed in any way?

SCHAEFER: Bills go through a process of being amended all along the way.

S. KING: That's correct, and that is what happened with this bill. Yesterday, when I came on the floor, I was approached by no less than four attorneys—members of this house. As a non-attorney, my intent was to listen to them and work with them the best way we could. Do you agree that there are unintended consequences in any law that's passed, or do you believe that's a bar that's never reached after we leave this chamber?

SCHAEFER: Representative King, I believe there are often unintended consequences, but I believe, in this case, the door is so wide open to unintended consequences that we should cool our heads on this a little bit, rethink this issue, and cut with a laser not with a sledgehammer.

S. KING: And I will tell you, then, although I'm not an attorney, when I look at the subsections under assault, that sexual conduct is there, so I would not agree with you on that statement. Furthermore, what I would like to ask you, do you

think it would be prudent for me to go to the chairman of Criminal Jurisprudence to show them the amendment, to say this is what we are offering to change the bill—do you think that would be a good idea?

SCHAEFER: Representative King, I do, and I trust you—

S. KING: Do you think that I did that?

SCHAEFER: I trust your intentions, and the purpose of me speaking now is not to really criticize the way you've handled the bill—

S. KING: I understand.

SCHAEFER: —but just to explain to members my intentions and why I am opposed to the bill, because I don't want someone to misconstrue what—

REPRESENTATIVE WU: Is your bill—the legislative intent of this bill—directed, really, on children—the children in contact?

S. KING: No, it is not.

WU: Okay. Is it more directed towards grown adults offensively touching children in any way?

S. KING: That's correct.

WU: Okay. Is your bill designed to cover an area of law that you feel has a gap?

S. KING: Yes, that was the intent. Of those who are trying to protect children in the criminal investigative arm of law enforcement, who've come across these cases, who have had found it difficult to try, yet, I have heard someone say they were able to use another statute, but it's very, very difficult. So that is the intent of this law, to come closer to being able to prosecute these people; not child-on-child, not playground activities, but using the reasonable person standard to try to stop these people who are silently able to bring sexual, egregious activity against a child that is not rising to the level of a felony.

WU: So, your bill is talking about conduct that is not necessarily sexual in nature, but is a prelude to something that is sexual in nature?

S. KING: That's correct.

WU: Okay, so we cannot simply define it as a sexual contact?

S. KING: It would be, you know, again, I think it would have to be in the interpretation of the person who was receiving the conduct, and the intent of the person delivering the activities to that person.

WU: The bill itself is not really intended to cover things like spitting, or pushing, or—

S. KING: I think spitting and pushing would best be handled by their parents disciplining them, or being told that's not polite behavior—that's not the intent of this bill, no.

REMARKS ORDERED PRINTED

Representative Wu moved to print remarks between Representative S. King and Representative Wu.

The motion prevailed.

Representative Schaefer moved to print remarks between Representative S. King and Representative Schaefer.

The motion prevailed.

HB 1010 was passed by (Record 496): 122 Yeas, 20 Nays, 1 Present, not voting.

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

Nays — Alonzo; Bonnen, D.; Bonnen, G.; Collier; Davis, Y.; Dutton; Farias; Frank; Hughes; Kleinschmidt; Klick; Miles; Perry; Rose; Schaefer; Simpson; Smith; Stickland; Taylor; Thompson, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Guerra; Harless; King, K.; Lewis; Orr.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 496. I intended to vote no.

Deshotel

When Record No. 496 was taken, my vote failed to register. I would have voted yes.

Guerra

When Record No. 496 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 1546 ON THIRD 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.

Amendment No. 1

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

Amend **SB 1546** on third reading, in SECTION 1 of the bill, by striking added Subsections (i) and (j), Section 442.015, Government Code, as amended by Floor Amendment No. 1 by Orr, and substituting the following:

(i) The amount of a distribution shall be determined by the comptroller in a manner intended to provide a stable and predictable stream of annual distributions and to maintain over time the purchasing power of account investments and annual distributions from the account. If the purchasing power of account investments for any 10-year period is not preserved, the comptroller may not make annual distributions from the account until the purchasing power of account investments is restored.

(j) An annual distribution made by the comptroller from the account during a fiscal year may not exceed an amount equal to six percent of the average net fair market value of the investment assets of the account as determined by the comptroller.

Amendment No. 1 was adopted.

SB 1546, as amended, was passed by (Record 497): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddock; 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; 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; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson;

Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Ritter.

SB 567 ON THIRD 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.

Amendment No. 1

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

Amend **SB 567** on third reading as follows:

(1) Strike SECTION 30 (house committee printing), amending Section 13.144, Water Code, and substitute the following appropriately numbered SECTION:

SECTION _____. Section 13.144, Water Code, is amended to read as follows:

Sec. 13.144. NOTICE OF WHOLESALE WATER SUPPLY CONTRACT. A district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, a retail public utility, a wholesale water service, or other person providing a retail public utility with a wholesale water supply shall provide the utility commission and the commission with a certified copy of any wholesale water supply contract with a retail public utility within 30 days after the date of the execution of the contract. The submission must include the amount of water being supplied, term of the contract, consideration being given for the water, purpose of use, location of use, source of supply, point of delivery, limitations on the reuse of water, a disclosure of any affiliated interest between the parties to the contract, and any other condition or agreement relating to the contract.

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

SECTION _____. Section 13.139(b), Water Code, is amended to read as follows:

(b) The governing body of a municipality, as the regulatory authority for public utilities operating within its corporate limits, and the utility commission or the commission as the regulatory authority for public utilities operating outside the corporate limits of any municipality, after reasonable notice and hearing on its own motion, may:

(1) ascertain and fix just and reasonable standards, classifications, regulations, service rules, minimum service standards or practices to be observed and followed with respect to the service to be furnished;

(2) ascertain and fix adequate and reasonable standards for the measurement of the quantity, quality, pressure, or other condition pertaining to the supply of the service;

(3) prescribe reasonable regulations for the examination and testing of the service and for the measurement of service; and

(4) establish or approve reasonable rules, regulations, specifications, and standards to secure the accuracy of all meters, instruments, and equipment used for the measurement of any utility service.

SECTION _____. Section 13.1395, Water Code, is amended by adding Subsection (m) to read as follows:

(m) The commission shall coordinate with the utility commission in the administration of this section.

Amendment No. 1 was adopted.

SB 567, as amended, was passed by (Record 498): 141 Yeas, 0 Nays, 1 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; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; 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.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Johnson; Keffer.

Absent — Aycock; González, M.; Lavender; Morrison; Nevárez; Toth.

STATEMENTS OF VOTE

When Record No. 498 was taken, I was in the house but away from my desk. I would have voted yes.

M. González

When Record No. 498 was taken, I was in the house but away from my desk. I would have voted yes.

Toth

POSTPONED BUSINESS

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

HB 832 ON SECOND READING (by Giddings, Branch, et al.)

HB 832, A bill to be entitled An Act relating to the abatement of mosquitoes in stagnant water located on certain uninhabited residential property.

HB 832 was read second time on April 23, postponed until April 29, and was again postponed until 5 a.m. today.

Representative Giddings moved to postpone consideration of **HB 832** until 4:30 p.m. today.

The motion prevailed.

HB 1308 ON SECOND READING (by Darby)

HB 1308, A bill to be entitled An Act relating to certain economic development programs administered by the Department of Agriculture.

HB 1308 was read second time on May 1 and was postponed until 6 a.m. today.

Representative Darby moved to postpone consideration of **HB 1308** until 6 a.m. Thursday, May 9.

The motion prevailed.

(Geren in the chair)

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.

CSHB 3158 was read second time on May 2 and was postponed until 8 a.m. today.

CSHB 3158 was passed to engrossment.

SB 60 ON SECOND READING (Giddings - House Sponsor)

SB 60, A bill to be entitled An Act relating to authorizing the placement of a security freeze on the consumer file or other record created or maintained by a consumer reporting agency regarding a person under 16 years of age.

SB 60 was considered in lieu of **CSHB 1087**.

SB 60 was read second time and was passed to third reading.

CSHB 1087 - LAID ON THE TABLE SUBJECT TO CALL

Representative Giddings moved to lay **CSHB 1087** on the table subject to call.

The motion prevailed.

HB 416 ON SECOND READING
(by Hilderbran)

HB 416, A bill to be entitled An Act relating to the computation of the franchise tax by a taxable entity engaged in Internet hosting.

HB 416 was read second time on May 1 and was postponed until 5 p.m. today.

Representative Hilderbran moved to postpone consideration of **HB 416** until 5 p.m. Monday, May 6.

The motion prevailed.

GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 14 ON SECOND READING
(by Pitts, Murphy, Cook, Crownover, E. S. Turner, et al.)

CSHB 14, A bill to be entitled An Act relating to the fiscal transparency and accountability of certain entities responsible for public money.

CSHB 14 - POINT OF ORDER

Representative Martinez Fischer raised a point of order against further consideration of **CSHB 14** under Rule 4, Section 18 and Rule 4, Section 32 of the House Rules on the grounds that the committee minutes are incomplete and the committee report is incorrect.

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

Representative Martinez Fischer raised a point of order against further consideration of **CSHB 14** under Rule 4, Section 18 and Rule 4, Section 32 of the House Rules. The point of order is sustained.

Rule 4, Section 18 of the House Rules directs the chair of a committee to keep minutes of the proceedings. Rule 4, Section 32(b)(9) of the House Rules requires that the committee report on a bill include a summary of the committee hearing on the bill or resolution. In this instance, **HB 14** was referred by the chair of the Committee on Appropriations to the Subcommittee on Budget Transparency and Reform. The summary of the committee actions reflects that, after being considered by the subcommittee, the bill was "[r]ecalled from

subcommittee" on April 11, 2013. The minutes for the committee, however, do not reflect that the bill was recalled from the subcommittee. Accordingly, either the minutes are not complete because they omit a reference to the bill having been recalled from committee, or the summary of the committee hearing is incorrect. Because either this omission in the minutes or an error in the summary violates the House Rules, **CSHB 14** is out of order.

CSHB 14 was returned to the Committee on Appropriations.

CSHB 2748 ON SECOND READING

(by Lewis, Crownover, T. King, Raymond, Darby, et al.)

CSHB 2748, A bill to be entitled An Act relating to judicial proceedings and Railroad Commission of Texas hearings to determine whether a person who owns, operates, or manages a pipeline is a common carrier; authorizing a fee.

CSHB 2748 - POINT OF ORDER

Representative C. Turner raised a point of order against further consideration of **CSHB 2748** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Lewis moved to postpone consideration of **CSHB 2748** until 2:30 p.m. today.

The motion prevailed.

CSHB 31 ON SECOND READING

(by Branch, Vo, et al.)

CSHB 31, A bill to be entitled An Act relating to certain requirements applicable to meetings of the governing board of a general academic teaching institution or a state university system.

CSHB 31 was passed to engrossment.

CSHB 852 ON SECOND READING

(by Lucio, Isaac, Farrar, Herrero, et al.)

CSHB 852, A bill to be entitled An Act relating to the sale and purchase of shark fins or products derived from shark fins; creating an offense.

CSHB 852 was passed to engrossment. (Carter, Flynn, Gooden, Laubenberg, R. Miller, Phillips, Schaefer, Simpson, Toth, and Zedler recorded voting no.)

SB 275 ON SECOND READING

(Fletcher, Herrero, Naishtat, Moody, D. Bonnen, et al. - House Sponsors)

SB 275, A bill to be entitled An Act relating to the penalty for the offense of leaving the scene of an accident that involves personal injury or death.

SB 275 was considered in lieu of **HB 72**.

SB 275 was passed to third reading.

HB 72 - LAID ON THE TABLE SUBJECT TO CALL

Representative Fletcher moved to lay **HB 72** on the table subject to call.

The motion prevailed.

HB 213 ON SECOND READING

(by Hilderbran, et al.)

HB 213, A bill to be entitled An Act relating to the \$1 million total revenue exemption for the franchise tax.

Representative Hilderbran moved to postpone consideration of **HB 213** until the end of today's calendar.

The motion prevailed.

HB 3241 ON SECOND READING

(by S. Thompson, Taylor, Y. Davis, Gooden, and Laubenberg)

HB 3241, A bill to be entitled An Act relating to the civil prosecution of racketeering related to trafficking of persons; providing penalties.

Amendment No. 1

Representative S. Thompson offered the following amendment to **HB 3241**:

Amend **HB 3241** (house committee printing) as follows:

(1) On page 9, line 1, strike "(a)".

(2) On page 9, strike lines 11-25.

(3) On page 10, line 6, between "agency" and "found", insert ", district attorney's office, criminal district attorney's office, and office of a county attorney with felony criminal jurisdiction".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Taylor offered the following amendment to **HB 3241**:

Amend **HB 3241** (committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 42, Code of Criminal Procedure, is amended by adding Article 42.13 to read as follows:

Art. 42.13. SETTING ASIDE CONVICTION FOR MINORS WHO ARE VICTIMS OF TRAFFICKING OF PERSONS. (a) In this article, "minor" means a person younger than 18 years of age.

(b) A court in which a defendant has been convicted of an offense under Section 43.02, Penal Code, committed when the defendant was a minor may, if the court retains jurisdiction in the case, hear a petition from the defendant to set aside the order of conviction. The petition must allege specific facts and be supported by a personal affidavit from the petitioner that, if proved, would establish that the petitioner:

(1) was a minor at the time of the offense; and

(2) engaged in prostitution solely as the victim of an offense under Section 20A.02(a)(3) or (7), Penal Code.

(c) On the filing of the petition under Subsection (b), the clerk of the court shall promptly serve a copy of the petition and the supporting documents on the appropriate office of the attorney representing the state. Any response to the petition by the attorney representing the state must be filed not later than the 15th business day after the date of service under this subsection.

(d) If in considering the petition, the supporting documents, and any response of the attorney representing the state the court finds that there are reasonable grounds to believe the facts alleged in the petition, the court shall order a hearing on the petition. The court shall dismiss the petition and shall promptly notify the petitioner of the court's decision if the court finds that the petitioner was not a minor at the time of the offense, there are not any reasonable grounds to believe the petitioner engaged in prostitution solely as the victim of an offense under Section 20A.02(a)(3) or (7), Penal Code, or the petitioner has filed a previous petition under this article based solely on the same evidence.

(e) After the court orders a hearing under this article, the court, as the court considers necessary to ensure a fair hearing on the petition, may order any discovery from the attorney representing the state or from the petitioner. An order of discovery may include any order for probative evidence relevant to the petitioner's age or to proving or disproving the petitioner's claim of having engaged in the conduct for which the petitioner was convicted under Section 43.02, Penal Code, solely as the victim of an offense under Section 20A.02(a)(3) or (7), Penal Code.

(f) If after the court orders a hearing under this article the court finds that, based on the sworn statements of the petitioner or based on submitted evidence or affidavits, the petitioner is not represented by an attorney and is indigent, the court shall appoint an attorney to represent the petitioner at the hearing and, if appropriate, before the court of appeals and the court of criminal appeals.

(g) At the conclusion of the hearing, the court shall make a finding as to whether the petitioner has shown by clear and convincing evidence that the petitioner engaged in prostitution when the petitioner was a minor and solely as the victim of trafficking of persons.

(h) The court may set aside the order of conviction for the offense under Section 43.02, Penal Code, if the court finds that the petitioner engaged in prostitution when the petitioner was a minor and solely as the victim of trafficking of persons and that setting aside the order is in the best interest of justice.

(i) The court reporter shall record a hearing under this article. If the court makes a finding that the petitioner engaged in prostitution when the petitioner was a minor and solely as the victim of trafficking of persons, and if the petitioner is indigent, the court reporter shall transcribe the hearing, including the finding, at the county's expense. The entire record must be included with an application for appeal filed as described by this article.

(j) The petitioner and the attorney representing the state may appeal the findings of the court in the same manner as an appeal of a conviction in a criminal case.

(k) A petition for a finding that the petitioner engaged in prostitution when the petitioner was a minor and solely as the victim of trafficking of persons filed under this article and a proceeding conducted under this article do not constitute an application for a writ of habeas corpus or a proceeding based on an application for a writ of habeas corpus. A restriction on filing a subsequent application for a writ of habeas corpus imposed by Article 11.07 does not apply to a petition or proceeding under this article.

(l) This article is not intended to preclude a petitioner from receiving a reduction or termination of community supervision and a set-aside of verdict under Section 20, Article 42.12, if the petitioner is otherwise qualified to receive a dismissal under that section.

SECTION _____. Chapter 48, Code of Criminal Procedure, is amended by adding Article 48.06 to read as follows:

Art. 48.06. PETITION FOR PARDON FOR CERTAIN MINORS WHO ARE TRAFFICKING-VICTIM OFFENDERS; JUDICIAL PROCEEDINGS. (a) In this article, "minor" means a person younger than 18 years of age.

(b) In this article, a person is considered to have been convicted in a case if:

(1) a judgment, a sentence, or both a judgment and a sentence are imposed on the person;

(2) the person receives community supervision, deferred adjudication, or deferred disposition; or

(3) the court defers final disposition of the case or imposition of the judgment and sentence.

(c) This article applies only to a person described by Subsection (d) who is unable to obtain relief under Section 20, Article 42.12, or Article 42.13 because the convicting court no longer retains jurisdiction over the case.

(d) A person convicted of an offense under Section 43.02, Penal Code, may file in the court of conviction a petition alleging specific facts and supported by a personal affidavit from the petitioner that, if proved, would establish that the petitioner:

(1) was a minor at the time of the offense; and

(2) engaged in prostitution solely as the victim of an offense under Section 20A.02(a)(3) or (7), Penal Code.

(e) On the filing of the petition under Subsection (d), the clerk of the court shall promptly serve a copy of the petition and the supporting documents on the appropriate office of the attorney representing the state. Any response to the petition by the attorney representing the state must be filed not later than the 15th business day after the date of service under this subsection.

(f) If in considering the petition, the supporting documents, and any response of the attorney representing the state the court finds that there are reasonable grounds to believe the facts alleged in the petition, the court shall order a hearing on the petition. The court shall dismiss the petition and shall promptly notify the petitioner of the court's decision if the court finds that the

petitioner was not a minor at the time of the offense, there are not any reasonable grounds to believe the petitioner engaged in prostitution solely as the victim of an offense under Section 20A.02(a)(3) or (7), Penal Code, or the petitioner has filed a previous petition under this article based solely on the same evidence.

(g) After the court orders a hearing under this article, the court, as the court considers necessary to ensure a fair hearing on the petition, may order any discovery from the attorney representing the state or from the petitioner. An order of discovery may include any order for probative evidence relevant to the petitioner's age or to proving or disproving the petitioner's claim of having engaged in the conduct for which the petitioner was convicted under Section 43.02, Penal Code, solely as the victim of an offense under Section 20A.02(a)(3) or (7), Penal Code.

(h) If after the court orders a hearing under this article the court finds that, based on the sworn statements of the petitioner or based on submitted evidence or affidavits, the petitioner is not represented by an attorney and is indigent, the court shall appoint an attorney to represent the petitioner at the hearing and, if appropriate, before the court of appeals and the court of criminal appeals.

(i) At the conclusion of the hearing, the court shall make a finding as to whether the petitioner has shown by clear and convincing evidence that the petitioner engaged in prostitution when the petitioner was a minor and solely as the victim of trafficking of persons. A finding that the petitioner engaged in prostitution when the petitioner was a minor and solely as the victim of trafficking of persons does not authorize the court to set aside a conviction of the offense if the court is not authorized to set aside that sentence under other law.

(j) If the court finds that the petitioner engaged in prostitution when the petitioner was a minor and solely as the victim of trafficking of persons, the petitioner may file an application for a pardon, but the application may not be filed later than the 90th day after the date the court makes the finding.

(k) The court reporter shall record a hearing under this article. If the court makes a finding that the petitioner engaged in prostitution when the petitioner was a minor and solely as the victim of trafficking of persons, and if the petitioner is indigent, the court reporter shall transcribe the hearing, including the finding, at the county's expense. The entire record must be included with an application for a pardon filed as described by this article.

(l) The petitioner and the attorney representing the state may appeal the findings of the court in the same manner as an appeal of a conviction in a criminal case.

(m) A petition for a finding that the petitioner engaged in prostitution when the petitioner was a minor and solely as the victim of trafficking of persons filed under this article and a proceeding conducted under this article do not constitute an application for a writ of habeas corpus or a proceeding based on an application for a writ of habeas corpus. A restriction on filing a subsequent application for a writ of habeas corpus imposed by Article 11.07 does not apply to a petition or proceeding under this article.

SECTION _____. Section 5, Article 42.12, Code of Criminal Procedure, is amended by adding Subsection (k) to read as follows:

(k) If a judge dismisses proceedings against a defendant charged with an offense under Section 43.02, Penal Code, alleged to have been committed when the defendant was younger than 18 years of age and discharges the defendant, the judge may attach to the papers in the case a statement that the defendant was a minor and a victim of trafficking of persons.

SECTION _____. Article 55.01, Code of Criminal Procedure, is amended by adding Subsection (a-3) to read as follows:

(a-3) A person who has been placed under a custodial or noncustodial arrest for commission of an offense under Section 43.02, Penal Code, is entitled to have all records and files relating to the arrest expunged in the same manner provided for a person described by Subsection (a), if a court determines under Article 42.13(g) or 48.06(i) that the person engaged in prostitution when the person was a minor and solely as the victim of trafficking of persons.

Amendment No. 2 was withdrawn.

HB 3241, as amended, was passed to engrossment.

CSHB 2072 ON SECOND READING
(by E. Rodriguez, J. Davis, and Naishtat)

CSHB 2072, A bill to be entitled An Act relating to services for persons who are deaf or hard of hearing and licensing requirements for interpreters for persons who are deaf or hard of hearing; providing an administrative penalty; requiring a fee and changing the rate of a fee.

Representative Naishtat moved to postpone consideration of **CSHB 2072** until 3 p.m. today.

The motion prevailed.

CSHB 2383 ON SECOND READING
(by Eiland, Goldman, and Toth)

CSHB 2383, A bill to be entitled An Act relating to life settlement contracts for the payment of long-term care services under the medical assistance program and the consideration of a life insurance policy in determining eligibility for medical assistance.

Amendment No. 1

Representative Eiland offered the following amendment to **CSHB 2383**:

Amend **CSHB 2383** (house committee printing) as follows:

(1) On page 4, strike lines 5 through 7 and substitute the following:

(m) The department shall develop policies for educating an applicant for nursing home care under the medical assistance program about options for the applicant's life insurance policies, including options that do not allow a life insurance policy to be considered as an asset or resource in determining the applicant's eligibility for medical assistance.

(2) On page 4, between lines 22 and 23, insert the following new subsection:

(o) The entry into a life settlement contract by an owner of a life insurance policy under this section is not the only method by which the owner may avoid having the policy considered as an asset or resource in determining the eligibility of the owner for medical assistance.

Amendment No. 1 was adopted.

CSHB 2383, as amended, was passed to engrossment. (Anderson recorded voting no.)

CSHB 2512 ON SECOND READING
(by R. Miller)

CSHB 2512, A bill to be entitled An Act relating to the disclosure of certain information to the secretary of state for use in voter registration or the administration of elections.

Representative R. Miller moved to postpone consideration of **CSHB 2512** until 2 p.m. today.

The motion prevailed.

CSHB 2978 ON SECOND READING
(by Parker)

CSHB 2978, A bill to be entitled An Act relating to service of citation in connection with an expedited judicial foreclosure proceeding.

Amendment No. 1

Representative Parker offered the following amendment to **CSHB 2978**:

Amend **CSHB 2978** (house committee printing) as follows:

- (1) On page 1, line 8, strike "(a)".
- (2) On page 1, strike lines 16 through 18.

Amendment No. 1 was adopted.

CSHB 2978, as amended, was passed to engrossment.

CSHB 1926 ON SECOND READING
(by K. King, Deshotel, Villarreal, Farney, Ratliff, et al.)

CSHB 1926, A bill to be entitled An Act relating to the operation of the state virtual school network and courses provided through other distance learning arrangements.

(Speaker in the chair)

Amendment No. 1

Representative Patrick offered the following amendment to **CSHB 1926**:

Amend **CSHB 1926** as follows:

- (1) On page 8, strike lines 5 and 6 and substitute the following:
SECTION 11. Section 30A.104, Education Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:
- (2) On page 8, between lines 13 and 14, insert the following:

(c) This subsection applies to a course provider other than a school district, open-enrollment charter school, or public institution of higher education. The board shall maintain oversight of the services and products relating to public student curriculum offered in this state by a course provider, and the course provider may not provide a service or product relating to public student curriculum in this state without board approval, including approval of the form and content of the service or product, and regardless of whether the service or product is provided online, in print, or in person.

Amendment No. 1 was adopted.

MESSAGE FROM THE SENATE

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

CSHB 1926 - (consideration continued)

Amendment No. 2

Representative Dale offered the following amendment to **CSHB 1926**:

Amend **CSHB 1926** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 30A.002(b), Education Code, is amended to read as follows:

(b) A student is eligible to enroll full-time in courses provided through the state virtual school network only if the student:

(1) was enrolled in a public school in this state in the preceding school year; ~~or~~

(2) was a home-schooled student in this state in the preceding school year; or

(3) has been placed in substitute care in this state, regardless of whether the student was enrolled in a public school in this state or was a home-schooled student in this state in the preceding school year.

SECTION _____. Section 30A.007(a), Education Code, is amended to read as follows:

(a) A school district or open-enrollment charter school shall adopt a policy that provides eligible ~~[district or school]~~ students with the opportunity to enroll in electronic courses provided through the state virtual school network. The policy must be consistent with the requirements imposed by Section 26.0031.

SECTION _____. Sections 30A.107(b) and (c), Education Code, are amended to read as follows:

(b) A student who is enrolled in a school district or open-enrollment charter school in this state as a full-time student or who is a home-schooled student in this state may take one or more electronic courses through the state virtual school network.

(c) A student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state as a full-time student may, subject to Section 30A.155, enroll in electronic courses through the state virtual school network. A student to whom this subsection applies:

(1) may not in any semester enroll in more than two electronic courses offered through the state virtual school network, if the student is enrolled in a private school;

(2) is not considered to be a public school student;

(3) must obtain access to a course provided through the network through the school district or open-enrollment charter school attendance zone in which the student resides;

(4) is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the network; and

(5) is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course.

SECTION _____. Section 30A.155(a), Education Code, is amended to read as follows:

(a) A school district or open-enrollment charter school may charge a fee for enrollment in an electronic course provided through the state virtual school network to a student who resides in this state and:

(1) is enrolled in a school district or open-enrollment charter school as a full-time student or is a home-schooled student; and

(2) is enrolled in a course load greater than that normally taken by students in the equivalent grade level in other school districts or open-enrollment charter schools.

SECTION _____. Sections 30A.002, 30A.007, 30A.107, and 30A.155, Education Code, as amended by this Act, apply beginning with the 2013-2014 school year.

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative Lavender offered the following amendment to **CSHB 1926**:

Amend **CSHB 1926** by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 30A, Education Code, is amended by adding Section 30A.0011 to read as follows:

Sec. 30A.0011. ELIGIBILITY OF CERTAIN COURSE PROVIDERS. A nonprofit entity, private entity, or corporation is not eligible to act as a course provider under this chapter unless at least 51 percent of the ownership of the nonprofit entity, private entity, or corporation is controlled by United States citizens.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Alvarado offered the following amendment to **CSHB 1926**:

Amend **CSHB 1926** on page 6, by striking lines 4-6 and substituting:

(2) possesses prior experience offering online courses to elementary, middle, junior high, or high school students, with demonstrated student success in course completion and performance, as determined by the commissioner; and

Amendment No. 4 was adopted.

Amendment No. 5

Representative Patrick offered the following amendment to **CSHB 1926**:

Amend **CSHB 1926** as follows:

(1) On page 11, lines 24 and 25, strike "Sections 30A.153(a), (b), and (c), Education Code, are amended" and substitute "Section 30A.153, Education Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (a-1)".

(2) On page 11, line 26, strike "A" and substitute "Subject to the limitation imposed under Subsection (a-1), a [~~A~~"]".

(3) On page 12, between lines 7 and 8, insert the following:

(a-1) For purposes of Subsection (a), a school district or open-enrollment charter school is limited to the funding described by that subsection for a student's enrollment in not more than three electronic courses during any school year.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Dale offered the following amendment to **CSHB 1926**:

Amend **CSHB 1926** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 30A.002(b), Education Code, is amended to read as follows:

(b) A student is eligible to enroll full-time in courses provided through the state virtual school network only if the student:

(1) was enrolled in a public school in this state in the preceding school year; [~~or~~]

(2) was a home-schooled student in this state in the preceding school year; or

(3) has been placed in substitute care in this state, regardless of whether the student was enrolled in a public school in this state or was a home-schooled student in this state in the preceding school year.

SECTION _____. Section 30A.007(a), Education Code, is amended to read as follows:

(a) A school district or open-enrollment charter school shall adopt a policy that provides eligible [~~district or school~~] students with the opportunity to enroll in electronic courses provided through the state virtual school network. The policy must be consistent with the requirements imposed by Section 26.0031.

SECTION _____. Sections 30A.107(b) and (c), Education Code, are amended to read as follows:

(b) A student who is enrolled in a school district or open-enrollment charter school in this state as a full-time student or who is a home-schooled student in this state may take one or more electronic courses through the state virtual school network.

(c) A student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state as a full-time student may, subject to Section 30A.155, enroll in electronic courses through the state virtual school network. A student to whom this subsection applies:

(1) may not in any semester enroll in more than two electronic courses offered through the state virtual school network, if the student is enrolled in a private school;

(2) is not considered to be a public school student;

(3) must obtain access to a course provided through the network through the school district or open-enrollment charter school attendance zone in which the student resides;

(4) is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the network; and

(5) is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course.

SECTION _____. Section 30A.155(a), Education Code, is amended to read as follows:

(a) A school district or open-enrollment charter school may charge a fee for enrollment in an electronic course provided through the state virtual school network to a student who resides in this state and:

(1) is enrolled in a school district or open-enrollment charter school as a full-time student or is a home-schooled student; and

(2) is enrolled in a course load greater than that normally taken by students in the equivalent grade level in other school districts or open-enrollment charter schools.

SECTION _____. Sections 30A.002, 30A.007, 30A.107, and 30A.155, Education Code, as amended by this Act, apply beginning with the 2013-2014 school year.

Representative K. King moved to table Amendment No. 6.

The motion to table prevailed.

Amendment No. 7

Representative Herrero offered the following amendment to **CSHB 1926**:

Amend **CSHB 1926** as follows:

(1) Strike page 1, line 14, through page 2, line 12, and substitute the following:

(c) A [For purposes of Subsection (b), a] school district or open-enrollment charter school may deny ~~[is not considered to have unreasonably denied]~~ a request to enroll a student in an electronic course if:

(1) the district or school can demonstrate that the course does not meet state standards or standards of the district or school that are of equivalent rigor as the district's or school's standards for the same course provided in a traditional classroom setting;

(2) a student attempts to enroll in a course load that [~~(A)~~] is inconsistent with the student's high school graduation plan or requirements for college admission or earning an industry certification; [~~(B)~~] ~~could reasonably be expected to negatively affect the student's performance on an assessment instrument administered under Section 39.023; or~~

(3) the student requests permission to enroll in an electronic course at a time that is not consistent with the enrollment period established by the entity [~~school district or open enrollment charter school~~] providing the course; or

(4) the district or school offers a substantially similar course.

(2) On page 2, line 18, strike "(c)(2) [~~(e)(3)~~]" and substitute "(c)(3)".

Representative K. King moved to table Amendment No. 7.

The motion to table was lost.

MESSAGE FROM THE SENATE

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

CSHB 1926 - (consideration continued)

(Márquez in the chair)

Amendment No. 7 failed of adoption by (Record 499): 47 Yeas, 93 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Burnam; Canales; Capriglione; Coleman; Collier; Cortez; Davis, Y.; Dutton; Eiland; Farias; Farrar; González, M.; Gonzalez, N.; Guerra; Gutierrez; Hernandez Luna; Herrero; Howard; King, T.; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Patrick; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu.

Nays — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Deshotel; Dukes; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Isaac; Kacal; King, K.; King, P.; King, S.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; McClendon; Menéndez; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Otto; Paddie; Parker; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; Villarreal; White; Workman; Zedler; Zerwas.

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

Absent, Excused — Johnson; Keffer.

Absent — Giddings; Hunter; Klick; Lewis; Ritter.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 499. I intended to vote no.

Capriglione

When Record No. 499 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

CSHB 1926, as amended, was passed to engrossment by (Record 500): 95 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Isaac; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; McClendon; Menéndez; Miller, D.; Miller, R.; Morrison; Murphy; Naishtat; Orr; Otto; Paddie; Parker; Perry; Phillips; Pickett; Price; Raney; Ratliff; Riddle; Ritter; Sanford; Sheets; Sheffield, R.; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Turner, E.S.; Villalba; Villarreal; White; Workman; Zerwas.

Nays — Allen; Alonzo; Burnam; Canales; Capriglione; Coleman; Collier; Cortez; Davis, Y.; Dutton; Farias; Farrar; Giddings; González, M.; Gonzalez, N.; Guerra; Gutierrez; Hernandez Luna; Herrero; Howard; Longoria; Lozano; Lucio; Márquez(C); Martinez; Martinez Fischer; Miles; Moody; Muñoz; Nevárez; Oliveira; Patrick; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Schaefer; Sheffield, J.; Simmons; Stickland; Thompson, S.; Toth; Turner, C.; Turner, S.; Vo; Walle; Zedler.

Present, not voting — Mr. Speaker.

Absent, Excused — Johnson; Keffer.

Absent — Hunter; Pitts; Rose; Wu.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 500. I intended to vote no.

Fallon

When Record No. 500 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

I was shown voting no on Record No. 500. I intended to vote yes.

Lucio

When Record No. 500 was taken, my vote failed to register. I would have voted no.

Rose

I was shown voting no on Record No. 500. I intended to vote yes.

Stickland

When Record No. 500 was taken, I was in the house but away from my desk. I would have voted yes.

Wu

REASON FOR VOTE

CSHB 1926, with the amendment I offered on behalf of the Houston Independent School District, will ensure students have access to high quality virtual school courses. Similar to my home school district of Houston ISD, a school district which promotes choice and has a virtual school program, I believe in ensuring every available educational option is rigorous and of the highest caliber. As with my prior votes before in this chamber, I stand strongly opposed to vouchers and will continue to do so.

Alvarado

(Geren in the chair)

POSTPONED BUSINESS

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

CSHB 2748 ON SECOND READING

(by Lewis, Crownover, T. King, Raymond, Darby, et al.)

CSHB 2748, A bill to be entitled An Act relating to judicial proceedings and Railroad Commission of Texas hearings to determine whether a person who owns, operates, or manages a pipeline is a common carrier; authorizing a fee.

CSHB 2748 was read second time earlier today and was postponed until this time.

CSHB 2748 - POINT OF ORDER

Representative C. Turner raised a point of order against further consideration of **CSHB 2748** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative C. Turner raised a point of order against further consideration of **CSHB 2748** under Rule 4, Section 32(c) of the House Rules, asserting that the bill analysis did not contain an adequate "summary or section-by-section" analysis. The point of order is overruled.

Representative C. Turner observes that the bill analysis does not explain Section 3 of the bill, which provides that the changes made by the bill "relating to a permit to operate a pipeline apply only to a permit the application for which is filed . . . on or after the effective date of this Act," but a "permit the application for which was filed before the effective date of this Act is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose." Representative C. Turner's point of order contends that failing to discuss Section 3 created a misleading impression that the bill applies to all pending matters because there exists a legal presumption that the bill's provisions apply to pending matters, absent a savings clause such as Section 3. The point bases its contention on case law decided at least a decade prior to the enactment of Section 311.022 of the Government Code, which, surprisingly, was omitted from the point's analysis.

Contrary to the contention raised by the point of order, Section 311.022 of the Government Code states, "A statute is presumed to be prospective in its operation unless expressly made retrospective." Because Section 3 merely restates the legal presumption that the bill is prospective in nature, omitting a discussion of Section 3 in the bill analysis did not render the analysis misleading. *Compare* 82 H.J. Reg. 3710 (2011), (sustaining a point of order where the bill analysis omitted mention of the provision that the section added by the bill "applies according to its terms in relation to travel vouchers that have not been released before the effective date of this Act").

CSHB 2748 - POINT OF ORDER

Representative Y. Davis raised a point of order against further consideration of **CSHB 2748** under Rule 4, Section 32(c)(4) of the House Rules on the grounds that the committee report is incorrect.

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

Representative Y. Davis raised a point of order against further consideration of **CSHB 2748** under Rule 4, Section 32(c)(4) of the House Rules on the grounds that the bill analysis did not mention the change to the bill's caption in the committee substitute. The point of order is respectfully overruled.

The committee substitute authorized a fee that was not mentioned in the introduced version of the bill. Accordingly, to comply with Rule 8, Section 1(b) of the House Rules the caption of **CSHB 2748** was amended to reflect that the substituted bill authorized a fee. Although the bill analysis does not specify that a change was made to the caption, it does reflect that the committee substitute authorizes a fee and the side-by-side analysis shows that this provision did not exist in the original bill. Accordingly, the requirements of Rule 4, Section 32(c)(4) of the House Rules were satisfied.

CSHB 2748 - POINT OF ORDER

Representative Y. Davis raised a point of order against further consideration of **CSHB 2748** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative Y. Davis raised a point of order against further consideration of **CSHB 2748** under Rule 4, Section 32(c) of the House Rules. The point of order is sustained.

Representative Y. Davis observes that the bill creates Section 111.043(b) of the Natural Resources Code, which sets forth in detail six requirements that an applicant must include in its notice of the application for common-carrier status. She asserts that the bill analysis inadequately addresses Section 111.043(b)'s requirements by stating, without further elaboration, "[t]he bill sets out the required contents of the notice of application."

Determining whether a bill analysis complies with Rule 4, Section 32 of the House Rules requires examining the particular bill and analysis in question and comparing them to the mandates of Rule 4, Section 32 of the House Rules. In this case, after careful review, the chair determines that a detailed analysis of the bill's subject matter has not been provided, the chair is compelled to sustain the point of order. Having reviewed the bill and the analysis in light of the requirements of the rule, the chair concludes that in this case, the bill analysis accompanying **CSHB 2784** does not satisfy Rule 4, Section 32's detailed analysis requirement.

CSHB 2748 was returned to the Committee on Judiciary and Civil Jurisprudence.

GENERAL STATE CALENDAR
(consideration continued)

CSHB 3390 ON SECOND READING

(by Hilderbran, Murphy, Eiland, J. Davis, and Oliveira)

CSHB 3390, A bill to be entitled An Act relating to the Texas Economic Development Act; authorizing a fee.

Amendment No. 1

Representative Hilderbran offered the following amendment to **CSHB 3390**:

Amend **CSHB 3390** (house committee printing) as follows:

- (1) On page 7, strike lines 10 through 14 and substitute the following:
 - (ii) on which a person proposes to:
 - (a) construct a new building or erect or affix a new improvement that does not exist before the date the person submits a complete application [applies] for a limitation on appraised value under this subchapter; or
 - (b) expand an existing building as described by Subdivision (1)(G);
- (2) On page 7, line 18, strike "or new improvement" and substitute " ~~or~~ new improvement, or expanded building".
- (3) On page 7, line 24, between "new" and "jobs", insert "qualifying".
- (4) On page 7, line 25, strike "or other new improvement" and substitute " ~~or~~ other new improvement, or expanded building".
- (5) On page 8, strike lines 5 through 9 and substitute the following:

building, ~~[or]~~ in or on the new improvement, or in the expanded building described by Paragraph (A)(ii), or on the land on which that new building, ~~[or]~~ new improvement, or expanded building is located, if the personal property is ancillary and necessary to the business conducted in that new building, ~~[or]~~ in or on that new improvement, or in that expanded building.

(6) On page 8, strike lines 18 through 24 and substitute the following: for which the business offers to pay at least 80 percent of the premiums or other charges assessed for employee-only coverage under the plan, regardless of whether an employee may voluntarily waive the coverage; and

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

SECTION ____ . Section 313.023, Tax Code, is amended to read as follows:

Sec. 313.023. MINIMUM AMOUNTS OF QUALIFIED INVESTMENT AND NUMBER OF NEW QUALIFYING JOBS TO BE CREATED. (a) For each category of school district established by Section 313.022, the minimum amount of a qualified investment under Section 313.021(2)(A)(iv)(a) is as follows:

CATEGORY	MINIMUM QUALIFIED INVESTMENT
I	\$100 million
II	\$80 million
III	\$60 million
IV	\$40 million
V	\$20 million

(b) Notwithstanding Section 313.021(2)(A)(iv)(b), if the property owner makes a qualified investment in an amount equal to at least:

(1) two times the minimum qualified investment for the applicable category of school district but less than three times that amount, the number of new qualifying jobs the property owner is required to create is equal to 75 percent of the number required by that sub-subparagraph;

(2) three times the minimum qualified investment for the applicable category of school district but less than four times that amount, the number of new qualifying jobs the property owner is required to create is equal to 50 percent of the number required by that sub-subparagraph;

(3) four times the minimum qualified investment for the applicable category of school district but less than five times that amount, the number of new qualifying jobs the property owner is required to create is equal to 25 percent of the number required by that sub-subparagraph; and

(4) five times the minimum qualified investment for the applicable category of school district, the property owner is not required to create any new qualifying jobs.

(8) On page 9, strike lines 4 and 5 and substitute the following:

SECTION 3. Section 313.024, Tax Code, is amended by amending Subsections (a), (b), and (d) and adding Subsection (d-2) to read as follows:

(9) Strike page 9, line 27, through page 10, line 1, and substitute the following:

this subchapter, the property owner must create the required number of new ~~[at least 80 percent of all the new jobs created by the property owner must be]~~ qualifying jobs as

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

(d-2) For purposes of determining whether a property owner has created the number of new qualifying jobs required for eligibility for a limitation on appraised value under this subchapter, the new qualifying jobs created under an agreement between the property owner and another school district may be included in the total number of new qualifying jobs created in connection with the project if the Texas Economic Development and Tourism Office determines that the projects covered by the agreements constitute a single unified project. The Texas Economic Development and Tourism Office may adopt rules to implement this subsection.

(11) On page 10, line 8, strike "313.025(a-1)" and substitute "313.025(a), (a-1)".

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

(a) The owner or lessee of, or the holder of another possessory interest in, any qualified property described by Section 313.021(2)(A), (B), or (C) may apply to the governing body of the school district in which the property is located for a limitation on the appraised value for school district maintenance and operations ad valorem tax purposes of the person's qualified property. An application must be made on the form prescribed by the comptroller and include the information required by the comptroller, and it must be accompanied by:

(1) the application fee established by the governing body of the school district;

(2) information sufficient to show that the real and personal property identified in the application as qualified property meets the applicable criteria established by Section 313.021(2); and

(3) any information required by the comptroller for the purposes of ~~[relating to each applicable criterion listed in]~~ Section 313.026.

(13) On page 11, strike lines 8 through 12 and substitute the following: evaluation of the investment proposed by the application. The ~~[to the~~

(14) On page 11, lines 18 and 19, strike "(d)(1) and recommendation under Subsection (d)(2), if requested" and substitute "(d)".

(15) On page 13, line 12, strike ":".

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

(17) On page 13, strike lines 17 through 23 and substitute the following: certificate ~~[submit a recommendation to the governing body of the school district as to whether the application should be approved or disapproved].~~

(18) On page 14, line 10, strike "each criterion listed in" and substitute "any criteria considered by the comptroller in conducting the economic impact evaluation under ~~[each criterion listed in]~~".

(19) On page 14, line 16, between "new" and "jobs", insert "qualifying".

(20) On page 14, line 18, strike "comptroller" and substitute "Texas Workforce Commission".

(21) On page 14, line 22, between "requirement" and the period, insert the following:

. The governing body of a school district may request that the Texas Workforce Commission provide a recommendation as to whether the new qualifying jobs creation requirement should be reduced or waived and, if reduced, the number of new qualifying jobs that should be required to be created. If the Texas Workforce Commission receives a request from the governing body of a school district under this subsection, not later than the 60th day after the date of receipt of the request the commission shall submit to the governing body a recommendation as to whether the new qualifying jobs creation requirement should be reduced or waived and, if reduced, the number of new qualifying jobs that should be required to be created

(22) Strike page 15, line 18, through page 18, line 18, and substitute the following:

economic impact evaluation of the application must include any information the comptroller determines is necessary or helpful to:

(1) the governing body of the school district in determining whether to approve the application under Section 313.025; or

(2) the comptroller in determining whether to issue a certificate for a limitation on appraised value of the property under Section 313.025 [the following:

[1) the recommendations of the comptroller;

[2) the name of the school district;

[3) the name of the applicant;

[4) the general nature of the applicant's investment;

[5) the relationship between the applicant's industry and the types of qualifying jobs to be created by the applicant to the long term economic growth plans of this state as described in the strategic plan for economic development submitted by the Texas Strategic Economic Development Planning Commission under Section 481.033, Government Code, as that section existed before February 1, 1999;

[6) the relative level of the applicant's investment per qualifying job to be created by the applicant;

[7) the number of qualifying jobs to be created by the applicant;

[8) the wages, salaries, and benefits to be offered by the applicant to qualifying job holders;

[9) the ability of the applicant to locate or relocate in another state or another region of this state;

[10) the impact the project will have on this state and individual local units of government, including:

[(A) tax and other revenue gains, direct or indirect, that would be realized during the qualifying time period, the limitation period, and a period of time after the limitation period considered appropriate by the comptroller; and

[(B) economic effects of the project, including the impact on jobs and income, during the qualifying time period, the limitation period, and a period of time after the limitation period considered appropriate by the comptroller;

~~[(11) the economic condition of the region of the state at the time the person's application is being considered;~~

~~[(12) the number of new facilities built or expanded in the region during the two years preceding the date of the application that were eligible to apply for a limitation on appraised value under this subchapter;~~

~~[(13) the effect of the applicant's proposal, if approved, on the number or size of the school district's instructional facilities, as defined by Section 46.001, Education Code;~~

~~[(14) the projected market value of the qualified property of the applicant as determined by the comptroller;~~

~~[(15) the proposed limitation on appraised value for the qualified property of the applicant;~~

~~[(16) the projected dollar amount of the taxes that would be imposed on the qualified property, for each year of the agreement, if the property does not receive a limitation on appraised value with assumptions of the projected appreciation or depreciation of the investment and projected tax rates clearly stated;~~

~~[(17) the projected dollar amount of the taxes that would be imposed on the qualified property, for each tax year of the agreement, if the property receives a limitation on appraised value with assumptions of the projected appreciation or depreciation of the investment clearly stated;~~

~~[(18) the projected effect on the Foundation School Program of payments to the district for each year of the agreement;~~

~~[(19) the projected future tax credits if the applicant also applies for school tax credits under Section 313.103; and~~

~~[(20) the total amount of taxes projected to be lost or gained by the district over the life of the agreement computed by subtracting the projected taxes stated in Subdivision (17) from the projected taxes stated in Subdivision (16)].~~

(b) Except as provided by Subsections (c) and (d), the ~~[The]~~ comptroller's determination whether to issue a certificate for a limitation on appraised value under this chapter for property described in the application [recommendations] shall be based on the economic impact evaluation described by Subsection (a) [criteria listed in Subsections (a)(5) (20)] and on any other information available to the

(23) On page 25, line 1, strike "qualifying [new] jobs" and substitute "new qualifying jobs".

(24) On page 28, strike lines 4 through 12 and substitute the following:
~~[only] at least 10 new qualifying jobs as defined by Section 313.021(3) on the owner's qualified property. Section 313.023(b) does not apply to a school district to which this subchapter applies. [At least 80 percent of all the new jobs created must be qualifying jobs as defined by Section 313.021(3), except that, for a school district described by Subsection (a)(2), each qualifying job must pay at least 110 percent of the average weekly wage for manufacturing jobs in the region designated for the regional planning commission, council of governments, or similar regional planning agency created under Chapter 391, Local Government Code, in which the district is located.]~~

(25) On page 29, line 14, between "19." and "Chapter", insert the following:

(a) Except as provided by Subsection (b) of this section,

(26) On page 29, between lines 19 and 20, insert the following:

(b) An agreement entered into on or after January 1, 2013, pursuant to an application filed under Chapter 313, Tax Code, before the effective date of this Act may condition eligibility for a limitation on appraised value under Subchapter B or C of that chapter, as applicable, on compliance with the provisions of that chapter, as amended by this Act, relating to the creation of new qualifying jobs, including Section 313.021(3), Tax Code, and Section 313.024(d) or 313.051(b), Tax Code, as applicable.

(Speaker pro tempore in the chair)

Amendment No. 2

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

Amend Floor Amendment No. 1 by Hilderbran by amending amended Section 313.021(3), Tax Code, by adding the following new subsection (F):

(F) In determining whether a property owner has created the number of qualifying jobs required under this chapter, operations, services and other related jobs created in connection with the project, including those employed by third parties under contract, may satisfy the minimum qualifying jobs requirement for the project if the Texas Workforce Commission determines that the cumulative economic benefits to the state of these jobs is the same or greater than that associated with the minimum number of qualified jobs required to be created under this chapter. The Texas Workforce Commission may adopt rules to implement this subsection.

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

Amendment No. 3

Representative Simmons offered the following amendment to **CSHB 3390**:

(1) Amend **CSHB 3390**, on page 9, lines 22 to 24 to read as follows:

(8) a ~~[computer]~~ data center ~~[primarily used in connection with one or more activities described by Subdivisions (1) through (7) conducted by the entity];~~ or

(2) In SECTION 4 of **CSHB 3390**, in the introductory language (page 10, line 4), strike "adding Subdivision (7)" and substitute "amending Subdivision (6) and adding Subdivision (7)".

(3) In SECTION 4 of the bill, in amended Section 313.024(e), Tax Code (page 10, between lines 4 and 5), insert the following:

(6) "Data [Computer] center" means an establishment primarily engaged in [providing electronic data processing and information storage];

(A) data processing, hosting, and related services described by industry code 518210 of the North American Industry Classification System;

(B) an Internet activity described by industry code 519130 of the North American Industry Classification System; or

(C) computer software publishing and reproduction described by industry code 511210 of the North American Industry Classification System; or

(D) on-site management and operation of clients' computer systems or data processing facilities described by industry code 541513 of the North American Industry Classification System.

(E) primarily used in connection with one or more activities described by Subdivisions (1) through (7) conducted by the entity.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Murphy offered the following amendment to **CSHB 3390**:

Amend Amendment No. ____ by Murphy to **CSHB 3390** (house committee printing) on page 1, line 11, between "in" and "an amount that", by inserting "which a limitation is in effect".

Amendment No. 4 was withdrawn.

Amendment No. 5

Representative Murphy offered the following amendment to **CSHB 3390**:

Amend **CSHB 3390** (house committee printing) as follows:

(1) On page 19, strike lines 25 and 26 and substitute the following:

SECTION 8. Section 313.027, Tax Code, is amended by amending Subsections (a), (f), (h), and (i) and adding Subsection (j) to read as follows:

(2) Strike page 21, line 27, through page 22, line 11, and substitute the following:

to provide financial or material support to a school district:

(1) in a tax year in an amount that exceeds an amount equal to the greater of:

(A) the lesser of the following amounts:

(i) \$100 per student [per year] in average daily attendance, as defined by Section 42.005, Education Code; or

(ii) 10 percent of the amount computed by subtracting from the market value of the property for that tax year the value of the property as limited by the agreement and multiplying the difference by the maintenance and operations tax rate of the school district for that tax year; or

(B) \$50,000; or

(2) in a tax year other than a tax year in which the limitation on appraised value is in effect[, or for a period that exceeds the period beginning with the period described by Section 313.021(4) and ending with the period described by Section 313.104(2)(B) of this code].

(j) Subsection (i) applies only to an agreement entered into in anticipation of or in consideration for a school district's approval of an application for a limitation on appraised value under this subchapter. That subsection does not apply to a payment under [This limit does not apply

Amendment No. 6

Representative Murphy offered the following amendment to Amendment No. 5:

Amend Amendment No. 5 by Murphy to **CSHB 3390** (house committee printing) on page 1, line 11, between "in" and "an amount that", by inserting "which a limitation is in effect,".

Amendment No. 6 was adopted.

(Márquez in the chair)

Representative Eiland moved to table Amendment No. 5, as amended.

The motion to table prevailed.

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**:

Crownover on motion of Harless.

CSHB 3390 - (consideration continued)**Amendment No. 7**

Representative Eiland offered the following amendment to **CSHB 3390**:

Amend **CSHB 3390** (house committee printing) on page 22, lines 3 through 5, by striking "in a tax year other than a tax year in which the limitation on appraised value is in effect" and substituting "for a period of more than 14 years".

Amendment No. 7 was adopted.

Amendment No. 8

Representative Frullo offered the following amendment to **CSHB 3390**:

Amend **CSHB 3390** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 311.014, Tax Code, is amended by adding Subsection (f) to read as follows:

(f) Money in the tax increment fund for a reinvestment zone may be transferred to the tax increment fund for an adjacent zone if:

(1) the taxing units that participate in the zone from which the money is to be transferred participate in the adjacent zone and vice versa;

(2) each participating taxing unit has agreed to deposit the same portion of its tax increment in the fund for each zone;

(3) each participating taxing unit has agreed to the transfer; and

(4) the holders of any tax increment bonds or notes issued for the zone from which the money is to be transferred have agreed to the transfer.

Amendment No. 8 was adopted.

Amendment No. 9

Representative Kolkhorst offered the following amendment to **CSHB 3390**:

Amend **CSHB 3390** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 313, Tax Code, is amended by adding Section 313.010 to read as follows:

Sec. 313.010. AUDIT OF AGREEMENTS BY STATE AUDITOR. (a) Each year, the state auditor shall review at least three major agreements, as determined by the state auditor, under this chapter to determine whether:

(1) each agreement accomplishes the purposes of this chapter as expressed in Section 313.003;

(2) each agreement complies with the intent of the legislature in enacting this chapter as expressed in Section 313.004; and

(3) the terms of each agreement were executed in compliance with the terms of this chapter.

(b) As part of the review, the state auditor shall make recommendations relating to increasing the efficiency and effectiveness of the administration of this chapter.

Amendment No. 9 was adopted.

CSHB 3390, as amended, was passed to engrossment by (Record 501): 127 Yeas, 6 Nays, 2 Present, not voting.

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

Nays — Carter; Farias; Simpson; Taylor; Toth; White.

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

Absent, Excused — Johnson; Keffer.

Absent, Excused, Committee Meeting — Crownover.

Absent — Burnam; Callegari; Dutton; Gutierrez; Harper-Brown; Huberty; King, S.; Longoria; Parker; Phillips; Stickland; Zerwas.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 501. I intended to vote no.

Gooden

When Record No. 501 was taken, my vote failed to register. I would have voted yes.

Harper-Brown

When Record No. 501 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 501 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

When Record No. 501 was taken, I was in the house but away from my desk. I would have voted yes.

Longoria

When Record No. 501 was taken, my vote failed to register. I would have voted no.

Phillips

I was shown voting yes on Record No. 501. I intended to vote no.

Schaefer

(Speaker in the chair)

POSTPONED BUSINESS

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

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.

CSHB 3238 was read second time on May 2 and failed to pass to engrossment, as amended. The vote was reconsidered earlier today, and **CSHB 3238** was postponed until this time.

(Huberty in the chair)

Amendment No. 2

Representative R. Sheffield offered the following amendment to **CSHB 3238**:

Amend **CSHB 3238** (house committee report) by striking line 11 on page 4 of the bill and renumbering subsequent subdivisions.

Amendment No. 2 was adopted.

The vote of the house was taken on the passage to engrossment of **CSHB 3238**, as amended, and the vote was announced yeas 67, nays 69.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 502): 63 Yeas, 70 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Burnam; Canales; Coleman; Collier; Cook; Cortez; Darby; Davis, J.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Fletcher; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Huberty(C); Hunter; King, T.; Kuempel; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Pitts; Raney; Raymond; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, R.; Smith; Strama; Thompson, S.; Turner, C.; Turner, S.; Vo; Walle; Wu; Zerwas.

Nays — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Capriglione; Carter; Craddick; Creighton; Dale; Davis, S.; Elkins; Fallon; Farney; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Guillen; Harper-Brown; Hilderbran; Hughes; Isaac; King, K.; Kleinschmidt; Klick; Kolkhorst; Krause; Larson; Laubenberg; Lavender; Leach; Lewis; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Price; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, J.; Simmons; Simpson; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Workman; Zedler.

Present, not voting — Mr. Speaker; Kacal.

Absent, Excused — Johnson; Keffer.

Absent, Excused, Committee Meeting — Crownover.

Absent — Anderson; Callegari; Clardy; Davis, Y.; Giddings; King, P.; King, S.; Martinez; Miles; Otto; Reynolds; Villarreal.

The chair stated that **CSHB 3238**, as amended, failed to pass to engrossment by the above vote.

STATEMENTS OF VOTE

When Record No. 502 was taken, I was temporarily out of the house chamber. I would have voted no.

Anderson

When Record No. 502 was taken, I was temporarily out of the house chamber. I would have voted no.

Callegari

I was shown voting yes on Record No. 502. I intended to vote no.

Gooden

I was shown voting present, not voting on Record No. 502. I intended to vote no.

Kacal

When Record No. 502 was taken, I was temporarily out of the house chamber. I would have voted no.

P. King

I was shown voting yes on Record No. 502. I intended to vote no.

Kuempel

I was shown voting yes on Record No. 502. I intended to vote no.

Lozano

I was shown voting yes on Record No. 502. I intended to vote no.

Muñoz

When Record No. 502 was taken, I was attending a conference committee meeting and had requested to be excused, but the chair did not read the excuse until after the verification.

Otto

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of illness in the family:

Giddings on motion of S. Turner.

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

Martinez on motion of Moody.

Miles on motion of S. Turner.

Villarreal on motion of Howard.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 4:30 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

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**:

Otto on motion of Orr.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 4:30 p.m. today, 3W.15, for a formal meeting, to set a calendar.

**GENERAL STATE CALENDAR
(consideration continued)****CSHB 595 ON SECOND READING
(by Kolkhorst)**

CSHB 595, A bill to be entitled An Act relating to certain health programs and councils.

Amendment No. 1

Representative Guerra offered the following amendment to **CSHB 595**:

Amend **CSHB 595** as follows:

- (1) On page 1, line 4, strike "91, and 112" and substitute "and 91".
- (2) Strike SECTION 6 of the bill and renumber subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Hernandez Luna and Sheets offered the following amendment to **CSHB 595**:

Amend **CSHB 595** (house committee report) as follows:

- (1) On page 1, line 4, strike "86,".
- (2) On page 1, between lines 5 and 6, insert the following:
 - (b) Subchapters A and C, Chapter 86, Health and Safety Code, are repealed.
 - (c) Sections 86.011 and 86.012, Health and Safety Code, are repealed.
- (3) On page 1, line 6, strike "(b)" and substitute "(d)".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Taylor offered the following amendment to **CSHB 595**:

Amend **CSHB 595** (house committee report) as follows:

- (1) On page 1, line 4, strike "(a)".
- (2) On page 1, strike line 6.
- (3) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 533.005(a-1), Government Code, is amended to read as follows:

(a-1) The requirements imposed by Subsections (a)(23)(A), (B), and (C) do not apply, and may not be enforced, on and after August 31, 2015 [~~2013~~].

SECTION _____. Subchapter A, Chapter 533, Government Code, is amended by adding Section 533.0031 to read as follows:

Sec. 533.0031. MANAGED CARE ORGANIZATION PHARMACY BENEFIT PILOT PROGRAM. (a) In this section, "pilot program" means the managed care organization pharmacy benefit pilot program.

(b) The commission shall contract with managed care organizations to develop and implement a managed care organization pharmacy benefit pilot program for the enrolled recipients of the STAR Medicaid managed care program and the children's health insurance program that:

(1) fully integrates drug benefits to improve the coordination and management of drug therapies and drug utilization and to improve the detection of fraud, waste, and abuse;

(2) improves clinical outcomes and program efficiencies; and

(3) implements cost-effective strategies to ensure the use of quality, safe, and cost-effective prescription drugs.

(c) The pilot program must include:

(1) a drug program formulary, preferred drug lists, clinical edits, and prior authorization and other pharmacy benefit program criteria developed by the managed care organization to ensure the organization's ability to improve outcomes and to reduce waste, fraud, and abuse under the Medicaid program and children's health insurance program;

(2) a preferred drug list adopted by the pharmacy and therapeutics committee established by the organization; and

(3) prior authorization procedures and requirements adopted by a pharmacy and therapeutics committee established by the organization.

(d) A pharmacy benefit program administered by a managed care organization that contracts with the commission under Subsection (b) is not subject to Sections 531.071-531.073, including any provisions related to the vendor drug program operated by the commission and other vendor program rules, except that the organization may not receive drug pricing or rebate information that is identified as confidential under Section 531.071.

(e) The managed care organization is not subject to Section 531.070 and shall negotiate, manage, and collect supplemental rebates.

(f) Not later than September 1, 2013, the commission shall implement the pilot program in two service delivery areas, including one rural service area and one urban area for the STAR Medicaid managed care program and the children's health insurance program.

(g) Unless continued by the commission, the pilot program expires August 31, 2015.

(h) The commission shall contract with an independent research facility to conduct a study and determine the results of the pilot program, including quality and patient outcomes, cost-effectiveness, savings generated as a result of the pilot program, patient satisfaction, and overall oversight of the pharmacy benefit. The study must include:

(1) a comparison of the study results to the commission's vendor drug program; and

(2) recommendations from the Medicaid and CHIP Quality-Based Payment Advisory Committee on the parameters of the study and organizations that the commission should consider for the delivery of services.

(i) Not later than December 1, 2014, the commission shall submit a report of the study required under Subsection (h) to the legislature.

(Speaker in the chair)

LEAVES OF ABSENCE GRANTED

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

Alonzo on motion of Menéndez.

Alvarado on motion of Menéndez.

Branch on motion of Menéndez.

Button on motion of Menéndez.

Cook on motion of Menéndez.

S. Davis on motion of Menéndez.

Eiland on motion of Menéndez.

Fullo on motion of Menéndez.

Geren on motion of Menéndez.

Hunter on motion of Menéndez.

Kuempel on motion of Menéndez.

Lucio on motion of Menéndez.

D. Miller on motion of Menéndez.

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

S. Turner on motion of Farrar.

(Branch, Cook, S. Davis, Geren, and Lucio now present)

CSHB 595 - (consideration continued)

(Button and Hunter now present)

Amendment No. 3 failed of adoption.

CSHB 595, as amended, was passed to engrossment. (Taylor recorded voting no.)

HB 1562 ON SECOND READING (by Harless and Canales)

HB 1562, A bill to be entitled An Act relating to notice provided when a bail bond surety is in default.

HB 1562 was passed to engrossment.

HB 1606 ON SECOND READING
(by Moody)

HB 1606, A bill to be entitled An Act relating to the prosecution of the offenses of harassment and stalking.

HB 1606 was passed to engrossment. (The vote was reconsidered later today, and **HB 1606** was amended and was passed to engrossment.)

HB 1606 - VOTE RECONSIDERED

Representative Moody moved to reconsider the vote by which **HB 1606** was passed to engrossment.

The motion to reconsider prevailed.

HB 1606 ON SECOND READING
(by Moody)

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

HB 1606, A bill to be entitled An Act relating to the prosecution of the offenses of harassment and stalking.

HB 1606 was read second time earlier today and was passed to engrossment.

Amendment No. 1

Representative Moody offered the following amendment to **HB 1606**:

Amend **HB 1606** (house committee printing) as follows:

(1) On page 2, line 11, strike "Section 42.072(a), Penal Code, is amended" and substitute "Sections 42.072(a) and (d), Penal Code, are amended".

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

(d) In this section:

(1) "Dating [~~,"-dating]~~ relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.

(2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

LEAVE OF ABSENCE GRANTED

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

Kolkhorst on motion of Harless.

HB 1606 - (consideration continued)

Amendment No. 1 was adopted.

HB 1606, as amended, was passed to engrossment. (Anderson, Toth, E. S. Turner, and Workman recorded voting no.)

POSTPONED BUSINESS

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

CSHB 2512 ON SECOND READING

(by R. Miller, Fallon, Capriglione, Klick, and Krause)

CSHB 2512, A bill to be entitled An Act relating to the disclosure of certain information to the secretary of state for use in voter registration or the administration of elections.

CSHB 2512 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative E. Rodriguez offered the following amendment to **CSHB 2512**:

Amend **CSHB 2512** (house committee printing) by striking SECTION 3 (page 3, lines 8 through 25) and renumbering subsequent SECTIONS accordingly.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Burnam offered the following amendment to **CSHB 2512**:

Amend **CSHB 2512** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Sections 16.033(b), (c), and (d), Election Code, are amended to read as follows:

(b) If the registrar has reason to believe that a voter is no longer eligible for registration, the registrar shall deliver written notice to the voter indicating that the voter's registration status is being investigated by the registrar. The notice shall be delivered by forwardable mail to the mailing address on the voter's registration application and to any new address of the voter known to the registrar. If the secretary of state has adopted or recommended a form for a written notice under this section, the registrar must use that form.

(c) The notice must include:

(1) a request for information relevant to determining the voter's eligibility for registration; and

(2) a warning that the voter's registration is subject to cancellation if the registrar does not receive an appropriate reply on or before the 60th [~~30th~~] day after the date the notice is mailed.

(d) Except as provided by Subsection (e), the registrar shall cancel a voter's registration if:

(1) after considering the voter's reply, the registrar determines that the voter is not eligible for registration;

(2) no reply is received from the voter on or before the 60th [~~30th~~] day after the date the notice is mailed to the voter under Subsection (b); or

(3) each notice mailed under Subsection (b) is returned undelivered to the registrar with no forwarding information available.

SECTION _____. Section 18.068, Election Code, as added by Chapter 683 (HB 174), Acts of the 82nd Legislature, Regular Session, 2011, is amended to read as follows:

Sec. 18.068. COMPARISON OF INFORMATION REGARDING INELIGIBILITY. (a) The secretary of state shall quarterly compare the information received under Section 16.001 of this code and Section 62.113, Government Code, to the statewide computerized voter registration list. If the secretary determines that a voter on the registration list is deceased or has been excused or disqualified from jury service because the voter is not a citizen, the secretary shall send notice of the determination to the voter registrar of the counties considered appropriate by the secretary.

(b) The following information combinations identified as common to a voter and an individual who is deceased are considered a weak match:

(1) an exact match of first name, last name, and date of birth;

(2) an exact match of first name, last name, and full social security number;

(3) an exact match of date of birth and full social security number;

(4) an exact match of last name, date of birth, and last four digits of social security number;

(5) an exact match of last name and full social security number; or

(6) an exact match of information in the combination described by Subdivision (1), (2), (3), (4), or (5) and additional information determined by secretary of state rule, except as provided by Subsection (e).

(c) The secretary of state may not determine that a voter is deceased based on a weak match. The secretary of state may inform the county of the voter's residence that a weak match exists.

(d) On receiving notification from the secretary of state under Subsection (c) that a weak match of identifying information exists for a county voter and an individual who is deceased, the county shall investigate whether the voter is the individual who is deceased. If the county determines that the voter is alive or if the voter appears to vote in person, the county shall request that the voter provide any information required to be furnished on a voter registration application that the county does not have recorded for the voter, but the voter may not be required to furnish the information. A weak match may not be the sole basis on which to cancel a voter's voter registration or to require the voter to furnish additional information to prevent cancellation of the voter's voter registration.

(e) An exact match of the last name, full social security number, and date of birth of a voter and an individual who is deceased is considered a strong match, except that the secretary of state may by rule require more information in common to determine that a strong match exists. The secretary of state may determine that a voter is deceased based on a strong match.

(f) The secretary of state may obtain information from other state agency databases when determining whether a voter is deceased.

Amendment No. 2 failed of adoption by (Record 503): 38 Yeas, 82 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Burnam; Canales; Coleman; Collier; Deshotel; Dukes; Dutton; Farrar; Frank; Gonzalez, N.; Guerra; Gutierrez; Hernandez Luna; Herrero; Howard; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Raymond; Rodriguez, E.; Rose; Stephenson; Strama; Turner, C.; Walle; Wu.

Nays — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddock; Creighton; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Geren; Goldman; Gonzales; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Krause; Larson; Laubenberg; Lavender; Leach; Lewis; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stickland; Taylor; Thompson, E.; Turner, E.S.; Villalba; White; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Johnson; Keffer; Kolkhorst; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Alonzo; Alvarado; Crownover; Eiland; Frullo; Kuempel; Miller, D.; Otto.

Absent — Anderson; Cortez; Davis, Y.; Farias; González, M.; Gooden; Guillen; King, T.; Reynolds; Rodriguez, J.; Thompson, S.; Toth; Vo.

STATEMENTS OF VOTE

When Record No. 503 was taken, I was in the house but away from my desk. I would have voted yes.

M. González

When Record No. 503 was taken, I was in the house but away from my desk. I would have voted no.

Gooden

(Alonzo now present)

CSHB 2512, as amended, was passed to engrossment. (Anderson and Simpson recorded voting no.)

GENERAL STATE CALENDAR (consideration continued)

SB 1312 ON SECOND READING (Aycock - House Sponsor)

SB 1312, A bill to be entitled An Act relating to the regulation and practice of veterinary medicine; authorizing a fee.

SB 1312 was considered in lieu of **HB 1621**.

Amendment No. 1

Representative Aycock offered the following amendment to **SB 1312**:

Amend **SB 1312** on page 8, line 10, by striking "direct or".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Fletcher offered the following amendment to **SB 1312**:

Amend **SB 1312** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter H, Chapter 801, Occupations Code, is amended by adding Section 801.363 to read as follows:

Sec. 801.363. ANIMAL CHIROPRACTIC. (a) In this section, "animal chiropractor" means a person who holds a certification in animal chiropractic from the American Veterinary Chiropractic Association.

(b) An animal chiropractor may only provide chiropractic services for an animal under the supervision of a veterinarian licensed under this chapter.

(c) The board shall adopt rules governing the supervision requirements described by Subsection (b).

Amendment No. 2 was adopted.

SB 1312, as amended, was passed to third reading. (Capriglione, Carter, Fallon, Flynn, Isaac, Laubenberg, Parker, Phillips, Schaefer, R. Sheffield, Simpson, Taylor, Toth, E. S. Turner, Workman, and Zedler recorded voting no.)

HB 1621 - LAID ON THE TABLE SUBJECT TO CALL

Representative Aycock moved to lay **HB 1621** on the table subject to call.

The motion prevailed.

CSHB 1645 ON SECOND READING
(by Riddle and Fallon)

CSHB 1645, A bill to be entitled An Act relating to the monitoring of the Internet access of certain sex offenders placed on community supervision or released on parole or to mandatory supervision.

CSHB 1645 was passed to engrossment.

CSHB 1824 ON SECOND READING
(by Harper-Brown and Ratliff)

CSHB 1824, A bill to be entitled An Act relating to the operation of master mixed-use property owners' associations.

CSHB 1824 was passed to engrossment.

HB 2873 ON SECOND READING
(by Harper-Brown)

HB 2873, A bill to be entitled An Act relating to the development of a model contract management process for use with low-risk state procurements.

HB 2873 was passed to engrossment.

(Alvarado and D. Miller now present)

HB 2782 ON SECOND READING**(by Smithee)**

HB 2782, A bill to be entitled An Act relating to the authority of the commissioner of insurance to disapprove rate changes for certain health benefit plans.

(Eiland now present)

Amendment No. 1

Representative Smithee offered the following amendment to **HB 2782**:

Amend **HB 2782** (house committee printing) as follows:

- (1) On page 2, before line 1, insert the following:
 - (b) This chapter applies only to rates for a health benefit plan described by Subsection (a) that provides creditable coverage as defined by Section 1205.004(a).
- (2) On page 2, line 1, strike "(b)" and substitute "(c)".
- (3) On page 2, strike lines 3-6.
- (4) On page 3, line 15, between "chapter" and the semicolon, insert "and other applicable law".
- (5) On page 3, line 17, between "chapter" and the period, insert "not later than the 60th day after the date the department receives a complete filing".
- (6) On page 3, line 20, between "issuer" and "if", insert "not later than the 60th day after the date the department receives a complete filing".
- (7) On page 4, line 24, strike "and".
- (8) On page 4, between lines 24 and 25, insert the following:
 - (10) the allowable variations for case characteristics, risk classifications, and participation in programs promoting wellness; and
- (9) On page 4, line 25, strike "(10)" and substitute "(11)".
- (10) On page 5, line 14, strike "; ESCROW OF EXCESS PREMIUM".
- (11) On page 5, strike lines 16-17 and substitute "objects to the disapproval, the plan issuer may use the disapproved rate".
- (12) On page 5, line 19, strike "(A)" and substitute "(1)".
- (13) On page 5, line 21, strike "(B)" and substitute "(2)".
- (14) On page 5, line 22, strike "; and" and substitute ":".
- (15) Strike page 5, line 23, through page 6, line 2.
- (16) On page 6, lines 3-4, strike "governing the escrow of premiums under Subsection (a)(2) and".
- (17) On page 6, line 6, between "if" and "the rate", insert "the plan issuer uses a disapproved rate while an appeal is pending and".

Amendment No. 1 was adopted.

HB 2782, as amended, was passed to engrossment. (Capriglione, Fallon, Flynn, Laubenberg, Parker, Schaefer, Simpson, Taylor, Toth, and Zedler recorded voting no.)

CSHB 1751 ON SECOND READING**(by Patrick, Allen, Ratliff, Villalba, and Aycock)**

CSHB 1751, A bill to be entitled An Act relating to the public school educator excellence innovation program.

Amendment No. 1

Representative Patrick offered the following amendment to **CSHB 1751**:

Amend **CSHB 1751** (house committee report) as follows:

(1) On page 3, line 3, strike "~~(a)~~" and substitute "(a)".

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

(b) Not later than April 1 of each state fiscal year, the agency shall provide written notice to each school district that will be provided a grant under this section that the district will be provided the grant and the amount of that grant.

(3) On page 3, lines 21-22, strike "A district-level committee for a school district that intends to participate in the program, such as" and substitute "In [~~A district level committee for~~] a school district that intends to participate in the program, [~~such as~~]".

(4) On page 6, line 5, strike "and".

(5) On page 6, line 7, strike ":" and substitute "; and"

(6) On page 6, between lines 7 and 8, insert the following:

(5) implementation of incentives designed to reduce teacher turnover.

(7) On page 6, lines 12-14, strike "Subchapter H or J or from Section 21.402, as specified in the waiver application, but only if the waiver is required" and substitute "Section 21.352(a)(2)(B), 21.353, 21.354(d), 21.3541(g), 21.402, 21.451, or 21.458, as specified in the waiver application. The district's application for a waiver under this section must demonstrate that the waiver is necessary".

(8) On page 6, line 19, strike "or subchapter".

(9) On page 6, line 23, strike "teachers and other staff members" and substitute "educators employed".

(10) On page 6, between lines 24 and 25, insert the following:

(b-1) Voting for purposes of Subsection (b) must be conducted:

(1) in accordance with commissioner rule;

(2) during the school year; and

(3) in a manner that ensures that all educators entitled to vote have a reasonable opportunity to participate in the voting.

(11) On page 6, line 26, after the period, insert "The commissioner shall notify in writing each district that applies for a waiver under this section whether the application has been granted or denied not later than April 1 of the year in which the application is submitted."

(12) On page 7, between lines 2 and 3, insert the following:

(e) A waiver granted under this section expires when the waiver is no longer necessary to carry out the purposes of the program as described by Section 21.7011, in accordance with the district's local educator excellence innovation plan.

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 1751 - (consideration continued)

Amendment No. 1 was adopted.

CSHB 1751, as amended, was passed to engrossment. (Schaefer recorded voting no.)

HB 1809 ON SECOND READING**(by Lucio)**

HB 1809, A bill to be entitled An Act relating to the authority of a cultural education facilities finance corporation to acquire and finance certain public property projects.

HB 1809 was passed to engrossment. (Capriglione, Carter, Fallon, Flynn, Laubenberg, Phillips, Schaefer, Simpson, Taylor, Toth, E. S. Turner, Workman, and Zedler recorded voting no.)

CSHB 1903 ON SECOND READING**(by Eiland, Harless, and Ritter)**

CSHB 1903, A bill to be entitled An Act relating to the allocation of amounts deposited into the oyster sales account and the abolishment of the oyster advisory committee.

CSHB 1903 was passed to engrossment.

HB 1967 ON SECOND READING**(by Deshotel)**

HB 1967, A bill to be entitled An Act relating to use of sales and use tax proceeds by certain economic development corporations for certain job-related skills training.

HB 1967 was passed to engrossment. (Anderson, Flynn, Laubenberg, Schaefer, and Zedler recorded voting no.)

CSHB 2015 ON SECOND READING**(by J. Davis)**

CSHB 2015, A bill to be entitled An Act relating to the proper classification of workers performing services in connection with governmental contracts; providing a penalty.

CSHB 2015 was passed to engrossment.

CSHB 2038 ON SECOND READING**(by Dukes, E. S. Turner, Raymond, Coleman, and Taylor)**

CSHB 2038, A bill to be entitled An Act relating to addressing disproportionality and disparities in the education, juvenile justice, child welfare, health, and mental health systems, the continuation and operation of the Interagency Council for Addressing Disproportionality, and the duties of the Center for Elimination of Disproportionality and Disparities.

Representative Dukes moved to postpone consideration of **CSHB 2038** until 6 a.m. Monday, May 6.

The motion prevailed.

CSHB 2049 ON SECOND READING**(by Huberty and Menéndez)**

CSHB 2049, A bill to be entitled An Act relating to a qualifying cogeneration facility's ability to sell electric energy to multiple purchasers.

Amendment No. 1

Representative Huberty offered the following amendment to **CSHB 2049**:

Amend **CSHB 2049** (house committee printing) as follows:

(1) On page 1, lines 16-17, strike "Notwithstanding any other provision of this title, a" and substitute "A".

(2) On page 2, strike lines 2-7 and substitute the following: output are connected to the purchasers of the thermal output using transmission facilities that are not owned or operated by an electric utility.

Amendment No. 1 was adopted.

CSHB 2049, as amended, was passed to engrossment.

CSHB 2062 ON SECOND READING
(by J. Davis)

CSHB 2062, A bill to be entitled An Act relating to the regulation of plumbing.

Amendment No. 1

Representative Fletcher offered the following amendment to **CSHB 2062**:

Amend **CSHB 2062** (house committee report) as follows:

(1) Strike page 1, lines 4 through 6, and substitute the following:

SECTION 1. Sections 1301.002(11) and (12), Occupations Code, are amended to read as follows:

(2) Strike page 1, line 7, through page 2, line 11.

(3) On page 2, lines 18 through 19, strike "plumbing fixture, appliance, or irrigation system" and substitute "plumbing fixture or [;] appliance ~~[, or irrigation system]~~".

(4) On page 4, line 2, strike ", other than for rainwater harvesting" and substitute ", other than the treatment of rainwater to supply a plumbing fixture or appliance".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Bell offered the following amendment to **CSHB 2062**:

Amend **CSHB 2062** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 1301.354(d), Occupations Code, is amended to read as follows:

(d) A ~~[Notwithstanding the classroom training required by Subsection (b), a]~~ plumber's apprentice may apply for and take an examination for a license as a journeyman plumber ~~[or tradesman plumber limited license holder]~~ if the apprentice has received an associate of applied science degree from a plumbing technology program ~~[that]~~:

(1) that includes a combination of classroom and on-the-job training; ~~[and]~~

(2) in which all laboratory training in plumbing is taught by a licensed plumber; and

(3) that is approved by ~~[the board and]~~ the Texas Higher Education Coordinating Board.

SECTION _____. Section 1301.354(b-1), Occupations Code, is repealed.

SECTION _____. Section 1301.354, Occupations Code, as amended by this Act, applies only to an application for a journeyman plumber license under Section 1301.354, Occupations Code, submitted on or after January 1, 2014. An application for a journeyman plumber license submitted before that date is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.

Amendment No. 2 was adopted.

Amendment No. 3

Representative J. Davis offered the following amendment to **CSHB 2062**:

Amend **CSHB 2062** (house committee report) by striking page 5, lines 1 through 11 and renumbering the SECTIONS of the bill accordingly.

Amendment No. 3 was adopted.

(Kuempel now present)

Amendment No. 4

Representative D. Bonnen offered the following amendment to **CSHB 2062**:

Amend **CSHB 2062** (house committee printing) by adding the following appropriately number SECTION to the bill and renumbering subsequent SECTIONS of the bill:

SECTION _____. Subchapter G, Chapter 1301, Occupations Code, is amended by adding Section 1301.3523 to read as follows:

Sec. 1301.3523. MASTER PLUMBER LICENSE FOR CERTAIN EXPERIENCED PLUMBERS. (a) In this section, "experienced plumber" means a person who has:

- (1) been licensed as a journeyman plumber for at least 55 years; and
- (2) operated a plumbing business in this state for at least 12 years.

(b) The board shall issue a master plumber license without examination to an experienced plumber who applies to the board on or before January 1, 2014. An experienced plumber who holds a master plumber license issued under this section is not required to complete the responsible master plumber training program under Section 1301.3576(2) before working as a responsible master plumber.

(c) A person may renew a master plumber license issued under this section in the same manner as other master plumber licenses issued by the board.

Amendment No. 4 was withdrawn.

CSHB 2062, as amended, was passed to engrossment. (Anderson, Capriglione, Fallon, Flynn, Laubenberg, Schaefer, Simpson, Taylor, Toth, and Zedler recorded voting no.)

CSHB 2127 ON SECOND READING (by Howard, Stephenson, and Frullo)

CSHB 2127, A bill to be entitled An Act relating to the eligibility of certain employees of public institutions of higher education to participate in a state group benefits program.

CSHB 2127 was passed to engrossment. (Flynn, Schaefer, and Zedler recorded voting no.)

CSHB 2152 ON SECOND READING
(by Callegari)

CSHB 2152, A bill to be entitled An Act relating to fees charged to certain recreational vehicle parks.

CSHB 2152 was passed to engrossment.

CSHB 2202 ON SECOND READING
(by Pickett and McClendon)

CSHB 2202, A bill to be entitled An Act relating to the disposition of fees collected by or on behalf of the Texas Department of Motor Vehicles; authorizing fees.

Amendment No. 1

Representative Pickett offered the following amendment to **CSHB 2202**:

Amend **CSHB 2202** (house committee report) as follows:

- (1) On page 9, line 26, strike "502.1982," and substitute "[~~502.1982~~"]".
- (2) Strike SECTION 23 of the bill (page 10, line 17, through page 11, line 1), and renumber subsequent SECTIONS of the bill accordingly.
- (3) On page 30, line 14, between "Sections" and "520.008", insert "502.1982,".
- (4) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 502.1983(a), Transportation Code, is amended to read as follows:

(a) Except as provided by Section [~~Sections 502.1982 and~~] 502.357, a county assessor-collector may:

- (1) deposit the fees in an interest-bearing account or certificate in the county depository; and
- (2) send the fees to the department not later than the 34th day after the date the fees are due under Section 502.357.

SECTION _____. Section 502.1985(a), Transportation Code, is amended to read as follows:

(a) Money credited to the county road and bridge fund under Section 502.198 [~~or 502.1982~~] may not be used to pay the compensation of the county judge or a county commissioner. The money may be used only for the construction and maintenance of lateral roads in the county, under the supervision of the county engineer.

Amendment No. 1 was adopted.

CSHB 2202, as amended, was passed to engrossment. (Flynn recorded voting no.)

HB 2267 ON SECOND READING
(by Larson)

HB 2267, A bill to be entitled An Act relating to the confidentiality of certain home address information in ad valorem tax appraisal records.

(Márquez in the chair)

HB 2267 was passed to engrossment.

CSHB 2451 ON SECOND READING**(by T. King)**

CSHB 2451, A bill to be entitled An Act relating to the exclusion by taxable entities engaged in providing services as an agricultural aircraft operation of certain costs in determining total revenue for purposes of the franchise tax.

CSHB 2451 was passed to engrossment.

HB 2473 ON SECOND READING**(by Deshotel)**

HB 2473, A bill to be entitled An Act relating to use of sales and use tax proceeds by economic development corporations in connection with housing facilities for certain institutions of higher education.

HB 2473 was passed to engrossment. (Anderson, Carter, Flynn, Laubenberg, Schaefer, Simpson, and Taylor recorded voting no.)

HB 2615 ON SECOND READING**(by Johnson)**

HB 2615, A bill to be entitled An Act relating to reporting and information availability requirements for persons impounding, diverting, or otherwise using state water; providing a penalty.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Lewis requested permission for the Committee on Judiciary and Civil Jurisprudence to meet while the house is in session, at 5:45 p.m. today, in 3W.9, to consider **HB 2748**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Judiciary and Civil Jurisprudence, 5:45 p.m. today, 3W.9, for a formal meeting, to consider **HB 2748**.

HB 2615 - (consideration continued)**Amendment No. 1**

Representative Aycock offered the following amendment to **HB 2615**:

Amend **HB 2615** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter E, Chapter 13, Water Code, is amended by adding Section 13.148 to read as follows:

Sec. 13.148. NOTIFICATION OF SIGNIFICANT WATER LOSS. (a) The commission by rule shall require a retail public utility that experiences in any month total water loss of more than 10 percent to notify each of the utility's customers, on the customer's next bill, of the water loss.

(b) The notice must disclose the percentage of water lost by the utility and the primary reasons for the loss. The notice must contain, in addition to any other statements required under this section, language substantially similar to the following:

"As required by state law, this notice is to inform you that this water system is experiencing a water loss of ___ percent."

Amendment No. 1 was adopted.

HB 2615, as amended, was passed to engrossment by (Record 504): 67 Yeas, 65 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bonnen, D.; Burkett; Burnam; Callegari; Canales; Coleman; Collier; Cook; Cortez; Davis, J.; Davis, S.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Fletcher; Geren; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Kacal; King, T.; Lewis; Longoria; Lozano; Lucio; Martinez Fischer; McClendon; Menéndez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Patrick; Perez; Pickett; Pitts; Raney; Raymond; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Smith; Stephenson; Strama; Thompson, S.; Turner, C.; Vo; Walle; Wu.

Nays — Anderson; Ashby; Bell; Bonnen, G.; Branch; Button; Capriglione; Carter; Clardy; Craddick; Creighton; Dale; Darby; Elkins; Fallon; Farney; Flynn; Frank; Goldman; Gonzales; Gooden; Harper-Brown; Huberty; Isaac; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Perry; Phillips; Price; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Workman; Zedler; Zerwas.

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

Absent, Excused — Giddings; Johnson; Keffer; Kolkhorst; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Crownover; Frullo; Otto.

Absent — Bohac; Davis, Y.; Hughes; Hunter; Reynolds.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 504. I intended to vote no.

Burkett

I was shown voting yes on Record No. 504. I intended to vote no.

Callegari

When Record No. 504 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

(Frullo now present)

CSHB 3093 ON SECOND READING (by Elkins)

CSHB 3093, A bill to be entitled An Act relating to the powers and duties of the Department of Information Resources and the Legislative Budget Board regarding information resources technologies of state agencies.

Amendment No. 1

Representative Elkins offered the following amendment to **CSHB 3093**:

Amend **CSHB 3093** by Elkins as follows:

On page 4, line 26, strike ", including biometric measures"

Amendment No. 1 was adopted.

CSHB 3093, as amended, was passed to engrossment.

CSHB 2712 ON SECOND READING
(by Perez, Hernandez Luna, Strama, and Walle)

CSHB 2712, A bill to be entitled An Act relating to the exemption from ad valorem taxation of energy storage systems used for the control of air pollution in a nonattainment area.

Representative Perez moved to postpone consideration of **CSHB 2712** until 9 a.m. Monday, May 6.

The motion prevailed.

HB 2732 ON SECOND READING
(by Workman)

HB 2732, A bill to be entitled An Act relating to the authorization, regulation, and function of dedicated personal insurers; creating offenses; imposing a fee.

Amendment No. 1

Representative Workman offered the following amendment to **HB 2732**:

Amend **HB 2732** (house committee printing) as follows:

(1) On page 1, strike lines 13-17 and substitute the following:

(2) "Dedicated personal insurer" means an entity authorized to issue an insurance policy to a designated insurable individual under Section 889.102.

(3) "Designated insurable individual" means an individual with whom a dedicated personal insurer has the relationship required by Section 889.051.

(4) "Qualified dependent" means a dependent that is a qualified child as defined by 26 U.S.C. Section 152(c).

(2) On page 2, strike lines 13-24 and substitute the following:

Sec. 889.052. CAPITAL REQUIREMENTS. (a) Except as provided by Subsection (b), for a health insurance policy issued by a dedicated personal insurer, the insurer shall maintain capital equal to or greater than \$100,000.

(b) Notwithstanding Subsection (a), if the designated insurable individual is the only individual covered by a health insurance policy, the capital required for the policy is:

(3) On page 4, line 14, between "individual" and the semicolon, insert "and, if intended to be covered or insured, the individual's spouse and each of the individual's qualified dependents".

(4) On page 4, strike line 17 and renumber subsequent subdivisions accordingly.

(5) On page 4, line 18, strike "each".

(6) On page 4, strike line 19 and substitute "an insurance policy to be authorized:".

(7) On page 5, line 10, strike "MODIFICATION AND".

(8) On page 5, line 12, strike "or modification".

(9) On page 5, lines 14-15, strike "or modification".

(10) On page 6, strike lines 1-5 and substitute the following:

(3) the following language: "Only the designated insurable individual, the individual's spouse, and the individual's qualified dependents may be covered or insured by an insurance policy authorized by this certificate";

(4) the aggregate policy limits for a policy authorized to be issued;

(11) On page 6, strike lines 12-14 and substitute the following: authority may issue a health insurance policy only to the designated insurable individual, consistent with the limitations of that certificate and this chapter.

(12) On page 6, line 16, between "authority" and "may", insert ", the individual's spouse, and the individual's qualified dependents".

(13) On page 6, line 27, strike "(a)".

(14) On page 7, strike lines 5-19 and substitute the following: requirements; or

(2) surrender the insurer's limited certificate of authority to the department.

(15) On page 8, between lines 7 and 8, insert the following subchapter and redesignate subsequent subchapters and sections accordingly:

SUBCHAPTER E. PRIVACY

Sec. 889.201. PRIVACY. (a) Except as provided by Subsection (b), the department may not disclose:

(1) personal identifying information of a designated insurable individual, the individual's spouse, and the individual's qualified dependents; or

(2) identifying and financial information of an applicant for a limited certificate of authority as a dedicated personal insurer.

(b) The department may disclose information described by Subsection (a) if the individual or entity requesting the information demonstrates in the manner prescribed by the commissioner that:

(1) the designated insurable individual or dedicated personal insurer that is the subject of the information request has provided written consent for the disclosure to the requestor; or

(2) the use of the information will be strictly limited to the performance of a governmental agency's or court's functions by that agency or court or a private individual or entity acting on behalf of the agency or court.

Amendment No. 1 was adopted.

HB 2732, as amended, was passed to engrossment. (Simpson recorded voting no.)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Coleman requested permission for the Committee on County Affairs to meet while the house is in session, at 5:55 p.m. today, in 1W.14, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

County Affairs, 5:55 p.m. today, 1W.14, for a formal meeting, to consider pending business.

CSHB 2741 ON SECOND READING
(by Phillips)

CSHB 2741, A bill to be entitled An Act relating to the regulation of motor vehicles by counties and the Texas Department of Motor Vehicles; authorizing a fee; creating an offense.

Amendment No. 1

Representative Phillips offered the following amendment to **CSHB 2741**:

Amend **CSHB 2741** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter G, Chapter 504, Transportation Code, is amended by adding Section 504.663 to read as follows:

Sec. 504.663. **BIG BROTHERS BIG SISTERS LICENSE PLATES.** (a) The department shall issue specialty license plates in recognition of the mentoring efforts of Big Brothers Big Sisters of America organizations operating in this state. The department shall design the license plates in consultation with a representative from a Big Brothers Big Sisters of America organization operating in this state and the attorney general.

(b) After deduction of the department's administrative costs, the remainder of the fee for issuance of the license plates shall be deposited to the credit of the Specialty License Plates General Account in the general revenue fund. Money deposited to the credit of the Specialty License Plates General Account under this section may be used only by the attorney general to provide grants to benefit Big Brothers Big Sisters of America organizations operating in this state.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Phillips offered the following amendment to **CSHB 2741**:

Amend **CSHB 2741** (house committee report) as follows:

(1) On page 37, strike lines 20 and 21 and substitute the following:

(e) An offense under this section is:

(1) a felony of the third degree if the person manufactures or sells a deceptively similar registration insignia; or

(2) a Class C misdemeanor if the person possesses a deceptively similar registration insignia, except that the offense is a Class B misdemeanor if the person has previously been convicted of an offense under this subdivision.

(2) On page 42, strike lines 7 and 8 and substitute the following:

(e) An offense under this section is:

(1) a felony of the third degree if the person manufactures or sells a deceptively similar license plate; or

(2) a Class C misdemeanor if the person possesses a deceptively similar license plate, except that the offense is a Class B misdemeanor if the person has previously been convicted of an offense under this subdivision.

(3) On page 42, strike lines 18 through 24 and substitute the following:

(b) A person commits an offense if the person with criminal negligence uses, purchases, possesses, manufactures, sells, offers to sell, or otherwise distributes, a license plate flipper. An offense under this subsection is a Class C misdemeanor, except that the offense is a Class B misdemeanor if the person has previously been convicted of an offense under this subsection.

Amend **CSHB 2741** (house committee printing) on page 33, line 18 through 19, by striking "multiplied by 150 pounds".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Morrison offered the following amendment to **CSHB 2741**:

Amend **CSHB 2741** (house committee report) as follows:

(1) Strike line 27, page 47 and line 1, page 48 and substitute the following: issue license plates for a golf cart [~~only~~] as authorized by Subsection (c) [~~Section 504.510~~].

(c) The department shall by rule establish a procedure to issue the license plates to be used for operation in accordance with Sections 551.403 and 551.404.

(d) The department may charge a fee for the cost of the license plate.

(2) On page 68, line 5, between "503.066(b)," and "520.008", insert "504.510".

(3) Insert the following appropriately numbered SECTIONS and renumber subsequent SECTIONS accordingly:

SECTION _____. Section 551.404, Transportation Code, is amended by amending Subsection (a-1) and adding Subsection (a-2) to read as follows:

(a-1) In addition to the operation authorized by Section 551.403, the commissioners court of a county described by Subsection (a-2) [~~that borders or contains a portion of the Guadalupe River and contains a part of a barrier island that borders the Gulf of Mexico~~] may allow an operator to operate a golf cart or utility vehicle on all or part of a public highway that:

(1) is located in the unincorporated area of the county; and

(2) has a speed limit of not more than 35 miles per hour.

(a-2) Subsection (a-1) applies only to a county that:

(1) borders or contains a portion of the Red River;

(2) borders or contains a portion of the Guadalupe River and contains a part of a barrier island that borders the Gulf of Mexico; or

(3) is adjacent to a county described by Subdivision (2) and:

(A) has a population of less than 30,000; and

(B) contains a part of a barrier island that borders the Gulf of

Mexico.

SECTION _____. Not later than December 31, 2013, the Texas Department of Motor Vehicles shall establish a procedure for the issuance of license plates for golf carts to be used for operation on a public highway, as required by Section 551.402, Transportation Code, as added by this Act.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Fletcher offered the following amendment to **CSHB 2741**:

Amend **CSHB 2741** (house committee report) on page 61 by striking lines 2 through 5 and substituting the following:

(2) submitted to the county assessor-collector of the county:

(A) in which the person with the disability resides if the person has a permanent disability;

(B) in which the person with the disability resides or is being treated at a medical facility if the person has a temporary disability; or

(C) in which the person with the disability is seeking medical treatment if the person is not a resident of this state; and

Amendment No. 4 was adopted.

Amendment No. 5

Representative Frank offered the following amendment to **CSHB 2741**:

Amend **CSHB 2741** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. (a) The comptroller of public accounts shall conduct a study of the fiscal effect to both this state and the motorcycle industry in this state of the avoidance of the use tax due on certain off-road vehicles purchased in other states.

(b) The study must include:

(1) an evaluation of the provisions of current Texas law and the practices by out-of-state motorcycle dealers that allow for the incidence of tax avoidance;

(2) an estimate of the total amount of revenue owed to but not collected by this state and the total number of jobs lost in this state due to the incidence of tax avoidance and competitive practices by out-of-state motorcycle dealers;

(3) an evaluation of the manner in which the laws and enforcement practices of other states avoid an incidence of this type of tax avoidance in those states;

(4) the identification of any potential actions within the comptroller's current authority that could significantly reduce the rate of tax avoidance and protect the motorcycle industry in this state from improper competition from out-of-state motorcycle dealers; and

(5) an evaluation of potential changes to current law that could reduce the rate of tax avoidance and protect the motorcycle industry in this state from improper competition from out-of-state motorcycle dealers, including making certain off-road vehicles subject to the motor vehicle tax under Chapter 152, Tax Code, rather than the sales and use tax under Chapter 151, Tax Code.

(c) Not later than December 1, 2013, the comptroller of public accounts shall submit a report of the results of the study and any recommendations to the house ways and means committee and the senate finance committee.

(d) To the extent reasonable and practicable, the comptroller of public accounts shall take actions identified under Subsection (b)(4) of this section to reduce the rate of tax avoidance described by Subsection (a) of this section.

(e) Notwithstanding any other provision of this Act, this section takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for this section to have immediate effect, this section takes effect September 1, 2013.

Amendment No. 5 was adopted.

CSHB 2741, as amended, was passed to engrossment.

HB 2757 ON SECOND READING**(by D. Bonnen)**

HB 2757, A bill to be entitled An Act relating to authorizing a municipality to file a lien on homestead property for the costs incurred by the municipality related to a dangerous structure on the property.

HB 2757 was passed to engrossment. (Anderson, Capriglione, Fallon, Schaefer, and Simpson recorded voting no.)

CSHB 2840 ON SECOND READING**(by Giddings)**

CSHB 2840, A bill to be entitled An Act relating to the urban land bank demonstration program in certain municipalities.

CSHB 2840 was passed to engrossment. (Anderson, Capriglione, Fallon, Flynn, and Simpson recorded voting no.)

CSHB 2877 ON SECOND READING**(by J. Sheffield)**

CSHB 2877, A bill to be entitled An Act relating to the applicability of the Texas Theft Liability Act to certain claims by inmates for lost, damaged, or confiscated property.

CSHB 2877 was passed to engrossment.

POSTPONED BUSINESS

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

CSHB 2072 ON SECOND READING**(by E. Rodriguez, J. Davis, and Naishtat)**

CSHB 2072, A bill to be entitled An Act relating to services for persons who are deaf or hard of hearing and licensing requirements for interpreters for persons who are deaf or hard of hearing; providing an administrative penalty; requiring a fee and changing the rate of a fee.

CSHB 2072 was read second time earlier today and was postponed until this time.

Representative Moody moved to postpone consideration of **CSHB 2072** until 8 a.m. tomorrow.

The motion prevailed.

SB 186 ON SECOND READING**(Giddings - House Sponsor)**

SB 186, A bill to be entitled An Act relating to the abatement of mosquitoes in stagnant water located on certain uninhabited residential property.

SB 186 was considered in lieu of **HB 832**.

SB 186 was read second time and was passed to third reading.

HB 832 - LAID ON THE TABLE SUBJECT TO CALL

Representative Branch moved to lay **HB 832** on the table subject to call.

The motion prevailed.

HB 213 ON SECOND READING
(by Hilderbran, Villalba, Workman, Lozano, et al.)

HB 213, A bill to be entitled An Act relating to the \$1 million total revenue exemption for the franchise tax.

HB 213 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Hilderbran offered the following amendment to **HB 213**:

Amend **HB 213** (house committee printing) as follows:

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

SECTION _____. (a) Effective January 1, 2016, Section 171.002(d), Tax Code, as amended by Section 1(a), Chapter 286 (**HB 4765**), Acts of the 81st Legislature, Regular Session, 2009, is amended to read as follows:

(d) A taxable entity is not required to pay any tax and is not considered to owe any tax for a period if:

(1) the amount of tax computed for the taxable entity is less than \$1,000; or

(2) the amount of the taxable entity's total revenue from its entire business is less than or equal to \$5 [~~\$1~~] million or the amount determined under Section 171.006 per 12-month period on which margin is based.

(b) Effective January 1, 2018, Section 171.002(d), Tax Code, as amended by Section 1(a), Chapter 286 (**HB 4765**), Acts of the 81st Legislature, Regular Session, 2009, is amended to read as follows:

(d) A taxable entity is not required to pay any tax and is not considered to owe any tax for a period if:

(1) the amount of tax computed for the taxable entity is less than \$1,000; or

(2) the amount of the taxable entity's total revenue from its entire business is less than or equal to \$10 [~~\$1~~] million or the amount determined under Section 171.006 per 12-month period on which margin is based.

(c) Effective January 1, 2020, Section 171.002(d), Tax Code, as amended by Section 1(a), Chapter 286 (**HB 4765**), Acts of the 81st Legislature, Regular Session, 2009, is amended to read as follows:

(d) A taxable entity is not required to pay any tax and is not considered to owe any tax for a period if:

(1) the amount of tax computed for the taxable entity is less than \$1,000; or

(2) the amount of the taxable entity's total revenue from its entire business is less than or equal to \$15 [~~\$1~~] million or the amount determined under Section 171.006 per 12-month period on which margin is based.

(d) Effective January 1, 2022, Section 171.002(d), Tax Code, as amended by Section 1(a), Chapter 286 (**HB 4765**), Acts of the 81st Legislature, Regular Session, 2009, is amended to read as follows:

(d) A taxable entity is not required to pay any tax and is not considered to owe any tax for a period if:

(1) the amount of tax computed for the taxable entity is less than \$1,000; or

(2) the amount of the taxable entity's total revenue from its entire business is less than or equal to \$20 [~~\$+~~] million or the amount determined under Section 171.006 per 12-month period on which margin is based.

(e) This section applies only to a report originally due on or after January 1, 2016.

(2) On page 2, line 6, strike "This" and substitute "Except as otherwise provided by this Act, this".

Amendment No. 1 was adopted.

HB 213, as amended, was passed to engrossment.

**HB 4 - HOUSE REFUSES TO CONCUR
IN SENATE AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

Representative Ritter called up with senate amendments for consideration at this time,

HB 4, A bill to be entitled An Act relating to the funding of certain water-related projects by the Texas Water Development Board; authorizing the issuance of revenue bonds.

Representative Ritter moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 4**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 4**: Ritter, chair; Keffer, Callegari, Lucio, and D. Miller.

SB 939 - RECOMMITTED

Representative Raymond moved to recommit **SB 939** to the Committee on Human Services.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Economic and Small Business Development, upon adjournment today, Desk 10, for a formal meeting, to consider pending business.

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

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 8:30 a.m. tomorrow, in E2.014, for a public hearing.

Permission to meet was granted.

PROVIDING FOR ADJOURNMENT

At 6:06 p.m., Representative S. Turner moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 9 a.m. tomorrow in memory of Catherine Ferguson, mother of Representative Giddings.

The motion prevailed.

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

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

ADJOURNMENT

In accordance with a previous motion, the house, at 6:12 p.m., adjourned until 9 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 1849 (By C. Turner), Congratulating Chana Jayme of Timberview High School on her selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1850 (By C. Turner), Congratulating Melanie Beckett of Lake Ridge High School on her selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1851 (By J. Rodriguez), Congratulating Bianca Rosas of Holy Cross of San Antonio on being named a 2013 Gates Millennium Scholar.

To Rules and Resolutions.

HR 1852 (By C. Turner), Congratulating Karen V. Oates-Jackson of Coble Middle School on her selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1853 (By C. Turner), Congratulating Man Phan of Icenhower Intermediate School on his selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1854 (By C. Turner), Congratulating Lynn Martinez of Lillard Intermediate School on her selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1855 (By C. Turner), Congratulating Casey Lambert of Boren Elementary School on his selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1856 (By C. Turner), Congratulating Carol Ann Braziel of Cabaniss Elementary School on her selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1857 (By C. Turner), Congratulating Lynn Kostel of Daulton Elementary School on her selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1858 (By C. Turner), Congratulating Susan Hall of Davis Elementary School on her selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1859 (By C. Turner), Congratulating Karyn Vela of Gideon Elementary School on her selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1860 (By C. Turner), Congratulating Charlotte Patterson of Jones Elementary School on her selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1861 (By C. Turner), Congratulating Genese Rodriguez of Spencer Elementary School on her selection as a 2013 Mansfield Independent School District Teacher of the Year.

To Rules and Resolutions.

HR 1862 (By Murphy), Congratulating Sarah Jane Jornayvaz and John Patrick Howell on their marriage.

To Rules and Resolutions.

HR 1863 (By J. Sheffield), Commending Dr. Joe E. Cude on his service as a member of the Stephenville City Council.

To Rules and Resolutions.

HR 1864 (By J. Sheffield), Congratulating Ben McPherson of Glen Rose High School on his selection as a member of the 2013 Texas All-State Band.

To Rules and Resolutions.

HR 1865 (By Lozano), Congratulating DuPont on its 40th anniversary in Corpus Christi.

To Rules and Resolutions.

HR 1866 (By Sheets), Congratulating Isai Velasquez of the West Mesquite High School boys' soccer team on scoring more than 100 career goals.

To Rules and Resolutions.

HR 1867 (By Bohac), In memory of Garrett Cole Luce of Houston.

To Rules and Resolutions.

HR 1868 (By Bohac), In memory of Vickie Lynn Willard Patterson of Gonzales.

To Rules and Resolutions.

HR 1869 (By Bohac), In memory of Michael Jefferson Boone of Houston.

To Rules and Resolutions.

HR 1870 (By Bohac), In memory of William Stafford Borden, Jr., of Houston.

To Rules and Resolutions.

HR 1871 (By Branch), Recognizing May 3, 2013, as GenTX Day at the State Capitol.

To Rules and Resolutions.

HR 1872 (By Strama), Welcoming to the State Capitol foreign ambassadors taking part in the U.S. State Department's Experience America program.

To Rules and Resolutions.

HR 1873 (By Strama), Recognizing May 6-12, 2013, as STEM Education Week.

To Rules and Resolutions.

HR 1874 (By Guillen), Honoring Jesus Gilberto "Chick" Saenz for his career as a special ranger with the Texas and Southwestern Cattle Raisers Association.

To Rules and Resolutions.

SB 460 to Public Education.

SB 495 to Public Health.

SB 644 to Insurance.

SB 691 to Higher Education.

SB 947 to Business and Industry.

SB 1010 to Homeland Security and Public Safety.

SB 1145 to Higher Education.

SB 1176 to Environmental Regulation.

SB 1221 to Insurance.

SB 1436 to Pensions.

SB 1643 to Public Health.

SB 1658 to Public Education.

SB 1727 to Environmental Regulation.

SB 1858 to Special Purpose Districts.

SB 1859 to Special Purpose Districts.

SB 1861 to County Affairs.

SB 1869 to Special Purpose Districts.

SB 1884 to Special Purpose Districts.

SIGNED BY THE SPEAKER

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

House List No. 23

HB 407, HB 477, HB 2377, HB 2472

MESSAGES FROM THE SENATE

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

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 3, 2013 - 1

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 118 Craddick SPONSOR: Zaffirini
Honoring the Fasken family on the 100th anniversary of Fasken Oil and Ranch, Ltd.

SB 554 Campbell
Relating to the penalty for theft of an official ballot or official carrier envelope for an election.

SB 1322 Van de Putte
Relating to the provision of durable medical equipment and home health care services through informal and voluntary networks in the workers' compensation system; providing penalties.

SB 1413 Deuell
Relating to the administration of retirement systems for paid, partly paid, or volunteer firefighters.

SB 1555 Lucio
Relating to requirements for state educator certification examinations.

SB 1901 Zaffirini
Relating to the creation of the LaSalle Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SB 1902

Zaffirini

Relating to the creation of the LaSalle Municipal Utility District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 3, 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:

SB 883

Van de Putte

Relating to promotional items provided by manufacturers, wholesalers, and distributors of alcoholic beverages to retailers.

SB 1439

West

Relating to evidence technician training and the disposition of certain evidence in a criminal case.

SB 1900

Zaffirini

Relating to the creation of the LaSalle Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SB 1903

Zaffirini

Relating to the creation of the LaSalle Municipal Utility District No. 5; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Friday, May 3, 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 1392

Davis

Relating to an audit by the state auditor and a study by the comptroller of the events trust funds.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 2

Agriculture and Livestock - **HB 1825, SB 702, SB 764, SB 772, SB 916**

Appropriations - **HB 2253**

County Affairs - **HB 2436, HB 2438, HB 2902, HJR 137**

Criminal Jurisprudence - **HB 133, HB 184, HB 212, HB 1070, HB 1438, HB 1743, HB 2679, HB 2809, HB 2988, HB 3494, HB 3632, SB 354, SB 821**

Defense and Veterans' Affairs - **HB 2990**

Energy Resources - **HB 2590, HB 2767, HB 2982, HB 3168, HB 3597**

Environmental Regulation - **HB 1535, HB 2996, HB 3678**

Federalism and Fiscal Responsibility, Select - **HB 149, HB 627**

Higher Education - **HB 1938**

Homeland Security and Public Safety - **HB 1174, SB 864**

Human Services - **SB 33, SB 245, SB 353, SB 430, SB 1803**

Insurance - **HB 2929, SB 112, SB 874**

International Trade and Intergovernmental Affairs - **HB 1650, HB 3552**

Investments and Financial Services - **SB 232, SB 474, SB 1004, SJR 18**

Land and Resource Management - **HB 3088, SB 552**

Licensing and Administrative Procedures - **HB 2123, HB 2210, HB 2220, HB 3716**

Natural Resources - **HB 2578, HB 3013, HB 3898**

Special Purpose Districts - **HB 3860, HB 3877, HB 3897, HB 3901, HB 3918, SB 604, SB 605, SB 606, SB 607, SB 610, SB 696, SB 703, SB 704, SB 705, SB 751, SB 757, SB 863, SB 1071, SB 1072, SB 1073, SB 1584, SB 1824, SB 1843**

Technology - **HB 335**

Transportation - **HB 2305, HB 2921, HB 3946, SB 1670**

Urban Affairs - **HB 2018**

Ways and Means - **HB 3042, HB 3043**

ENGROSSED

May 2 - HB 29, HB 137, HB 294, HB 693, HB 800, HB 955, HB 1044, HB 1079, HB 1358, HB 1448, HB 1492, HB 1563, HB 1803, HB 2407, HB 2409, HB 2454, HB 2509, HB 2549, HB 2550, HB 2585, HB 2874, HB 2918, HB 2947, HB 3070, HB 3106, HB 3116, HB 3212, HB 3567, HB 3659, HB 3748, HB 3831

ENROLLED

May 2 - HB 200

RECOMMENDATIONS FILED WITH THE SPEAKER

May 2 - HB 3926, HB 3927, HB 3928, HB 3930, HB 3932, HB 3933, HB 3934, HB 3935, HB 3936, HB 3937, HB 3938, HB 3939, HB 3940, HB 3941, HB 3942, HB 3943

SIGNED BY THE GOVERNOR

May 2 - HCR 24, HCR 109