

# HOUSE JOURNAL

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EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

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SIXTY-FIFTH DAY — SATURDAY, MAY 4, 2013

The house met at 9 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 505).

Present — Mr. Speaker; 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.; 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; 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; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Giddings; Hernandez Luna; Johnson.

Absent — Button; Keffer; Villarreal.

The speaker recognized Representative Dutton who offered the invocation as follows:

To the God of the Panhandle, to the God of the Rio Grande Valley, to the God of the High Plains, to the God of the Gulf Coast, to the God of the Piney Woods, to the God of Central Texas, to the God of West Texas, to the God of rural Texas, to the God of urban Texas, to the God of the poor, to the God of the powerful, we thank you for being one God. And today, we pray that our differences serve to keep Texas one under God. Amen.

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

**LEAVES OF ABSENCE GRANTED**

The following member was granted leave of absence for today because of a death in the family:

Giddings on motion of Dutton.

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

Hernandez Luna on motion of Wu.

Villarreal on motion of Howard.

**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.

**HR 796 - PREVIOUSLY ADOPTED  
(by Darby)**

The chair laid out and had read the following previously adopted resolution:

**HR 796**, In memory of Beverly Singley Junell of Midland.

On motion of Speaker Straus, the names of all the members of the house were added to **HR 796** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Darby who introduced family members of Beverly Singley Junell.

(Speaker pro tempore in the chair)

**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. 24).

**GENERAL STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

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

**HB 3158 ON THIRD READING  
(by Zerwas, Johnson, and Rose)**

**HB 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.

**HB 3158** was passed by (Record 506): 134 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; 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.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; 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; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Krause; Schaefer; Stickland; Taylor.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Villarreal.

Absent — Button; Gonzalez, N.; Keffer; King, T.; Lucio; Reynolds.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 506. I intended to vote no.

Hunter

I was shown voting yes on Record No. 506. I intended to vote no.

D. Miller

### HB 31 ON THIRD READING

(by Branch, Vo, et al.)

**HB 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.

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a committee meeting:

Otto on motion of C. Turner.

Strama on motion of C. Turner.

### HB 31 - (consideration continued)

**HB 31** was passed by (Record 507): 135 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; 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; 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; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; 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; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Villarreal.

Absent, Excused, Committee Meeting — Otto; Strama.

Absent — Alonzo; Button; Cortez; Davis, Y.; Keffer; Martinez; Moody.

#### STATEMENTS OF VOTE

When Record No. 507 was taken, my vote failed to register. I would have voted yes.

Cortez

When Record No. 507 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

#### HB 852 ON THIRD READING

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

**HB 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.

**HB 852** was passed by (Record 508): 87 Yeas, 42 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Aycock; Bohac; Branch; Burkett; Burnam; Callegari; Canales; Collier; Cook; Cortez; Craddick; Dale; Darby; Davis, J.; Davis, S.; Deshotel; Dukes; Dutton; Fallon; Farias; Fletcher; Frank; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harper-Brown; Herrero; Hilderbran; Howard; Isaac; Kacal; King, P.; King, T.; Kolkhorst; Krause; Larson; Lavender; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez Fischer; McClendon; Menéndez; Miller, D.; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Parker; Patrick;

Perez; Pickett; Pitts; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Smith; Stephenson; Thompson, E.; Thompson, S.; Turner, C.; Villalba; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Ashby; Bell; Bonnen, G.; Capriglione; Carter; Clardy; Creighton; Crownover; Eiland; Elkins; Flynn; Frullo; Harless; Huberty; Hughes; King, K.; King, S.; Kleinschmidt; Klick; Kuempel; Laubenberg; Leach; Miller, R.; Paddie; Perry; Phillips; Ratliff; Riddle; Ritter; Sanford; Schaefer; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stickland; Taylor; Toth; Turner, E.S.; Zedler.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Villarreal.

Absent, Excused, Committee Meeting — Otto; Strama.

Absent — Alonzo; Button; Coleman; Davis, Y.; Farney; Farrar; Hunter; Keffer; Martinez; Miles; Moody; Price; Turner, S.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 508. I intended to vote no.

Bohac

I was shown voting yes on Record No. 508. I intended to vote no.

Branch

I was shown voting yes on Record No. 508. I intended to vote no.

Craddick

I was shown voting yes on Record No. 508. I intended to vote no.

Gooden

I was shown voting yes on Record No. 508. I intended to vote no.

Hilderbran

I was shown voting yes on Record No. 508. I intended to vote no.

T. King

When Record No. 508 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

When Record No. 508 was taken, I was in the house but away from my desk. I would have voted no.

Price

I was shown voting yes on Record No. 508. I intended to vote no.

White

**HB 3241 ON THIRD READING****(by S. Thompson, Taylor, Y. Davis, Gooden, Laubenberg, et al.)**

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

**HB 3241** was passed by (Record 509): 129 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Villarreal.

Absent, Excused, Committee Meeting — Otto; Strama.

Absent — Alonzo; Button; Coleman; Davis, S.; Davis, Y.; Farrar; Keffer; Martinez; Miles; Moody; Price; Rodriguez, J.; Turner, S.

**STATEMENT OF VOTE**

When Record No. 509 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

**HB 2383 ON THIRD READING****(by Eiland, Goldman, Toth, and Price)**

**HB 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.

**HB 2383** was passed by (Record 510): 114 Yeas, 17 Nays, 4 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Bell; Bohac; Bonnen, G.; Branch; Burnam; Callegari; Canales; Capriglione; Carter; Collier; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Herrero; Hilderbran; Howard; Huberty; Hunter; Isaac; Kacal; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Pery; 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; Thompson, E.; Thompson, S.; Toth; Villalba; Vo; Walle; Workman; Wu; Zerwas.

Nays — Aycock; Burkett; Clardy; Cook; Flynn; Frank; Harper-Brown; Hughes; King, P.; Leach; Phillips; Sheffield, R.; Stickland; Taylor; Turner, E.S.; White; Zedler.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Villarreal.

Absent, Excused, Committee Meeting — Otto; Strama.

Absent — Alonzo; Button; Coleman; Cortez; Davis, Y.; Keffer; Miles; Morrison; Turner, S.

### STATEMENTS OF VOTE

I was shown voting present, not voting on Record No. 510. I intended to vote no.

Anderson

When Record No. 510 was taken, my vote failed to register. I would have voted yes.

Cortez

I was shown voting yes on Record No. 510. I intended to vote no.

Hunter

I was shown voting yes on Record No. 510. I intended to vote no.

D. Miller

When Record No. 510 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

I was shown voting no on Record No. 510. I intended to vote yes.

E. S. Turner

**HB 2978 ON THIRD READING****(by Parker)**

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

**HB 2978** was passed by (Record 511): 134 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; 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; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; 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; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Villarreal.

Absent, Excused, Committee Meeting — Otto; Strama.

Absent — Alonzo; Button; Coleman; Cortez; Davis, Y.; Keffer; King, T.; Martinez.

**STATEMENTS OF VOTE**

When Record No. 511 was taken, my vote failed to register. I would have voted yes.

Cortez

I was shown voting yes on Record No. 511. I intended to vote no.

Kolkhorst

**HB 1926 ON THIRD READING****(by K. King, Deshotel, Allen, Villarreal, Farney, Ratliff, et al.)**

**HB 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.

(Otto now present)



### LEAVES OF ABSENCE GRANTED

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 Branch.

S. Turner on motion of Branch.

### HB 1926 - (consideration continued)

#### HB 1926 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE PATRICK: Representative King, as a former member of the Public Education Committee, I know the long hours that all of you work, and I'm well aware of how hard you've worked on this bill, and I was very privileged to be a part of establishing the Texas Virtual School Network, originally. I just had a few questions for clarification, and I would appreciate that. Yesterday, we added an amendment that I call the CSCAPE amendment. Parents across the state were very upset about the lack of oversight of that curriculum. Do you not agree that keeping this safeguard amendment in the bill is important to protect our students and assure our parents that we'll prevent such a disaster in the future?

REPRESENTATIVE K. KING: Ms. Patrick, you asked me to include that amendment, and I agreed, so I think that speaks for itself.

PATRICK: Okay. Thank you very much. And is it correct that under **HB 1926**, the school board's authority to deny any provider—for any reason—is taken away, because they may not deny any provider, is that true in the bill?

K. KING: That is not true.

PATRICK: Okay.

K. KING: What is factual about that bill, a provider has to, number one, meet TEKS. And your amendment has that go through SBOE oversight, so I believe there are plenty of ways that a provider can be told they're not a good provider.

PATRICK: Well, let me ask you finally, I know that you and I both oppose vouchers.

K. KING: Absolutely.

PATRICK: And, I wanted to ask you, what is your definition of a voucher?

K. KING: A voucher is state funds going to a private school or home school, and not a public school or a charter school that's defined within TEA or the public school system.

PATRICK: Well, in this bill, is it not true that the property tax payers' and the local districts' funds are going to a private provider, as a private entity or corporation?

K. KING: No, ma'am, I think you're confusing the facts here about where the money's going. It would be like, who makes our school buses? Who makes our software for our administration? Who makes our textbooks? Who makes—who

puts food in our lunch rooms? The state doesn't do all of that. We're paying somebody, and they are making a profit off our schools. This is merely a bill that allows small schools to have equal educational opportunities, and I believe that is a misrepresentation of the facts here. All schools flow through the ISDs, or the charter schools as defined under the public school system.

PATRICK: Well, I appreciate your interpretation, but I think the items that you named were materials, and what we're talking about here is delivery of instruction.

K. KING: The administration offices that have to comply with everything that we decide they have to comply with out of this house, and they pay SYSCO or they pay whoever to make software products—that's not content?

PATRICK: I wanted to ask you if you could please tell me the four governors as you described them in your bill that would allow a school district to deny?

K. KING: Absolutely. Number one, if it doesn't meet a child—if it's offered in the district, the child can't take it online. Number two, if it doesn't meet a graduation path, the child cannot take it. If it doesn't meet college admission standards, a child can't take it. And then, finally, a child can only take three courses per year as you specified in your final amendment, which I accepted.

PATRICK: Thank you for bringing that up, because that leads me to my next question. Are students allowed or permitted to take more online courses on their own dime?

K. KING: That statute is in place. They absolutely can. On their own dime, they still can, and I did not change that in statute. That's the way the current law is.

PATRICK: If students choose to pay for more than three courses, could some of those courses be core curriculum?

K. KING: No, ma'am, I don't believe so, because if it's offered within the district, they cannot do that. We're only talking about other electives.

PATRICK: And finally, your bill requires a report, is that correct? A report?

K. KING: A report?

PATRICK: An evaluation report?

K. KING: Yes—well, I mean, there is an evaluation put through TEA and SBOE.

PATRICK: Okay, so who prepares the report? The provider or the school district—who prepares that?

K. KING: I don't understand—one second. Could you clarify your question? I'm not sure where you're going with this.

PATRICK: In your bill—you and I had a discussion yesterday, because I was concerned about the evaluation—and you indicated to me that that's covered in the bill?

K. KING: And I believe it is. Once it meets TEKS and goes through SBOE oversight—and the district has those four governors to make sure we don't have any bad actors—I think it's covered completely, but I guess I'm a little lost?

PATRICK: Well, again, do you know who prepares the report? Is it prepared by the provider, the school district, TEA, the SBOE? Do we know that?

K. KING: I assume it will be established by TEA rule.

PATRICK: All right, well, I appreciate very much, again, the work that you and your committee have put in on this. I think it's very, very important that we continue to provide opportunities for our rural schools and our small schools, but I think it's also important that we continue to have quality control. And I hope that's what this bill accomplishes. I look forward to reviewing this with you in the future; and, I hope we will agree that this is a good bill.

### REMARKS ORDERED PRINTED

Representative Patrick moved to print remarks between Representative K. King and Representative Patrick.

The motion prevailed.

**HB 1926** was passed by (Record 512): 104 Yeas, 32 Nays, 2 Present, not voting.

Yeas — Alonzo; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Callegari; Carter; Clardy; Coleman; Cook; Cortez; Craddock; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Herrero; Hilderbran; 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; McClendon; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Otto; Paddie; Parker; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Reynolds; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, C.; Turner, E.S.; Villalba; White; Workman; Wu; Zedler; Zerwas.

Nays — Allen; Alvarado; Canales; Capriglione; Collier; Fallon; Farias; Farrar; González, M.; Gonzalez, N.; Guerra; Gutierrez; Howard; Márquez; Martínez Fischer; Menéndez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Patrick; Perez; Raymond; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, R.; Simmons; Thompson, S.; Vo; Walle.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Burnam; Button; Hughes; Keffer.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 512. I intended to vote yes.

Alvarado

When Record No. 512 was taken, I was in the house but away from my desk. I would have voted no.

Burnam

I was shown voting yes on Record No. 512. I intended to vote no.

Herrero

I was shown voting yes on Record No. 512. I intended to vote no.

Toth

### HB 3390 ON THIRD READING

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

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

(Button now present)

**HB 3390** was passed by (Record 513): 129 Yeas, 7 Nays, 2 Present, not voting.

Yeas — Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; 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; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Allen; Kolkhorst; Phillips; Rose; Simpson; Stickland; Taylor.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Alonzo; Cortez; Keffer; Morrison.

**STATEMENT OF VOTE**

I was shown voting yes on Record No. 513. I intended to vote no.

Gooden

**HB 595 ON THIRD READING**  
**(by Kolkhorst)**

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

**HB 595** was passed by (Record 514): 135 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Cortez; Deshotel; Kacal; Keffer; White.

**STATEMENTS OF VOTE**

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

Cortez

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

Kacal

**HB 1562 ON THIRD 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 by (Record 515): 136 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; 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; Goldman; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Simmons.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Cortez; Gonzales; Keffer.

**STATEMENT OF VOTE**

When Record No. 515 was taken, my vote failed to register. I would have voted yes.

Cortez

**HB 1606 ON THIRD 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 by (Record 516): 106 Yeas, 28 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Bohac; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Herrero; Hilderbran; Howard; Hughes; Hunter; Isaac; Kacal; King, K.; King, S.; King, T.; Kolkhorst; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Perez; Perry; Pickett; Price; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Thompson, S.; Toth; Turner, C.; Villalba; Vo; Walle; White; Zerwas.

Nays — Anderson; Aycock; Bell; Bonnen, G.; Branch; Burkett; Craddick; Dale; Dutton; Gonzales; Harper-Brown; Huberty; King, P.; Kleinschmidt; Klick; Krause; Kuempel; Morrison; Orr; Parker; Sanford; Sheffield, R.; Stickland; Taylor; Thompson, E.; Turner, E.S.; Workman; Zedler.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Keffer; Patrick; Phillips; Pitts; Raney; Wu.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 516. I intended to vote no.

Cook

I was shown voting yes on Record No. 516. I intended to vote no.

Hunter

When Record No. 516 was taken, my vote failed to register. I would have voted no.

Phillips

When Record No. 516 was taken, my vote failed to register. I would have voted yes.

Wu

#### HB 2512 ON THIRD READING

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

**HB 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.

**HB 2512** was passed by (Record 517): 123 Yeas, 14 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Clardy; Coleman; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gooden; Guerra; Guillen; Harless; Harper-Brown; 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; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Naishtat; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Canales; Collier; González, M.; Gonzalez, N.; Gutierrez; Márquez; Martinez Fischer; Muñoz; Nevárez; Oliveira; Rodriguez, E.; Rodriguez, J.; Rose; Simpson.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Cortez; Gonzales; Keffer.

### **HB 1645 ON THIRD READING** (by Riddle and Fallon)

**HB 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.

**HB 1645** was passed by (Record 518): 137 Yeas, 0 Nays, 2 Present, not voting.

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



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

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Cortez; Gonzales; Keffer.

### STATEMENT OF VOTE

When Record No. 518 was taken, my vote failed to register. I would have voted yes.

Cortez

### HB 1824 ON THIRD READING (by Harper-Brown and Ratliff)

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

**HB 1824** was passed by (Record 519): 136 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; 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; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Stickland.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Cortez; Keffer; Martinez Fischer.

### STATEMENTS OF VOTE

When Record No. 519 was taken, my vote failed to register. I would have voted yes.

Cortez

When Record No. 519 was taken, I was temporarily out of the house chamber. I would have voted yes.

Martinez Fischer

### HB 2873 ON THIRD 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 by (Record 520): 136 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Cortez; Elkins; Keffer; Leach.

**STATEMENTS OF VOTE**

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

Cortez

When Record No. 520 was taken, I was in the house but away from my desk. I would have voted yes.

Leach

**HB 2782 ON THIRD 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.

**HB 2782** was passed by (Record 521): 102 Yeas, 26 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burnam; Button; Callegari; Canales; Carter; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Dukes; Dutton; Eiland; Elkins; Farias; Farrar; Frullo; Geren; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harper-Brown; Herrero; Hilderbran; Howard; Hughes; Hunter; King, K.; King, S.; King, T.; Kleinschmidt; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Patrick; Perez; Perry; Pickett; Pitts; Price; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sheets; Sheffield, J.; Smith; Smithee; Stephenson; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Allen; Burkett; Capriglione; Creighton; Dale; Fallon; Fletcher; Flynn; Frank; Goldman; Gonzales; Harless; Huberty; Isaac; King, P.; Klick; Kolkhorst; Krause; Morrison; Parker; Schaefer; Sheffield, R.; Simpson; Springer; Stickland; Toth.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Branch; Cortez; Deshotel; Farney; Kacal; Keffer; Paddie; Phillips; Raney; Rose; Sanford; Simmons.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 521. I intended to vote no.

Anderson

When Record No. 521 was taken, my vote failed to register. I would have voted no.

Branch

I was shown voting yes on Record No. 521. I intended to vote no.

Button

When Record No. 521 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

I was shown voting yes on Record No. 521. I intended to vote no.

Gooden

I was shown voting yes on Record No. 521. I intended to vote no.

Hunter

When Record No. 521 was taken, I was temporarily out of the house chamber. I would have voted yes.

Kacal

I was shown voting yes on Record No. 521. I intended to vote no.

D. Miller

When Record No. 521 was taken, I was in the house but away from my desk. I would have voted no.

Phillips

When Record No. 521 was taken, my vote failed to register. I would have voted no.

Sanford

When Record No. 521 was taken, my vote failed to register. I would have voted yes.

Simmons

I was shown voting yes on Record No. 521. I intended to vote no.

White

**HB 1751 ON THIRD READING**  
**(by Patrick, Allen, Ratliff, Villalba, and Aycock)**

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

**HB 1751** was passed by (Record 522): 133 Yeas, 5 Nays, 2 Present, not voting.

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

Nays — Krause; Orr; Sanford; Schaefer; Stickland.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Cortez; Keffer.

### STATEMENT OF VOTE

When Record No. 522 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

### HB 1809 ON THIRD 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** failed to pass by (Record 523): 61 Yeas, 76 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Burnam; Canales; Coleman; Collier; Cortez; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Geren; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Herrero; Howard; Hunter; King, T.; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Perez; Pickett; Pitts; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Smith; Taylor; Thompson, S.; Turner, C.; Villalba; Vo; Walle; Wu.

Nays — Anderson; Aycock; Bell; Bohac; Bonnen, D.(C); Bonnen, G.; Branch; Burkett; Button; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Elkins; Fallon; Farney; Fletcher; Flynn;

Frank; Frullo; Goldman; Gonzales; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Kacal; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Price; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stephenson; Stickland; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Callegari; Isaac; Keffer; Raney.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 523. I intended to vote no.

Gooden

When Record No. 523 was taken, I was in the house but away from my desk. I would have voted no.

Isaac

I was shown voting yes on Record No. 523. I intended to vote no.

Smith

### HB 1903 ON THIRD READING (by Eiland, Harless, and Ritter)

**HB 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.

**HB 1903** was passed by (Record 524): 133 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; 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; 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer;

Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Alonzo; Coleman; Cortez; Davis, Y.; Keffer; King, P.; Reynolds.

### STATEMENTS OF VOTE

When Record No. 524 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

When Record No. 524 was taken, I was in the house but away from my desk. I would have voted yes.

P. King

### HB 1967 ON THIRD 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 by (Record 525): 103 Yeas, 19 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Ashby; Aycock; Bohac; Bonnen, G.; Burkett; Button; Callegari; Canales; Carter; Coleman; Collier; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Geren; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Hunter; Isaac; Kacal; King, S.; King, T.; Kolkhorst; Kuempel; Larson; Lavender; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Taylor; Thompson, S.; Toth; Turner, C.; Villalba; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Anderson; Bell; Elkins; Flynn; Huberty; Kleinschmidt; Klick; Krause; Laubenberg; Leach; Murphy; Orr; Perry; Pitts; Schaefer; Stickland; Thompson, E.; Turner, E.S.; Zedler.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Alonzo; Branch; Burnam; Capriglione; Clardy; Cook; Cortez; Davis, Y.; Deshotel; Fallon; Goldman; Hughes; Keffer; King, K.; King, P.; Lewis; Morrison; Ratliff.

### STATEMENTS OF VOTE

When Record No. 525 was taken, my vote failed to register. I would have voted no.

Branch

When Record No. 525 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

When Record No. 525 was taken, I was in the house but away from my desk. I would have voted no.

Fallon

When Record No. 525 was taken, I was in the house but away from my desk. I would have voted no.

P. King

I was shown voting yes on Record No. 525. I intended to vote no.

Sheets

I was shown voting yes on Record No. 525. I intended to vote no.

Springer

### HB 2015 ON THIRD READING (by J. Davis)

**HB 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.

**HB 2015** was passed by (Record 526): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Strama.

Absent — Cortez; Keffer; Riddle.

### STATEMENT OF VOTE

When Record No. 526 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

### HB 2049 ON THIRD READING (by Huberty and Menéndez)

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

(Strama now present)

**HB 2049** was passed by (Record 527): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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; Márquez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Bell; Cortez; Gonzales; Keffer; Lucio.

### STATEMENT OF VOTE

When Record No. 527 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

### HB 2062 ON THIRD READING (by J. Davis)

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

**HB 2062** was passed by (Record 528): 104 Yeas, 28 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Burkett; Burnam; Callegari; Canales; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Fletcher; Frank; Frullo; Geren; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Herrero; Hilderbran; Howard; Hunter; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Lavender; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Sheets; Sheffield, R.; Smith; Smithee; Stephenson; Strama; Thompson, E.; Thompson, S.; Turner, C.; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Allen; Bonnen, G.; Branch; Button; Capriglione; Dale; Fallon; Farrar; Goldman; Gonzales; Gooden; Harper-Brown; Klick; Krause; Laubenberg; Leach; Parker; Perry; Rose; Schaefer; Simmons; Simpson; Springer; Stickland; Taylor; Toth; Villalba; White.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Cortez; Davis, Y.; Flynn; Huberty; Hughes; Isaac; Keffer; Sheffield, J.; Turner, E.S.

### STATEMENTS OF VOTE

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

Anderson

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

Carter

When Record No. 528 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

When Record No. 528 was taken, I was in the house but away from my desk. I would have voted no.

Flynn

When Record No. 528 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 528 was taken, I was in the house but away from my desk. I would have voted no.

Isaac

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

P. King

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

Sheets

When Record No. 528 was taken, my vote failed to register. I would have voted no.

E. S. Turner

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

Zedler

**HB 2127 ON THIRD READING**  
**(by Howard, Stephenson, and Frullo)**

**HB 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.

**HB 2127** was passed by (Record 529): 116 Yeas, 12 Nays, 2 Present, not voting.

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

Nays — Dale; Elkins; Flynn; Gonzales; Krause; Laubenberg; Sanford; Schaefer; Stickland; Villalba; White; Zedler.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Bell; Capriglione; Cortez; Geren; Huberty; Keffer; Leach; Moody; Phillips; Price; Sheffield, J.; Springer; Turner, E.S.

### STATEMENTS OF VOTE

When Record No. 529 was taken, my vote failed to register. I would have voted no.

Bell

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

Button

When Record No. 529 was taken, I was in the house but away from my desk. I would have voted no.

Capriglione

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

Cook

When Record No. 529 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

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

Hilderbran

When Record No. 529 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

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

Hunter

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

D. Miller

When Record No. 529 was taken, I was in the house but away from my desk. I would have voted yes.

Moody

When Record No. 529 was taken, I was in the house but away from my desk. I would have voted no.

Phillips

When Record No. 529 was taken, I was in the house but away from my desk. I would have voted yes.

Price

When Record No. 529 was taken, I was in the house but away from my desk. I would have voted no.

Springer

When Record No. 529 was taken, I was in the house but away from my desk. I would have voted no.

E. S. Turner

**HB 2152 ON THIRD READING**  
(by Callegari)

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

**HB 2152** was passed by (Record 530): 134 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Bell; Bohac; Bonnen, G.; Branch; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; 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; 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Aycock; Burkett; Cortez; Davis, Y.; Keffer; Klick; Sheffield, J.

**STATEMENT OF VOTE**

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

Cortez

**HB 2202 ON THIRD READING**  
(by Pickett and McClendon)

**HB 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.

**HB 2202** was passed by (Record 531): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Bell; Cortez; Keffer; White; Workman.

**STATEMENTS OF VOTE**

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

Cortez

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

Creighton

**HB 2267 ON THIRD 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.

**HB 2267** was passed by (Record 532): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Cortez; Keffer.

#### STATEMENT OF VOTE

When Record No. 532 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

#### HB 2451 ON THIRD READING

(by T. King)

**HB 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.

**HB 2451** was passed by (Record 533): 129 Yeas, 4 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Geren; 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; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Miller, D.;

Miller, R.; Moody; Morrison; Muñoz; Murphy; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Flynn; Isaac; Toth; Turner, E.S.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Bell; Cortez; Creighton; Darby; Keffer; Naishtat; Sheets.

### STATEMENTS OF VOTE

When Record No. 533 was taken, my vote failed to register. I would have voted yes.

Bell

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

Cortez

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

Creighton

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

Flynn

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

Toth

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

E. S. Turner

### HB 2473 ON THIRD 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 by (Record 534): 70 Yeas, 69 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Burkett; Burnam; Canales; Coleman; Collier; Cook; Cortez; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farrar; Fletcher; Geren; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harper-Brown; Herrero; Howard; Hughes; Hunter; Isaac; King, T.; Longoria; Lozano; Lucio; Márquez; Martinez Fischer;



McClendon; Menéndez; Miller, D.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Perez; Pickett; Raney; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Smith; Strama; Thompson, S.; Turner, C.; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Aycock; Bell; Bonnen, G.; Branch; Button; Callegari; Capriglione; Carter; Clardy; Craddick; Creighton; Crownover; Dale; Darby; Davis, S.; Fallon; Farney; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Harless; Huberty; Kacal; King, K.; King, P.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Miller, R.; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Pitts; Price; Ratliff; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; Zedler.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Keffer.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 534. I intended to vote yes.

Callegari

I was shown voting yes on Record No. 534. I intended to vote no.

Smith

### HB 2615 ON THIRD 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.

#### Amendment No. 1

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

Amend **HB 2615** on third reading as follows:

(1) On page 1, line 13, strike "\$5,000" and substitute "\$1,000".

(2) On page 1, strike line 16 and substitute the following:  
[~~March 1~~]. However, the maximum penalty under this section is \$15,000 [~~\$150~~].

Amendment No. 1 was adopted.

#### Amendment No. 2

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

Amend **HB 2615** on third reading by striking added Section 13.148, Water Code, as added by Amendment No. 1, by Aycock.

Amendment No. 2 was adopted.

**HB 2615**, as amended, was passed by (Record 535): 94 Yeas, 32 Nays, 2 Present, not voting.

Yeas — Alvarado; Anchia; Ashby; Aycock; Bonnen, G.; Branch; Burnam; Canales; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Darby; Davis, J.; Davis, S.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Frank; Geren; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hunter; Kacal; King, T.; Kleinschmidt; Krause; Larson; Lavender; Lewis; Longoria; Lozano; Lucio; Márquez; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Phillips; Pickett; Pitts; Raney; Ratliff; Raymond; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Simmons; Smith; Springer; Stephenson; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Allen; Anderson; Bohac; Burkett; Button; Capriglione; Dale; Elkins; Fallon; Fletcher; Flynn; Frullo; Goldman; Gonzales; King, K.; King, P.; Klick; Kolkhorst; Kuempel; Laubenberg; Leach; Perry; Price; Schaefer; Sheffield, R.; Simpson; Smithee; Stickland; Taylor; Turner, E.S.; Villalba; Zedler.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Alonzo; Bell; Callegari; Crownover; Davis, Y.; Gutierrez; Hughes; Isaac; Keffer; King, S.; Martinez Fischer; McClendon; Murphy; Parker; Reynolds.

### STATEMENTS OF VOTE

When Record No. 535 was taken, my vote failed to register. I would have voted yes.

Bell

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

Crownover

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

Hilderbran

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

Hunter

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

Isaac

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

Krause

When Record No. 535 was taken, I was temporarily out of the house chamber. I would have voted yes.

Martinez Fischer

When Record No. 535 was taken, my vote failed to register. I would have voted yes.

Parker

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

Sanford

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

Toth

### HB 3093 ON THIRD READING (by Elkins)

**HB 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 **HB 3093**:

Amend **HB 3093** (house committee report) as follows:

- (1) On page 4, line 12, strike "and" and substitute "₂".
- (2) On page 4, line 13, between "department," and "shall", insert "and in consultation with the Information Technology Council for Higher Education,".
- (3) On page 4, line 15, strike "a centralized".
- (4) On page 5, line 4, strike "centralized".
- (5) On page 5, line 10, strike "private".
- (6) On page 5, line 14, strike "and" and substitute ", the Information Technology Council for Higher Education, and the".
- (7) On page 6, line 9, between "department" and ", shall", insert "and the Information Technology Council for Higher Education".
- (8) On page 6, line 24, strike "and" and substitute ", the Information Technology Council for Higher Education, and the".
- (9) On page 7, line 26, strike "private".

Amendment No. 1 was adopted.

**HB 3093**, as amended, was passed by (Record 536): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Cortez; Keffer; Stickland.

### STATEMENTS OF VOTE

When Record No. 536 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

When Record No. 536 was taken, I was in the house but away from my desk. I would have voted yes.

Stickland

### HB 2732 ON THIRD 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.

**HB 2732** was passed by (Record 537): 126 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, J.;

Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, E.S.; Villalba; Vo; Walle; Workman; Zedler; Zerwas.

Nays — Anchia; Márquez; Moody; Oliveira; Perez; Rodriguez, E.; Simpson; Turner, C.; White; Wu.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Farrar; Keffer; Rose; Sanford; Simmons.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 537. I intended to vote no.

Canales

I was shown voting yes on Record No. 537. I intended to vote no.

Carter

I was shown voting yes on Record No. 537. I intended to vote no.

Creighton

I was shown voting yes on Record No. 537. I intended to vote no.

Eiland

I was shown voting yes on Record No. 537. I intended to vote no.

N. Gonzalez

When Record No. 537 was taken, I was in the house but away from my desk. I would have voted yes.

Simmons

### COMMITTEE GRANTED PERMISSION TO MEET

Representative Herrero requested permission for the Committee on Criminal Jurisprudence to meet while the house is in session, at 11:15 a.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Criminal Jurisprudence, 11:15 a.m. today, 3W.15, for a formal meeting, to consider pending business.

### HB 2741 ON THIRD READING

(by Phillips)

**HB 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.

**HB 2741** was passed by (Record 538): 127 Yeas, 8 Nays, 2 Present, not voting.

Yeas — Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; 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; Eiland; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Smithee; Springer; Stephenson; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Allen; Bell; Capriglione; Dutton; Krause; Rose; Simpson; Taylor.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Turner, S.; Villarreal.

Absent — Alonzo; Elkins; Keffer; Simmons; Smith; Stickland.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 538. I intended to vote no.

Creighton

When Record No. 538 was taken, I was in the house but away from my desk. I would have voted no.

Stickland

#### LEAVE OF ABSENCE GRANTED

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

Pickett on motion of Raymond.

#### HB 2757 ON THIRD 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 by (Record 539): 124 Yeas, 12 Nays, 2 Present, not voting.

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

Nays — Dale; Frank; Gonzales; Hughes; Kleinschmidt; Orr; Perry; Schaefer; Simpson; Springer; Stickland; Workman.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Pickett; Turner, S.; Villarreal.

Absent — Cortez; Isaac; Keffer; Simmons.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 539. I intended to vote no.

Capriglione

When Record No. 539 was taken, my vote failed to register. I would have voted yes.

Cortez

When Record No. 539 was taken, I was in the house but away from my desk. I would have voted no.

Isaac

I was shown voting yes on Record No. 539. I intended to vote no.

Kolkhorst

### HB 2840 ON THIRD READING (by Giddings)

**HB 2840**, A bill to be entitled An Act relating to the urban land bank demonstration program in certain municipalities.

**HB 2840** failed to pass by (Record 540): 64 Yeas, 72 Nays, 3 Present, not voting. (The vote was reconsidered later today, and **HB 2840** was passed by Record No. 547.)

Yeas — Allen; Alonzo; Alvarado; Anchia; Burnam; Callegari; Canales; Coleman; Collier; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Geren; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harper-Brown; Herrero; Howard; Hughes; Hunter; King, S.; King, T.; Kolkhorst; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Patrick; Perez; Pitts; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Stephenson; Strama; Thompson, S.; Turner, C.; Vo; Walle; White; Wu; Zerwas.

Nays — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, S.; Elkins; Fallon; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hilderbran; Huberty; Isaac; Kacal; King, K.; King, P.; Kleinschmidt; Klick; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Miller, D.; Miller, R.; Murphy; Orr; Paddie; Parker; Perry; Phillips; Price; Raney; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; Workman; Zedler.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Pickett; Turner, S.; Villarreal.

Absent — Cortez; Harless; Keffer.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 540. I intended to vote yes.

Clardy

When Record No. 540 was taken, my vote failed to register. I would have voted yes.

Cortez

I was shown voting no on Record No. 540. I intended to vote yes.

Simmons

I was shown voting no on Record No. 540. I intended to vote yes.

E. S. Turner

### HB 2877 ON THIRD READING (by J. Sheffield)

**HB 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.

**HB 2877** was passed by (Record 541): 131 Yeas, 4 Nays, 2 Present, not voting.



Yeas — Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Canales; Capriglione; Carter; Clardy; Coleman; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Perez; Perry; Phillips; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Allen; Collier; Nevárez; Rose.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Pickett; Turner, S.; Villarreal.

Absent — Callegari; Cortez; Keffer; Patrick; Smith.

#### STATEMENTS OF VOTE

When Record No. 541 was taken, I was in the house but away from my desk. I would have voted yes.

Callegari

When Record No. 541 was taken, my vote failed to register. I would have voted yes.

Cortez

#### HB 213 ON THIRD 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 passed by (Record 542): 131 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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; Martínez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Collier; Farias; Rose.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Pickett; Turner, S.; Villarreal.

Absent — Burnam; Carter; Cortez; Keffer; Strama; Toth.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 542. I intended to vote yes.

Collier

When Record No. 542 was taken, my vote failed to register. I would have voted yes.

Cortez

I was shown voting no on Record No. 542. I intended to vote yes.

Farias

When Record No. 542 was taken, I was in the house but away from my desk. I would have voted yes.

Toth

## GENERAL STATE CALENDAR

### SENATE BILLS

#### THIRD READING

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

#### SB 60 ON THIRD 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 passed by (Record 543): 138 Yeas, 0 Nays, 2 Present, not voting.

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

Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; 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; Martínez Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; 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.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Pickett; Turner, S.; Villarreal.

Absent — Gonzalez, N.; Keffer.

### **SB 275 ON THIRD 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 passed by (Record 544): 130 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; 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; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; King, K.; King, P.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez Fischer; McClendon; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; 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.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Pickett; Turner, S.; Villarreal.

Absent — Alonzo; Branch; Cortez; Davis, Y.; Herrero; Keffer; King, S.; Menéndez; Murphy; Stephenson.

### STATEMENTS OF VOTE

When Record No. 544 was taken, my vote failed to register. I would have voted yes.

Branch

When Record No. 544 was taken, my vote failed to register. I would have voted yes.

Cortez

When Record No. 544 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

When Record No. 544 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

### SB 1312 ON THIRD 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 passed by (Record 545): 82 Yeas, 50 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Branch; Burnam; Canales; Clardy; Collier; Cortez; Crownover; Darby; Davis, J.; Davis, S.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Fletcher; Frullo; Geren; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harper-Brown; Herrero; Howard; Huberty; Hunter; Kacal; King, K.; King, S.; King, T.; Kolkhorst; Kuempel; Larson; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez Fischer; McClendon; Menéndez; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Perez; Pitts; Price; Raney; Ratliff; Raymond; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Smith; Stephenson; Strama; Thompson, E.; Thompson, S.; Turner, C.; Vo; Walle; White; Wu; Zerwas.

Nays — Bell; Bohac; Bonnen, G.; Burkett; Button; Callegari; Capriglione; Carter; Craddick; Creighton; Dale; Elkins; Fallon; Flynn; Frank; Goldman; Gonzales; Harless; Hilderbran; Hughes; Isaac; King, P.; Klick; Krause; Laubenberg; Lavender; Leach; Miller, D.; Miller, R.; Morrison; Orr; Parker; Perry; Phillips; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stickland; Taylor; Toth; Turner, E.S.; Villalba; Workman; Zedler.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Pickett; Turner, S.; Villarreal.

Absent — Alonzo; Coleman; Cook; Davis, Y.; Keffer; Kleinschmidt; Patrick; Reynolds.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 545. I intended to vote no.

Branch

I was shown voting yes on Record No. 545. I intended to vote no.

Frullo

When Record No. 545 was taken, my vote failed to register. I would have voted yes.

Patrick

### SB 186 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Dutton, Representatives Branch and Leach were authorized as house sponsors to **SB 186**.

### SB 186 ON THIRD READING

#### (Giddings, Branch, and Leach - House Sponsors)

**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 passed by (Record 546): 136 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; 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; 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Stickland.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Pickett; Turner, S.; Villarreal.

Absent — Callegari; Darby; Keffer.

### **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 on May 3, postponed until 3 p.m. May 3, and was again postponed until 8 a.m. today.

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

Representative Anderson offered the following amendment to **CSHB 2072**:

Amend **CSHB 2072** (house committee report) on page 15, line 8, by striking "may" and substituting "shall".

Amendment No. 1 was adopted.

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

Representative E. Rodriguez offered the following amendment to **CSHB 2072**:

Amend **CSHB 2072** (house committee report) as follows:

(1) On page 15, line 6, strike "September 1, 2014" and substitute "June 1, 2015".

(2) On page 15, line 19, strike "September 1, 2014" and substitute "June 1, 2015".

Amendment No. 2 was adopted.

**CSHB 2072**, as amended, was passed to engrossment. (Branch, Flynn, Hunter, Phillips, R. Sheffield, Springer, Taylor, and Zedler recorded voting no.)

### **HB 2840 - VOTE RECONSIDERED**

Representative Isaac moved to reconsider the vote by which **HB 2840** failed to pass by Record No. 540.

The motion to reconsider prevailed.

#### **HB 2840 ON THIRD READING (by Giddings)**

The chair laid before the house, on its third reading and final passage,

**HB 2840**, A bill to be entitled An Act relating to the urban land bank demonstration program in certain municipalities.

**HB 2840** was read third time earlier today and failed to pass by Record No. 540.

**HB 2840** was passed by (Record 547): 118 Yeas, 11 Nays, 2 Present, not voting.

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

Nays — Flynn; Goldman; Klick; Laubenberg; Schaefer; Simpson; Stickland; Taylor; Thompson, E.; Turner, E.S.; Zedler.

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

Absent, Excused — Giddings; Hernandez Luna; Johnson; Martinez; Miles; Pickett; Turner, S.; Villarreal.

Absent — Alonzo; Dale; Davis, Y.; Huberty; Hughes; Keffer; King, T.; Leach; Reynolds; Riddle; Toth.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 547. I intended to vote no.

Capriglione

I was shown voting yes on Record No. 547. I intended to vote no.

Creighton

When Record No. 547 was taken, I was in the house but away from my desk. I would have voted no.

Dale

When Record No. 547 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 547 was taken, I was in the house but away from my desk. I would have voted yes.

Hughes

I was shown voting yes on Record No. 547. I intended to vote no.

Hunter

I was shown voting yes on Record No. 547. I intended to vote no.

Krause

**HR 1822 - ADOPTED**  
**(by Wu)**

Representative Wu moved to suspend all necessary rules to take up and consider at this time **HR 1822**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1822**, In memory of the Reverend Ben Sanchez Riojas of Houston.

**HR 1822** was read and was unanimously adopted by a rising vote.

**LEAVES OF ABSENCE GRANTED**

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

Alonzo on motion of Morrison.

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

Keffer on motion of Kolkhorst.

**MAJOR STATE CALENDAR**  
**HOUSE BILLS**  
**SECOND READING**

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

**CSSB 213 ON SECOND READING**  
**(Price - House Sponsor)**

**CSSB 213**, A bill to be entitled An Act relating to the continuation and functions of the Texas Board of Criminal Justice, the Texas Department of Criminal Justice, and the Windham School District and to the functions of the Board of Pardons and Paroles and the Correctional Managed Health Care Committee.

**CSSB 213** was considered in lieu of **HB 2289**.

**Amendment No. 1**

Representative Márquez offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) as follows:

(1) On page 1, line 15, strike "Section 493.031" and substitute "Sections 493.031, 493.032, and 493.033".

(2) On page 2, between lines 20 and 21, insert the following:



Sec. 493.032. ANNUAL REPORT. (a) Not later than January 1 of each year, the department shall submit a written report containing the information described by Subsection (b) to:

(1) the governor;

(2) the lieutenant governor;

(3) the speaker of the house of representatives; and

(4) each standing committee of the senate and house of representatives having primary jurisdiction over the department.

(b) The report must include the following information for the preceding fiscal year:

(1) the number of inmates in the general prison population who were referred to mental health professionals and the reasons for the referrals;

(2) the number of inmates confined in administrative segregation who were referred to mental health professionals and the reasons for the referrals;

(3) a summary of the types of offenses for which each inmate was imprisoned;

(4) the number of documented suicide attempts by inmates in the general prison population;

(5) the number of documented suicide attempts by inmates confined in administrative segregation;

(6) the number of inmates who were confined in administrative segregation immediately before the inmates' discharge from the department;

(7) the number of inmates who were confined in administrative segregation immediately before the inmates' release on parole or to mandatory supervision;

(8) the rate of recidivism among:

(A) inmates who were never confined in administrative segregation before the inmates' release or discharge from the department;

(B) inmates who were confined in administrative segregation immediately before the inmates' release or discharge from the department; and

(C) inmates who were confined in administrative segregation at any time prior to the inmates' release or discharge from the department and who are not described by Paragraph (B);

(9) for inmates confined in administrative segregation at any time during the fiscal year:

(A) the average length of time an inmate was continuously confined in administrative segregation;

(B) the longest and shortest length of time an inmate was continuously confined in administrative segregation;

(C) a summary of the offenses for which inmates confined in administrative segregation were imprisoned; and

(D) a summary of the reasons for which inmates were placed in administrative segregation;

(10) the number of inmates discharged or released directly from the general prison population who have obtained regular employment on or before the 180th day after the inmates' release or discharge, to the extent that information is available;

(11) the number of inmates discharged or released directly from confinement in administrative segregation who have obtained regular employment on or before the 180th day after the inmates' release or discharge, to the extent that information is available;

(12) the number of reviews conducted by the department concerning an inmate's placement in administrative segregation and the number of those reviews that resulted in the inmate being transferred to the general prison population;

(13) the number of inmates who were transferred from administrative segregation to the general prison population as a result of successfully completing a program designed to facilitate the return of an inmate to the general prison population; and

(14) information regarding the operations and activity of gangs, identified security threat groups, or other disruptive groups within each facility operated by or under contract with the department.

Sec. 493.033. INFORMATION CONCERNING COST OF CONFINEMENT IN ADMINISTRATIVE SEGREGATION. The Legislative Budget Board shall include in its Criminal Justice Uniform Cost Report the cost per day calculation of confining an inmate in administrative segregation.

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

SECTION \_\_\_\_\_. Subchapter A, Chapter 501, Government Code, is amended by adding Section 501.023 to read as follows:

Sec. 501.023. USE OF ADMINISTRATIVE SEGREGATION. (a) The department shall conduct a review of the department's policies regarding the use of administrative segregation. The review must examine methods to reduce the number of inmates housed in administrative segregation, including alternatives to administrative segregation. Based on the review, the department shall develop a plan to reduce the department's use of administrative segregation.

(b) The plan must provide an inmate confined in administrative segregation with the following, based on the inmate's assessed risks and needs and the personal safety of the inmate or another person:

(1) the opportunity to participate in programs and services in the inmate's cell that are similar to the educational courses, work-related training, or other technical or vocational programs that are available to the general inmate population;

(2) increases in the amount of time the inmate is allowed out of the inmate's cell based on the length of the inmate's period of confinement in administrative segregation;

(3) the opportunity to exercise with inmates in the general prison population;

(4) daily contact with prison staff; and

(5) access to audio and visual media that provide the inmate with appropriate mental stimulation.

(c) In addition to the requirements of Subsection (b), for an inmate confined in administrative segregation for reasons other than the inmate's misconduct or disciplinary record or membership in a gang or identified security threat group, the plan must allow the inmate:

(1) adequate and regular access to mental health services; and

(2) if the inmate will be confined in administrative segregation immediately before the inmate's release or discharge from the department, access to services and programs that assist inmates in developing:

(A) the ability to obtain and maintain long-term employment and stable housing; and

(B) social skills and life skills, including building and maintaining parenting skills, anger management techniques, positive family interactions, and law-abiding behavior.

(d) The department shall develop and include in the plan a program that provides an opportunity for an inmate who is confined in administrative segregation based on the inmate's membership in a gang or security threat group to return to the general prison population. The program may not exceed eight months in length and must be available to an inmate who:

(1) has renounced the inmate's membership in the gang or security threat group; and

(2) during the one-year period preceding the inmate's application to the program has not:

(A) committed assault against another inmate or a member of the prison staff;

(B) been the subject of major disciplinary action; or

(C) participated in any gang-related or security threat group-related activity.

(e) The plan may not result in increased danger to inmates imprisoned in, or employees employed at, any facility operated by or under contract with the department.

SECTION \_\_\_\_\_. (a) The Texas Department of Criminal Justice shall submit the first report required under Section 493.032, Government Code, as added by this Act, not later than January 1, 2014.

(b) Not later than June 1, 2014, the Texas Department of Criminal Justice shall submit for review and comment the plan developed under Section 501.023, Government Code, as added by this Act, to:

(1) the governor;

(2) the lieutenant governor;

(3) the speaker of the house of representatives;

(4) each standing committee of the senate and house of representatives having primary jurisdiction over the department; and

(5) the Legislative Budget Board.

Amendment No. 1 was withdrawn.

**Amendment No. 2**

Representative Toth offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) as follows:

(1) On page 33, strike lines 15-17 and substitute the following:

- (1) Section 493.009(i);
- (2) Section 497.012(e);
- (3) Section 501.100; and
- (4) Sections 501.148(c) and (d).

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

SECTION \_\_\_\_\_. Section 497.012(b), Government Code, is amended to read as follows:

(b) If the department determines that it is economically feasible, the department shall repair or refurbish the surplus or salvage data processing equipment. The department may ~~shall~~ sell the repaired or refurbished data processing equipment to a school district, a state agency, an organization that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986, or a political subdivision of the state in that relative order of preference.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Allen offered the following amendment to **CSSB 213**:

Amend **CSSB 213** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 15(h)(5) and (6), Article 42.12, Code of Criminal Procedure, are amended to read as follows:

(5) For a defendant who has participated in an educational, vocational, treatment, or work program while confined in a state jail felony facility, ~~[not later than the 30th day before the date on which the defendant will have served 80 percent of the defendant's sentence,]~~ the Texas Department of Criminal Justice shall record ~~[report to the sentencing court]~~ the number of days during which the defendant diligently participated in any educational, vocational, treatment, or work program. ~~The department [The contents of a report submitted under this subdivision are not subject to challenge by a defendant.~~

~~[(6) A judge, based on the report received under Subdivision (5),] may credit against a defendant's sentence [any time a defendant is required to serve in a state jail felony facility] additional time for each day the defendant actually served in the facility while diligently participating in an educational, vocational, treatment, or work program. A time credit under this subdivision may not exceed one-fifth of the defendant's original sentence [amount of time the defendant is originally required to serve in the facility]. A defendant may not be awarded a credit under this subdivision for any period during which the defendant is subject to disciplinary status [action]. A time credit under this subdivision is a privilege and not a right.~~

SECTION \_\_\_\_\_. The change in law made by this Act in amending Sections 15(h)(5) and (6), Article 42.12, Code of Criminal Procedure, applies only to a person confined in a state jail felony facility for an offense committed on or after the effective date of this Act. A person confined in a state jail felony facility for an offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

Amendment No. 3 failed of adoption.

#### **Amendment No. 4**

Representative Parker offered the following amendment to **CSSB 213**:

Amend **CSSB 213** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 495, Government Code, is amended by adding Section 495.0251 to read as follows:

Sec. 495.0251. COMMISSARY STUDY. (a) The department shall contract with an independent third party to study the department's commissary operations. The independent third party must:

(1) review the operation of the commissary in each facility operated by the department; and

(2) make recommendations to the department for decreasing the costs of, or otherwise improving the operations of, the commissaries.

(b) Not later than December 1, 2014, the department shall provide a report summarizing the results of the study to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over criminal justice matters. The report must include information regarding the extent to which the department has implemented the independent third party's recommendations.

(c) This section expires January 1, 2015.

Amendment No. 4 was adopted.

#### **Amendment No. 5**

Representative Rose offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 501.010, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The uniform visitation policy must require that, if an inmate in a warden's facility has provided the warden or the warden's designee with the e-mail address or telephone number of the inmate's next of kin, the warden or designee shall notify the next of kin not later than 24 hours after any change in the inmate's eligibility to receive visitors.

SECTION \_\_\_\_\_. Section 507.030(b), Government Code, is amended to read as follows:

(b) The state jail division shall establish a visitation policy for persons confined in state jail felony facilities. The policy must require that, if a person confined in a state jail felony facility has provided the facility's warden or the warden's designee with the e-mail address or telephone number of the person's next of kin, the warden or designee shall notify the next of kin not later than 24 hours after any change in the person's eligibility to receive visitors.

SECTION \_\_\_\_\_. Not later than December 1, 2013, the Texas Department of Criminal Justice shall make changes to the department's policies under Sections 501.010(b) and 507.030(b), Government Code, as necessary to comply with this Act.

(Harper-Brown in the chair)

Representative Price moved to table Amendment No. 5.

The motion to table prevailed.

#### **Amendment No. 6**

Representative Guillen offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 501, Government Code, is amended by adding Section 501.023 to read as follows:

Sec. 501.023. INFORMATION CONCERNING FOSTER CARE HISTORY. (a) The department, during the diagnostic process, shall assess each inmate with respect to whether the inmate has at any time been in the conservatorship of a state agency responsible for providing child protective services.

(b) Not later than December 31 of each year, the department shall submit a report to the governor, the lieutenant governor, the speaker of the house of representatives, and each legislative standing committee having primary jurisdiction over the department. The report must summarize statistical information concerning the total number of inmates who have at any time been in the conservatorship of a state agency responsible for providing child protective services.

Amendment No. 6 was adopted.

#### **Amendment No. 7**

Representative Rose offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 501, Government Code, is amended by adding Section 501.0052 to read as follows:

Sec. 501.0052. OFFENDER PEER EDUCATION. (a) The department shall establish a program to authorize inmates who possess specialized skills or education to provide instruction to other inmates through voluntary workshops. The department shall determine the types of workshops that may be offered and shall emphasize workshops that encourage the general dissemination of knowledge, enhance critical thinking skills, and increase the literacy of participating inmates.

(b) The department shall establish minimum requirements for participation in the program, including the requirements of inmates who will provide instruction to other inmates. The department shall establish a training course in workshop facilitation and shall require an inmate to complete the course before the inmate may provide instruction to other inmates.

(c) Each inmate who is providing instruction through a workshop must determine the curriculum for the workshop. A workshop curriculum is subject to the approval of the department. The department shall allow an inmate providing instruction through the program to use the resources of the Windham School District libraries in preparing a curriculum or course materials for a workshop.

(d) An inmate providing instruction to another inmate may only function as a teacher and advisor to the inmate and may not exercise supervisory authority or control over the inmate.

(e) The department may consider the results of any examination conducted in a workshop and the level of participation in a workshop in determining the effectiveness of the workshop.

SECTION \_\_\_\_\_. Not later than December 1, 2013, the Texas Department of Criminal Justice shall adopt rules necessary to implement Section 501.0052, Government Code, as added by this Act.

Representative Price moved to table Amendment No. 7.

The motion to table prevailed.

### **Amendment No. 8**

Representative Allen offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 501, Government Code, is amended by adding Section 501.0971 to read as follows:

Sec. 501.0971. PROVISION OF REENTRY AND REINTEGRATION INFORMATION TO INMATES. (a) The department shall identify organizations that provide reentry and reintegration resource guides and shall collaborate with those organizations to make the resource guides available to all inmates. At a minimum, the department shall collaborate with:

- (1) nonprofit entities that specialize in criminal justice issues;
- (2) faith-based organizations; and
- (3) organizations that:
  - (A) offer pro bono legal services to inmates; or
  - (B) are composed of the families and friends of inmates.

(b) The department shall make the resource guides available in the Windham School District libraries and in each of the following areas of a correctional facility:

- (1) law libraries;
- (2) peer educator classrooms;
- (3) chapels;
- (4) reintegration specialist offices; and
- (5) any area or classroom that is used by the department for the purpose

of providing information about reentry to inmates.

(c) The department shall make available a sufficient number of copies of the resource guides to ensure that each inmate is able to access a resource guide in a timely manner.

(d) The department shall identify organizations described by Subsections (a)(1) through (3) that provide information described by Subsection (e) and shall collaborate with those organizations to compile county-specific information packets for inmates. The department shall provide a county-specific information packet to an inmate not less than six months before the inmate will discharge the inmate's sentence or as soon as practicable before releasing the inmate on parole, mandatory supervision, or conditional pardon.

(e) At the minimum, a county-specific packet described by Subsection (d) must include, for the applicable county:

(1) contact information, including telephone numbers, e-mail addresses, physical locations, and mailing addresses, as applicable, of:

(A) workforce offices, housing options, places of worship, support groups, peer-to-peer counseling groups, and other relevant organizations or agencies as determined by the department and the collaborating organization;

(B) agencies and organizations that offer emergency assistance, such as food and clothing banks, temporary bus passes, low-cost medical assistance, and overnight and temporary housing; and

(C) agencies and organizations that offer mental health counseling;

and

(2) information necessary for the inmate to apply for governmental assistance or benefits, including Medicaid, social security benefits, or nutritional assistance programs under Chapter 33, Human Resources Code.

Amendment No. 8 was adopted.



**Amendment No. 9**

Representative Guillen offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) In this section, "department" means the Texas Department of Criminal Justice.

(b) The Criminal Justice Legislative Oversight Committee shall appoint an independent third party to conduct a review of the department's policies and procedures regarding the use of administrative segregation and related statistics, including:

(1) classification to administrative segregation and release from administrative segregation;

(2) security threat group classification;

(3) notification of release and release procedures;

(4) access of inmates confined in administrative segregation to:

(A) mental health services;

(B) health care services;

(C) substance abuse programs and services;

(D) reentry resources and transitional programs and services;

(E) programs and services for inmates who are veterans; and

(F) other programs and services that are available to the general inmate population;

(5) the number of inmates confined in administrative segregation who were younger than 21 years of age;

(6) the number of inmates confined in administrative segregation who were referred to mental health professionals;

(7) the average length of time inmates were continuously confined in administrative segregation; and

(8) the rate of recidivism among inmates who were confined in administrative segregation at any time before the inmates' release or discharge from the department.

(c) Not later than December 31, 2014, the independent third party shall provide a report of the third party's findings and recommendations to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over criminal justice matters. At a minimum, the report must contain detailed recommendations to:

(1) reduce the administrative segregation population in facilities operated by or under contract with the department;

(2) divert inmates with mental illness from administrative segregation; and

(3) decrease the length of time inmates are confined in administrative segregation in facilities operated by or under contract with the department.

(d) Chapter 552, Government Code, applies to:

(1) the review conducted by the independent third party under this section and all information gathered and analyzed for that review, including background research and any report or summary; and

(2) the report submitted by the independent third party under Subsection (c).

(e) This section expires February 1, 2015.

Amendment No. 9 was withdrawn.

#### **Amendment No. 10**

On behalf of Representative S. Turner, Representative S. Thompson offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 501.008, Government Code, is amended by adding Subsection (g) to read as follows:

(g) Not later than December 1 of each year, the department shall submit a report to the legislature that includes:

(1) the number of inmate grievances filed or appealed during the preceding fiscal year at each facility operated by the department or under contract with the department;

(2) information regarding the resolution of the inmate grievances; and

(3) information regarding the resources needed at the facility level to enable a facility to mitigate any issues or recurring problems relating to inmate grievances.

Amendment No. 10 was adopted.

#### **Amendment No. 11**

On behalf of Representative S. Turner, Representative S. Thompson offered the following amendment to **CSSB 213**:

Amend **CSSB 213** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 501, Government Code, is amended by adding Section 501.0101 to read as follows:

Sec. 501.0101. STUDY OF VISITATION POLICIES; REPORT. (a) The department shall conduct a study of the state jail division's visitation policies under Section 507.030(b) and the institutional division's visitation policies under Section 501.010(b). The study may include a review and consideration of policies to strengthen family relations, including:

(1) expanding child-friendly areas; and

(2) notifying individuals who are eligible to visit an offender when visitation has been canceled or rescheduled.

(b) Not later than December 31, 2014, the department shall report the results of the study to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over the department.

(c) This section expires February 1, 2015.

Amendment No. 11 was adopted.

### **Amendment No. 12**

Representatives P. King and Keffer offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the remaining SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter E, Chapter 499, Government Code, is amended by adding Section 499.1091 to read as follows:

Sec. 499.1091. CLOSURE OF UNIT. The board may close one or more units and transfer the inmates housed in a unit being closed to another unit if the board determines that the total capacity of the units that will remain in operation after the closure will exceed the projected needs of the department. The board shall prioritize the closure of the units that are the least cost-effective for the department to operate, based on the Legislative Budget Board's most recent edition of the Criminal Justice Uniform Cost Report, relative to units of similar capacity that house inmates of the same classification.

Amendment No. 12 was withdrawn.

### **Amendment No. 13**

Representatives P. King and Anchia offered the following amendment to **CSSB 213**:

Amend Amendment No. \_\_\_\_ by Keffer/King on page 1, by striking lines 10-15, and substituting the following:  
the projected needs of the department. The board shall make its determination of which private units to close taking into consideration:

(1) which units are the least cost-effective for the department to operate, based on the Legislative Budget Board's most recent edition of the Criminal Justice Uniform Cost Report, relative to units of similar capacity that house inmates of the same classification; and

(2) the level of community support, or lack thereof, for the unit as evidenced by a resolution of the commissioners court or city council of the locality in which the unit is located.

Amendment No. 13 was withdrawn.

### **Amendment No. 14**

Representatives P. King and Keffer offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the remaining SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter E, Chapter 499, Government Code, is amended by adding Section 499.1091 to read as follows:

Sec. 499.1091. CLOSURE OF UNIT. The board may close one or more units and transfer the inmates housed in a unit being closed to another unit if the board determines that the total capacity of the units that will remain in operation after the closure will exceed the projected needs of the department. The board shall prioritize the closure of the units that are the least cost-effective for the department to operate, based on the Legislative Budget Board's most recent edition of the Criminal Justice Uniform Cost Report, relative to units of similar capacity that house inmates of the same classification.

#### **Amendment No. 15**

Representative Anchia offered the following amendment to Amendment No. 14:

Amend Amendment No. 14 by P. King/Keffer on page 1 by striking lines 6-15, and substituting the following:

Sec. 499.1091. CLOSURE OF UNIT. (a) The board may close one or more privately operated units and transfer the inmates housed in a unit being closed to another unit only if state funding needed for the operations of a unit has not been appropriated.

(b) If state funding for the operations of a unit has not been appropriated, the board shall determine whether to close a unit based on the level of community support, or lack thereof, for a unit as evidenced by a letter or resolution of the commissioners court or city council of the locality in which the unit is located.

(c) If the board does not receive documented community support for a unit, the board shall make its determination of which unit to close based on consideration of the cost-effectiveness of a unit, including all costs to department; safety and security issues; staffing needs; and any other information the board and department consider relevant.

Amendment No. 15 was adopted.

Amendment No. 14, as amended, was adopted.

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

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 12 p.m. today, in 3W.9, to set a calendar.

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, 12 p.m. today, 3W.9, for a formal meeting, to set a calendar.

**CSSB 213 - (consideration continued)****Amendment No. 16**

Representative Márquez offered the following amendment to **CSSB 213**:

Amend **CSSB 213** (house committee printing) as follows:

(1) On page 1, line 15, strike "Section 493.031" and substitute "Sections 493.031, 493.032, and 493.033".

(2) On page 2, between lines 20 and 21, insert the following:

Sec. 493.032. ANNUAL REPORT. (a) Not later than January 1 of each year, the department shall submit a written report containing the information described by Subsection (b) to:

(1) the governor;

(2) the lieutenant governor;

(3) the speaker of the house of representatives; and

(4) each standing committee of the senate and house of representatives having primary jurisdiction over the department.

(b) The report must include the following information for the preceding fiscal year:

(1) the number of inmates in the general prison population who were referred to mental health professionals and the reasons for the referrals;

(2) the number of inmates confined in administrative segregation who were referred to mental health professionals and the reasons for the referrals;

(3) a summary of the types of offenses for which each inmate was imprisoned;

(4) the number of documented suicide attempts by inmates in the general prison population;

(5) the number of documented suicide attempts by inmates confined in administrative segregation;

(6) the number of inmates who were confined in administrative segregation immediately before the inmates' discharge from the department;

(7) the number of inmates who were confined in administrative segregation immediately before the inmates' release on parole or to mandatory supervision;

(8) the rate of recidivism among:

(A) inmates who were never confined in administrative segregation before the inmates' release or discharge from the department;

(B) inmates who were confined in administrative segregation immediately before the inmates' release or discharge from the department; and

(C) inmates who were confined in administrative segregation at any time prior to the inmates' release or discharge from the department and who are not described by Paragraph (B);

(9) for inmates confined in administrative segregation at any time during the fiscal year:

(A) the average length of time an inmate was continuously confined in administrative segregation;

(B) the longest and shortest length of time an inmate was continuously confined in administrative segregation;

(C) a summary of the offenses for which inmates confined in administrative segregation were imprisoned; and

(D) a summary of the reasons for which inmates were placed in administrative segregation;

(10) the number of inmates discharged or released directly from the general prison population who have obtained regular employment on or before the 180th day after the inmates' release or discharge, to the extent that information is available;

(11) the number of inmates discharged or released directly from confinement in administrative segregation who have obtained regular employment on or before the 180th day after the inmates' release or discharge, to the extent that information is available;

(12) the number of reviews conducted by the department concerning an inmate's placement in administrative segregation and the number of those reviews that resulted in the inmate being transferred to the general prison population;

(13) the number of inmates who were transferred from administrative segregation to the general prison population as a result of successfully completing a program designed to facilitate the return of an inmate to the general prison population; and

(14) information regarding the operations and activity of gangs, identified security threat groups, or other disruptive groups within each facility operated by or under contract with the department.

Sec. 493.033. INFORMATION CONCERNING COST OF CONFINEMENT IN ADMINISTRATIVE SEGREGATION. The Legislative Budget Board shall include in its Criminal Justice Uniform Cost Report the cost per day calculation of confining an inmate in administrative segregation.

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

SECTION \_\_\_\_ . Subchapter A, Chapter 501, Government Code, is amended by adding Section 501.023 to read as follows:

Sec. 501.023. USE OF ADMINISTRATIVE SEGREGATION. (a) The department shall conduct a review of the department's policies regarding the use of administrative segregation. The review must examine methods to reduce the number of inmates housed in administrative segregation, including alternatives to administrative segregation. Based on the review, the department shall develop a plan to reduce the department's use of administrative segregation.

(b) The plan must provide an inmate confined in administrative segregation with the following, based on the inmate's assessed risks and needs and the personal safety of the inmate or another person:

(1) the opportunity to participate in programs and services in the inmate's cell that are similar to the educational courses, work-related training, or other technical or vocational programs that are available to the general inmate population;

(2) increases in the amount of time the inmate is allowed out of the inmate's cell based on the length of the inmate's period of confinement in administrative segregation;

(3) the opportunity to exercise with inmates in the general prison population;

(4) daily contact with prison staff; and

(5) access to audio and visual media that provide the inmate with appropriate mental stimulation.

(c) In addition to the requirements of Subsection (b), for an inmate confined in administrative segregation for reasons other than the inmate's misconduct or disciplinary record or membership in a gang or identified security threat group, the plan must allow the inmate:

(1) adequate and regular access to mental health services; and

(2) if the inmate will be confined in administrative segregation immediately before the inmate's release or discharge from the department, access to services and programs that assist inmates in developing:

(A) the ability to obtain and maintain long-term employment and stable housing; and

(B) social skills and life skills, including building and maintaining parenting skills, anger management techniques, positive family interactions, and law-abiding behavior.

(d) The department shall develop and include in the plan a program that provides an opportunity for an inmate who is confined in administrative segregation based on the inmate's membership in a gang or security threat group to return to the general prison population. The program may not exceed eight months in length and must be available to an inmate who:

(1) has renounced the inmate's membership in the gang or security threat group; and

(2) during the one-year period preceding the inmate's application to the program has not:

(A) committed assault against another inmate or a member of the prison staff;

(B) been the subject of major disciplinary action; or

(C) participated in any gang-related or security threat group-related activity.

(e) The plan may not result in increased danger to inmates imprisoned in, or employees employed at, any facility operated by or under contract with the department.

SECTION \_\_\_\_. (a) The Texas Department of Criminal Justice shall submit the first report required under Section 493.032, Government Code, as added by this Act, not later than January 1, 2014.

(b) Not later than June 1, 2014, the Texas Department of Criminal Justice shall submit for review and comment the plan developed under Section 501.023, Government Code, as added by this Act, to:

(1) the governor;

(2) the lieutenant governor;

- (3) the speaker of the house of representatives;
- (4) each standing committee of the senate and house of representatives having primary jurisdiction over the department; and
- (5) the Legislative Budget Board.

**Amendment No. 17**

Representative Márquez offered the following amendment to Amendment No. 16:

Amend the Marquez amendment to **CSSB 213** as follows:

- (1) On page 1, strike lines 17-22.
- (2) On page 1, line 23, strike "(3)" and substitute "(1)".
- (3) On page 1, line 25, strike "(4)" and substitute "(2)".
- (4) On page 1, line 27, strike "(5)" and substitute "(3)".
- (5) On page 1, line 29, strike "(6)" and substitute "(4)".
- (6) On page 2, line 3, strike "(7)" and substitute "(5)".
- (7) Strike page 2, line 6 through page 3, line 7.
- (8) On page 3, line 8, strike "(13)" and substitute "(6)".
- (9) Strike page 3, line 12 through page 5, line 21.
- (10) On page 5, line 22, strike "(a)".
- (11) Strike page 5, line 26 through page 6, line 5.

Amendment No. 17 was adopted.

Amendment No. 16, as amended, failed of adoption.

**LEAVES OF ABSENCE GRANTED**

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

- Button on motion of Larson.
- Cook on motion of Larson.
- S. Davis on motion of Larson.
- Fruzzo on motion of Larson.
- Hunter on motion of Larson.
- Kuempel on motion of Larson.
- D. Miller on motion of Larson.

**CSSB 213 - (consideration continued)**

**CSSB 213**, as amended, was passed to third reading.

**HB 2289 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Price moved to lay **HB 2289** on the table subject to call.

The motion prevailed.



**GENERAL STATE CALENDAR  
HOUSE BILLS  
SECOND READING**

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

**CSHB 1869 ON SECOND READING  
(by Price, Creighton, P. King, Eiland, Clardy, et al.)**

**CSHB 1869**, A bill to be entitled An Act relating to contractual subrogation and other recovery rights of certain insurers and benefit plan issuers.

**Amendment No. 1**

Representative Price offered the following amendment to **CSHB 1869**:

Amend **CSHB 1869** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 140 to read as follows:

CHAPTER 140. CONTRACTUAL SUBROGATION RIGHTS OF PAYORS OF  
CERTAIN BENEFITS

Sec. 140.001. DEFINITIONS. In this chapter:

(1) "Covered individual" means an individual entitled to benefits described by Section 140.002.

(2) "Payor of benefits" or "payor" means an issuer of a plan providing benefits described by Section 140.002 that:

(A) pays benefits to or on behalf of a covered individual as a result of personal injuries to the covered individual caused by the tortious conduct of a third party; and

(B) has a contractual right of subrogation described by Section 140.004.

Sec. 140.002. APPLICABILITY OF CHAPTER. (a) This chapter applies to an issuer of a health benefit plan that provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, a disability benefit plan, or an employee welfare benefit plan, including an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage or similar coverage document, including:

(1) an insurance company;

(2) a group hospital service corporation operating under Chapter 842, Insurance Code;

(3) a fraternal benefit society operating under Chapter 885, Insurance Code;

(4) a stipulated premium insurance company operating under Chapter 884, Insurance Code;

(5) a reciprocal exchange operating under Chapter 942, Insurance Code;

(6) a health maintenance organization operating under Chapter 843, Insurance Code;

(7) a multiple employer welfare arrangement that holds a certificate of authority under Chapter 846, Insurance Code; or

(8) an approved nonprofit health corporation that holds a certificate of authority under Chapter 844, Insurance Code.

(b) Notwithstanding Section 172.014, Local Government Code, or any other law, this chapter applies to a risk pool providing health and accident coverage under Chapter 172, Local Government Code.

(c) Notwithstanding any other law, this chapter applies to an issuer of a plan or coverage under Chapter 1551, 1575, 1579, or 1601, Insurance Code.

(d) Notwithstanding any other law, this chapter applies to any self-funded issuer of a plan that provides a benefit described by Subsection (a).

(e) This chapter applies to any policy, evidence of coverage, or contract under which a benefit described by Subsection (a) is provided and:

(1) that is delivered, issued for delivery, or entered into in this state; or

(2) under which an individual or group in this state is entitled to benefits.

(f) This chapter does not apply to:

(1) a workers' compensation insurance policy or any other source of medical benefits under Title 5, Labor Code;

(2) Medicare;

(3) the Medicaid program under Chapter 32, Human Resources Code;

(4) a Medicaid managed care program operated under Chapter 533, Government Code;

(5) the state child health plan or any other program operated under Chapter 62 or 63, Health and Safety Code; or

(6) a self-funded plan that is subject to the Employee Retirement Income Security Act of 1974 (29 U.S.C. Section 1001 et seq.).

Sec. 140.003. CONFLICTS WITH OTHER LAW. In the event of a conflict between this chapter and another law, including a rule of procedure or evidence, this chapter controls to the extent of the conflict.

Sec. 140.004. CONTRACTUAL SUBROGATION RIGHTS AUTHORIZED. An issuer of a plan that provides benefits described by Section 140.002 under which the policy or plan issuer may be obligated to make payments or provide medical or surgical benefits to or on behalf of a covered individual as a result of a personal injury to the individual caused by the tortious conduct of a third party may contract to be subrogated to and have a right of reimbursement for payments made or costs of benefits provided from the individual's recovery for that injury, subject to this chapter.

Sec. 140.005. PAYORS' RECOVERY LIMITED. (a) If an injured covered individual is entitled by law to seek a recovery from the third-party tortfeasor for benefits paid or provided by a subrogee as described by Section 140.004, then all payors are entitled to recover as provided by Subsection (b) or (c).

(b) This subsection applies when a covered individual is not represented by an attorney in obtaining a recovery. All payors' share under Subsection (a) of a covered individual's recovery is an amount that is equal to the lesser of:

(1) one-half of the covered individual's gross recovery; or

(2) the total cost of benefits paid, provided, or assumed by the payor as a direct result of the tortious conduct of the third party.

(c) This subsection applies when a covered individual is represented by an attorney in obtaining a recovery. All payors' share under Subsection (a) of a covered individual's recovery is an amount that is equal to the lesser of:

(1) one-half of the covered individual's gross recovery less attorney's fees and procurement costs as provided by Section 140.007; or

(2) the total cost of benefits paid, provided, or assumed by the payor as a direct result of the tortious conduct of the third party less attorney's fees and procurement costs as provided by Section 140.007.

(d) A common law doctrine that requires an injured party to be made whole before a subrogee makes a recovery does not apply to the recovery of a payor under this section.

Sec. 140.006. ATTORNEY'S FEES IN DECLARATORY JUDGMENT ACTION. Notwithstanding Section 37.009 or any other law, if a declaratory judgment action is brought under this chapter, the court may not award costs or attorney's fees to any party in the action.

Sec. 140.007. ATTORNEY'S FEES IN RECOVERY ACTION. (a) Except as provided by Subsection (c), a payor of benefits whose interest is not actively represented by an attorney in an action to recover for a personal injury to a covered individual shall pay to an attorney representing the covered individual a fee in an amount determined under an agreement entered into between the attorney and the payor plus a pro rata share of expenses incurred in connection with the recovery.

(b) Except as provided by Subsection (c), in the absence of an agreement described by Subsection (a), the court shall award to the attorney, payable out of the payor's share of the total gross recovery, a reasonable fee for recovery of the payor's share, not to exceed one-third of the payor's recovery.

(c) If an attorney representing the payor's interest actively participates in obtaining a recovery, the court shall award and apportion between the covered individual's and the payor's attorneys a fee payable out of the payor's subrogation recovery. In apportioning the award, the court shall consider the benefit accruing to the payor as a result of each attorney's service. The total attorney's fees may not exceed one-third of the payor's recovery.

Sec. 140.008. FIRST-PARTY RECOVERY. (a) Except as provided by Subsection (b), a payor of benefits may not pursue a recovery against a covered individual's first-party recovery.

(b) A payor of benefits may pursue recovery against uninsured/underinsured motorist coverage or medical payments coverage only if the covered individual or the covered individual's immediate family did not pay the premiums for the coverage.

Sec. 140.009. CONSTRUCTION OF CHAPTER. This chapter does not create a cause of action. Nothing in this chapter shall be construed to prevent a payor of benefits from waiving, negotiating, or not pursuing any claim or recovery described by Section 140.004 or 140.005.

SECTION 2. Section 172.015, Local Government Code, is repealed.

SECTION 3. It is the intent of the legislature that if any provision, section, subsection, sentence, clause, phrase, or word of this Act or the application thereof to any person or circumstance is found to be unconstitutional, the provision, section, subsection, sentence, clause, phrase, or word is hereby declared to be severable and the balance of this Act remains effective notwithstanding such unconstitutionality. Moreover, the legislature declares that it would have passed this Act, and each provision, section, subsection, sentence, clause, phrase, or word thereof, irrespective of the fact that any provision, section, subsection, sentence, clause, phrase, or word, or any of their applications, were to be declared unconstitutional.

SECTION 4. The change in law made by this Act applies only to a contractual right of subrogation in a cause of action that accrues on or after the effective date of this Act to assert a contractual right of subrogation or recovery described by Section 140.004, Civil Practice and Remedies Code, as added by this Act.

SECTION 5. This Act takes effect January 1, 2014.

Amendment No. 1 was adopted.

**CSHB 1869**, as amended, was passed to engrossment.

**CSSB 864 ON SECOND READING**  
**(Flynn, White, Cook, et al. - House Sponsors)**

**CSSB 864**, A bill to be entitled An Act relating to a handgun proficiency course that is taken to obtain or renew a concealed handgun license.

**CSSB 864** was considered in lieu of **HB 47**.

**Amendment No. 1**

Representative Flynn offered the following amendment to **CSSB 864**:

Amend **CSSB 864** (house committee report) on page 2, line 23 of the bill, by striking "at least six [~~10~~] hours [~~and not more than 15 hours~~]" and substituting "not less than four [~~at least 10~~] hours and not more than six [~~15~~] hours".

Amendment No. 1 was adopted.

**CSSB 864**, as amended, was passed to third reading. (Anchia and C. Turner recorded voting no.)

**HB 47 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Flynn moved to lay **HB 47** on the table subject to call.

The motion prevailed.

(S. Davis now present)

**CSHB 48 ON SECOND READING**  
**(by Flynn, Guillen, Gonzales, Phillips, Lavender, et al.)**

**CSHB 48**, A bill to be entitled An Act relating to the procedure under which a person may renew a license to carry a concealed handgun.

**CSHB 48** was passed to engrossment.

(Cook, Kuempel, and Pickett now present)

**CSHB 485 ON SECOND READING**  
**(by S. Davis, Guillen, and R. Sheffield)**

**CSHB 485**, A bill to be entitled An Act relating to the amount of the fee paid by certain peace officers and veterans of the United States armed forces for a license to carry a concealed handgun; authorizing a fee.

**Amendment No. 1**

Representative P. King offered the following amendment to **CSHB 485**:

Amend **CSHB 485** (house committee printing) as follows:

(1) On page 2, line 4, between "agency" and "may", insert ", or a member of the Texas Military Forces, excluding Texas State Guard members who are serving in the Texas Legislature".

(Button, Frullo, and D. Miller now present)

Representative S. Davis moved to table Amendment No. 1.

The motion to table was lost by (Record 548): 33 Yeas, 96 Nays, 2 Present, not voting.

Yeas — Alvarado; Anchia; Burnam; Canales; Cortez; Davis, S.; Dutton; Farias; González, M.; Gonzalez, N.; Guerra; Gutierrez; Howard; Longoria; Lozano; Lucio; Martinez Fischer; McClendon; Menéndez; Moody; Naishtat; Nevárez; Oliveira; Perez; Pickett; Rodriguez, E.; Rodriguez, J.; Strama; Thompson, S.; Turner, C.; Villalba; Vo; Walle.

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

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Alonzo; Giddings; Hernandez Luna; Johnson; Keffer; Martinez; Miles; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Hunter.

Absent — Coleman; Davis, Y.; Dukes; Eiland; Farrar; Hughes; Lewis; Reynolds; Rose.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 548. I intended to vote no.

Anchia

I was shown voting yes on Record No. 548. I intended to vote no.

Cortez

I was shown voting yes on Record No. 548. I intended to vote no.

Menéndez

I was shown voting yes on Record No. 548. I intended to vote no.

Moody

I was shown voting yes on Record No. 548. I intended to vote no.

C. Turner

Amendment No. 1 was adopted.

#### Amendment No. 2

Representative Burnam offered the following amendment to **CSHB 485**:

Amend **CSHB 485** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.1952 to read as follows:

Sec. 411.1952. REDUCTION OF FEES FOR EMPLOYEES OF TEXAS DEPARTMENT OF CRIMINAL JUSTICE. Notwithstanding any other provision of this subchapter, an applicant who is an employee of the Texas Department of Criminal Justice shall pay a fee of \$25 for the issuance of an original or renewed license under this subchapter.

(Hunter now present)

#### Amendment No. 3

Representative Gonzales offered the following amendment to Amendment No. 2:

Amend Amendment No. 2 by Burnam to **CSHB 485** on line 8 by striking "an employee" and substituting "a correctional officer".

Amendment No. 3 was adopted.

Amendment No. 2, as amended, was adopted.

#### Amendment No. 4

Representative Anderson offered the following amendment to **CSHB 485**:

Amend **CSHB 485** by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS of the bill appropriately:

SECTION \_\_\_\_\_. Section 411.174(a), Government Code, is amended to read as follows:

(a) An applicant for a license to carry a concealed handgun must submit to the director's designee described by Section 411.176:

(1) a completed application on a form provided by the department that requires only the information listed in Subsection (b);

(2) one or more photographs of the applicant that meet the requirements of the department;

(3) a certified copy of the applicant's birth certificate or certified proof of age;

(4) proof of residency in this state;

(5) two complete sets of legible and classifiable fingerprints of the applicant taken by a person appropriately trained in recording fingerprints who is employed by a law enforcement agency or by a private entity designated by a law enforcement agency as an entity qualified to take fingerprints of an applicant for a license under this subchapter;

(6) a nonrefundable application and license fee, in an amount not to exceed \$95, set by and [of \$140] paid to the department;

(7) evidence of handgun proficiency, in the form and manner required by the department;

(8) an affidavit signed by the applicant stating that the applicant:

(A) has read and understands each provision of this subchapter that creates an offense under the laws of this state and each provision of the laws of this state related to use of deadly force; and

(B) fulfills all the eligibility requirements listed under Section 411.172; and

(9) a form executed by the applicant that authorizes the director to make an inquiry into any noncriminal history records that are necessary to determine the applicant's eligibility for a license under Section 411.172(a).

SECTION \_\_\_\_\_. Section 411.185(b), Government Code, is amended to read as follows:

(b) The director by rule shall adopt a renewal application form requiring an update of the information on the original completed application. The director by rule shall set the renewal fee in an amount not to exceed \$70 [~~that is sufficient to cover the actual cost to the department to renew a license~~]. Not later than the 60th day before the expiration date of the license, the department shall mail to each license holder a written notice of the expiration of the license and a renewal form.

SECTION \_\_\_\_\_. The changes in law made by this Act to Sections 411.174(a) and 411.185(b), Government Code, apply only to an application to obtain or renew a license to carry a concealed handgun submitted on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect when the application was submitted, and the former law is continued in effect for that purpose.

#### **Amendment No. 4 - Point of Order**

Representative Pickett raised a point of order against further consideration of Amendment No. 4 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

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

Representative Pickett raised a point of order against further consideration of Amendment No. 4 to **CSHB 485** under Rule 11, Section 2 of the House Rules on the ground that the amendment is not germane to the bill. The point of order is sustained.

**CSHB 485** provides for a discounted fee to be charged to veterans and certain peace officers who apply for, renew, or modify a concealed handgun license. The amendment would have capped, at a different rate than the fees outlined in **CSHB 485**, the fees that can be charged to all applicants for renewal and application for a concealed handgun license. Because the amendment sought to establish a different type of discount than the original bill to a broader class of persons than that to which the original bill applied, the amendment was not germane. See Rule 11, Section 2 of the House Rules.

The ruling precluded further consideration of Amendment No. 4.

**CSHB 485**, as amended, was passed to engrossment by (Record 549): 136 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; 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.; 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(C); 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 Fischer; McClendon; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; 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.; Villalba; Vo; Walle; White; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Alonzo; Giddings; Hernandez Luna; Johnson; Keffer; Martinez; Miles; Turner, S.; Villarreal.

Absent — Davis, Y.; Reynolds; Rose; Wu.



**STATEMENT OF VOTE**

When Record No. 549 was taken, my vote failed to register. I would have voted no.

Wu

(Speaker pro tempore in the chair)

**CSHB 508 ON SECOND READING**  
**(by Guillen, Springer, Eiland, Clardy, et al.)**

**CSHB 508**, A bill to be entitled An Act relating to certain offenses relating to carrying concealed handguns on property owned or leased by a governmental entity; providing a civil penalty.

(Speaker in the chair)

**Amendment No. 1**

Representative Flynn offered the following amendment to **CSHB 508**:

Amend **CSHB 508** (house committee printing) as follows:

(1) On page 1, lines 11-13, strike "substantially similar communication to a license holder carrying a handgun under the authority of this subchapter that" and substitute "sign expressly referring to that law or to a concealed handgun license, that a license holder carrying a handgun under the authority of this subchapter is prohibited from".

(2) On page 1, line 15, strike "is prohibited if the license holder is not prohibited" and substitute "unless license holders are prohibited".

(3) On page 2, strike lines 2-5 and substitute the following:

(d) A citizen of this state or a person licensed to carry a concealed handgun under this subchapter may file a complaint with the attorney general that a state agency or political subdivision is in violation of Subsection (a). A complaint filed under this subsection must include evidence of the violation.

(4) On page 2, line 12, between "must" and "give" insert "investigate the complaint to determine whether legal action is warranted. If legal action is warranted, the attorney general must".

(5) On page 2, between lines 23 and 24, insert the following:

(g) If the attorney general determines that legal action is warranted and that the state agency or political subdivision has not cured the violation within the 15-day period provided by Subsection (f)(3), the attorney general or the appropriate county or district attorney may sue to collect the civil penalty provided by Subsection (b). The attorney general may also file a petition for a writ of mandamus or apply for other appropriate equitable relief. A suit or petition under this subsection may be filed in a district court in Travis County or in a county in which the principal office of the state agency or political subdivision is located. The attorney general may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs.

(6) On page 2, line 24, strike "(g)" and substitute "(h)".

Amendment No. 1 was adopted.

**CSHB 508**, as amended, was passed to engrossment.

**CSHB 698 ON SECOND READING**  
**(by Springer, Hughes, Flynn, et al.)**

**CSHB 698**, A bill to be entitled An Act relating to certain procedures for submitting legible and classifiable fingerprints with an application for a license to carry a concealed handgun.

**Amendment No. 1**

Representative Springer offered the following amendment to **CSHB 698**:

Amend **CSHB 698** on page 1, line 15, between "(2)" and "does not reside", by inserting "resides in a county having a population of 46,000 or less and".

Amendment No. 1 was adopted.

**CSHB 698**, as amended, was passed to engrossment.

**CSHB 801 ON SECOND READING**  
**(by Muñoz, Guillen, Canales, and Lucio)**

**CSHB 801**, A bill to be entitled An Act relating to the discharge of a firearm across the property line of a school.

**CSHB 801** was passed to engrossment. (Phillips recorded voting no.)

**HB 78 ON SECOND READING**  
**(by Simpson, Hilderbran, S. Thompson, Lucio, Canales, et al.)**

**HB 78**, A bill to be entitled An Act relating to the exemption from the sales and use tax for certain coins and precious metals.

**Amendment No. 1**

Representative Simpson offered the following amendment to **HB 78**:

Amend **HB 78** (house committee report) by striking SECTION 3 of the bill (page 1, line 21 through page 2, line 1) and substituting the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. This Act takes effect October 1, 2013.

Amendment No. 1 was adopted.

**HB 78**, as amended, was passed to engrossment. (Wu recorded voting no.)

**CSHB 972 ON SECOND READING**  
**(by Fletcher, Flynn, Lavender, Burkett, Bell, et al.)**

**CSHB 972**, A bill to be entitled An Act relating to the carrying of concealed handguns on the premises of and certain other locations associated with institutions of higher education.

### CSHB 972 - POINT OF ORDER

Representative Canales raised a point of order against further consideration of **CSHB 972** under Rule 4, Section 32(c)(1) of the House Rules on the grounds that the committee report is incorrect.

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

Representative Canales raised a point of order against further consideration of **CSHB 972** under Rule 4, Section 32(c)(1) of the House Rules. That provision requires that each bill analysis must include "background information on the proposal and information on what the bill or resolution proposes to do." Specifically, Representative Canales argued that the statement in the background information in the bill analysis relating to a statement of current law regarding carrying concealed handguns on the premises of a school or institution of higher education is misleading.

The chair has reviewed the sections cited by Representative Canales and has reviewed the entire bill analysis, including the analysis, rulemaking, and comparison of the original to the substitute sections. The chair finds, taken together, the bill analysis accurately complies with the provisions of Rule 4, Section 32 of the House Rules. See also 81 H.J. Reg. 4138-39 (2009), (finding references may be clarified or expanded on in other sections of bill analysis).

### CSHB 972 - POINT OF ORDER

Representative M. González raised a point of order against further consideration of **CSHB 972** under Rule 8, Section 5 of the House Rules on the grounds that the names of all joint authors are not properly shown on all the official printings of the bill.

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

Representative M. González raises a point of order against further consideration of **CSHB 972** under Rule 8, Section 5 of the House Rules. Specifically, Representative M. González argues that an appendix to the House Journal in the referral of the **CSHB 972** failed to print all joint authors' names immediately following the primary author's name. Representative M. González stated she was unaware of any other error in the reporting of joint author names in the official printing of all measures, on all house calendars, and in the electronic legislative information system. A review of the official printing of all measures, all house calendars, and the electronic legislative information system indicate that the joint authors' names were printed immediately following the primary author's name. The point of order is respectfully overruled.

The purpose of the rule is to ensure that members are aware of joint authors at the time that the matter is being considered. In this case, the purpose of the rule was fulfilled when the information could be ascertained from either the official printing, the house calendar, the journal, or the electronic legislative information system. The rule also reaches only to the journal itself, not to the appendix to the journal. For instance, messages from the senate, committee reports, and other

items printed in the appendix often do not contain any author information. Finally, even if the rule reached to the printing of names in the appendix items, the point of order raised would not reach to the consideration of the bill itself, as the improper listing on a bill of a joint author who in fact had not signed a joint author form, see 79 H.J. Reg. 2939 (2005), but rather the compliance with the rule would be that the journal would be instructed to accurately reflect the information required.

### **CSHB 972 - POINT OF ORDER**

Representative E. Rodriguez raised a point of order against further consideration of **CSHB 972** under Rule 4, Section 18 and Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative E. Rodriguez raises a point of order against further consideration of **CSHB 972** under Rule 4, Section 18 and Rule 4, Section 32 of the House Rules. Specifically, Representative E. Rodriguez argues that the committee minutes and the summary of committee action of the March 14, 2013, committee meeting are incorrect. Representative E. Rodriguez points out that the summary of committee action for that meeting states that **CSHB 972** was left pending in committee. Representative E. Rodriguez also offered one page (page 4) of the March 14, 2013, committee minutes which stated: "**HB 972**. The chair laid out **HB 972**. The chair recognized Representative Fletcher to explain **HB 972**."

Representative E. Rodriguez argues that the failure to include in the minutes an express statement that the bill was left pending is error. In fact, if this were the complete state of the record, the point of order would not have been sustained. An examination of the committee minutes for the March 14, 2013, meeting and the next meeting in which this bill was dealt with make it clear that **CSHB 972** was left pending at the end of the March 14, 2013, meeting. Further, whether an item is left pending is not among the list of items required to be captured in Rule 4, Section 18 of the House Rules, although a committee chair may certainly properly record it.

More importantly, the chair has reviewed, in addition to the single page offered by Representative E. Rodriguez, the complete committee minutes of the March 14, 2013, meeting. On page 6 of those minutes, the committee reports: "Testimony taken/registration recorded for **HB 972**, **HB 1313**, **HB 1078**, and **HB 706**. (See attached witness list.) . . . The chair recognized Representative Fletcher to close on **HB 972**. **HB 972** was left pending without objection."

There was no violation of any rule, and the point of order is overruled.

### **CSHB 972 - POINT OF ORDER**

Representative Walle raised a point of order against further consideration of **CSHB 972** under Rule 11, Section 3 of the House Rules.

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

Representative Walle raised a point of order against further consideration of **CSHB 972** under Rule 11, Section 3 of the House Rules and argued that the original purpose of the bill has been changed from its introduction in the house though its passage in committee. Specifically, Representative Walle argued that a provision in the introduced bill stated that an institution of higher education "may not" adopt regulations prohibiting license holders from carrying handguns on campus but the committee substitute would allow campuses to adopt the regulations. Representative Walle argues that the change from "may not" to "may" constitutes a change in the original purpose. The point of order is respectfully overruled.

The chair has examined both the introduced version of the bill and the substitute. The section in the introduced version of the bill, which Representative Walle argued barred the institution from adopting regulation is set out below:

"(c) Except as provided by Subsection (d) or (e), an institution of higher education or private or independent institution of higher education in this state may not adopt any rule, regulation, or other provision prohibiting license holders from carrying handguns on the campus of the institution.

(d) An institution of higher education or private or independent institution of higher education in this state may establish rules, regulations, or other provisions concerning the storage of handguns in dormitories or other residential facilities that are owned or leased and operated by the institution and located on the campus of the institution.

(e) A private or independent institution of higher education in this state, after consulting with students, staff, and faculty of the institution, may establish rules, regulations, or other provisions prohibiting license holders from carrying handguns on premises that are owned or leased and operated by the institution and located on the campus of the institution."

The provisions cited by Representative Walle in the introduced version of the bill did not completely restrict institutions of higher education from adopting rules relating to prohibiting license holders from carrying handguns; rather, the provisions in Subsections (d) and (e) expressly allowed the institutions to adopt similar rules—a position also adopted in the committee substitute. See Section 1 of **CSHB 972** ("An institution of higher education in this state, after consulting with students, staff, and faculty of the institution, may adopt written rules or regulations prohibiting license holders from carrying handguns on premises . . . .").

### **CSHB 972 - POINT OF ORDER**

Representative Walle raised a point of order against further consideration of **CSHB 972** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative Walle raised a point of order against further consideration of **CSHB 972** under Rule 4, Section 32(c) of the House Rules. Specifically, Representative Walle asserts that the bill analysis is misleading because it fails to

reflect a change in the bill—the addition of the word "school" in one section—that he contends would expand state law to allow persons with written permission from a preschool, elementary school, or secondary school to carry certain weapons on campus. The point of order is respectfully overruled.

Rather than changing current law, the addition of the word "school" to Section 3(a)(1)(A) of the bill was a conforming change that did not effect a change in the law. Whereas the current statute applies to "schools or educational institutions," **CSHB 972** amends the statute to refer to schools and institutions of higher education. As a result, the bill required conforming changes to the language in order to ensure that the bill now refers to both schools, which have always been subject to this provision under the Penal Code, and institutions of higher education, which **CSHB 972** would add. Therefore, the bill analysis, which sufficiently described the changes made by the bill, was not misleading.

### **Amendment No. 1**

Representative Schaefer offered the following amendment to **CSHB 972**:

Amend **CSHB 972** (house committee report) as follows:

(1) On page 4, line 24, strike "and (l)" and substitute "(l), and (m)".

(2) On page 7, between lines 5 and 6, insert the following:

(m) It is an exception to the application of Subsection (a)(1) that the actor possessed a firearm or club while traveling to or from the actor's place of assignment or in the actual discharge of the actor's duties as a security officer if:

(1) the actor holds a security officer commission issued by the Texas Private Security Board;

(2) the actor is wearing a distinctive uniform; and

(3) the firearm or club is in plain view.

Amendment No. 1 was adopted.

### **Amendment No. 2**

Representative P. King offered the following amendment to **CSHB 972**:

Amend **CSHB 972** (house committee printing) as follows:

(1) On page 2, strike lines 6 through 9 and substitute "institution."

(2) On page 2, line 11, between "Subsection (b)" and "shall", insert ", or a private or independent institution of higher education that does not adopt a rule, regulation, or other provision or take any other action described by Section 46.03(j), Penal Code,"

(3) Strike all of the language appearing on page 2, line 19, through page 3, line 13.

(4) On page 5, line 14, between "education" and the underlined comma, insert "or private or independent institution of higher education".

(5) On page 6, strike lines 18-21 and substitute the following:

(j) Subsection (a)(1)(B) does not preclude a private or independent institution of higher education from adopting a rule, regulation, or other provision or from taking any other action to prohibit license holders from carrying handguns on premises owned or leased and operated by the institution, on any

grounds or building owned or leased by the institution and on which an activity sponsored by the institution is being conducted, or on a passenger transportation vehicle of the institution.

(6) On page 6, line 25, between "education" and "if the hospital", insert "or private or independent institution of higher education".

(7) On page 7, line 5, between "education" and "if the institution", insert "or private or independent institution of higher education".

(8) On page 7, line 7, strike "amending Subsections (b) and (i) and".

(9) Strike all of the language appearing on page 7, line 9, through page 8, line 15.

(10) On page 8, line 17, between "education" and "as", insert "or private or independent institution of higher education".

(11) On page 8, line 27, to page 9, line 1, strike "Sections 46.03 and 46.035, Penal Code, as amended" and substitute "Section 46.03, Penal Code, as amended by this Act, and Section 46.035(l), Penal Code, as added".

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Eiland offered the following amendment to **CSHB 972**:

Amend **CSHB 972** (house committee printing) as follows:

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

(g) This section does not permit a person to possess a concealed handgun, or go with a concealed handgun, on the premises maintained or operated by an institution of higher education that is used for the operation of a national biocontainment laboratory, if the institution gives effective notice under Section 30.06, Penal Code.

(2) On page 4, line 24, strike "and (l)" and substitute "(l), and (m)".

(3) On page 7, between lines 5 and 6 insert the following:

(m) Subsection (a)(1)(B) does not permit a person to possess a concealed handgun, or go with a concealed handgun, on the premises maintained or operated by an institution of higher education that is used for the operation of a national biocontainment laboratory, if the institution gives notice under Section 30.06, Penal Code.

Amendment No. 3 was adopted.

### **Amendment No. 4**

Representative Lavender offered the following amendment to **CSHB 972**:

Amend **CSHB 972** (house committee printing) on page 2, line 6, between the underlined period and "An institution", by inserting the following:

A written rule or regulation adopted under this subsection may remain in effect for not more than one year after the date of adoption and may be renewed, reenacted, or reenacted and amended by the institution only after consultation with students, staff, and faculty of the institution.

Amendment No. 4 was adopted.

**Amendment No. 5**

Representative Kleinschmidt offered the following amendment to **CSHB 972**:

Amend **CSHB 972** (house committee printing) as follows:

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

(e) An institution of higher education or private or independent institution of higher education in this state may not adopt or enforce any rule, regulation, or other provision or take any other action, including posting notice under Section 30.06, Penal Code, prohibiting a student enrolled at that institution who holds a license to carry a concealed handgun under Subchapter H, Chapter 411, Government Code, from transporting or storing a handgun of the same category the student is licensed to carry or ammunition for that handgun in a locked, privately owned motor vehicle or a motor vehicle leased by or for the student:

(1) on a street or driveway located on the campus of the institution; or

(2) in a parking lot, parking garage, or other parking area located on the campus of the institution.

(2) Reletter subsequent subsections of added Section 411.2031, Government Code, accordingly.

Amendment No. 5 was adopted.

**Amendment No. 6**

Representative Canales offered the following amendment to **CSHB 972**:

Amend **CSHB 972** (house committee printing) as follows:

(1) On page 1, line 13, between "Code" and the underlined period, insert the following:

", except that for purposes of this section, an institution of higher education that is located within 75 miles of an international border is considered to be a private or independent institution of higher education"

(2) On page 6, line 12, between "Code" and the underlined period, insert the following:

", except that for purposes of this section, an institution of higher education that is located within 75 miles of an international border is considered to be a private or independent institution of higher education"

Amendment No. 6 failed of adoption. (Toth recorded voting no.)

**Amendment No. 7**

Representative Patrick offered the following amendment to **CSHB 972**:

Amend **CSHB 972** (house committee printing) as follows:

(1) On page 1, line 24, between "consulting with" and "students", insert "law enforcement".

(2) On page 2, line 20, between "consulting with" and "students", insert "law enforcement".

Amendment No. 7 was adopted.



**CSHB 972 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE C. TURNER: So, I want to make sure I understand—that the body understands—where this bill is right now, because we've adopted several amendments—some of which I think are significant; some, maybe, were not so significant. But, as your bill stands right now, an institution has the ability to opt-out of campus-carry, right?

REPRESENTATIVE FLETCHER: Sure.

C. TURNER: Okay. An institution is—help me understand what an institution is. Let's take the UT System, for example. You have several universities in The University of Texas System. Does each institution in that system have its own ability to opt-in or opt-out?

FLETCHER: It's essentially going to be the president of the university who makes that decision.

C. TURNER: The president of the university, okay. So, you could have one school in the UT System decide that they want to have campus-carry, and another school in the UT System decide that they don't want to have it?

FLETCHER: I think that would be the case, yes.

C. TURNER: So, that's your intent?

FLETCHER: That's my intent.

C. TURNER: And then, is—if the university president, after consulting with faculty and students and the other things prescribed for in your bill, makes his or her decision, is that decision in any way appealable?

FLETCHER: I don't have any—there's no reference to that in the bill, and I think that will be up to the university itself. There's going to be regents and other parties in play, but I think that was just alluded to—the president will be the determiner of that.

C. TURNER: You mentioned regents, and that kind of gets to my question. If, let's say a university president, after consulting with faculty, and staff, and students, decides that they're going to opt-out, and someone opposes that decision, can they go to the board of regents—to the chancellor or the board of regents—and try to overturn that university president's decision?

FLETCHER: Well, Chris, in reality, I think, you know, we're chasing rabbit trails here. The reality of it is, all of those parties that are part of the leadership in a university are going to come together and make those kinds of decisions. I can't see a situation where a president is going to decide his university is either opting-in or opting-out and that being changed, publicly. They're going to deal with this in their own meetings, and they're going to make those decisions, and then come forward to the public with it.

C. TURNER: Well, I think there's been a number of examples in the news recently about some—sometimes university presidents have different perspectives on things than their corresponding board of regents, you would agree with that, would you not?

FLETCHER: I've heard that, yes.

C. TURNER: Okay, and university presidents are professional academics and administrators; board of regents are political appointees, are they not?

FLETCHER: Right.

C. TURNER: So, my question is, is the intent of your bill structured in a way so that we keep politics out of it from political appointees, and this decision rests squarely in the hands of the local university, in-house there?

FLETCHER: Yes, that's what I understand. That was my intent.

C. TURNER: That is your intent?

FLETCHER: With no appeal.

C. TURNER: Okay.

FLETCHER: I think that would be up to the leadership.

C. TURNER: Okay.

### REMARKS ORDERED PRINTED

Representative C. Turner moved to print remarks between Representative Fletcher and Representative C. Turner.

The motion prevailed.

### CSHB 972 - POINT OF ORDER

Representative Walle raised a point of order against further consideration of **CSHB 972** under Rule 4, Section 18 of the House Rules on the grounds that the committee minutes are incomplete.

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

Representative Walle raised a point of order against further consideration of **CSHB 972** under Rule 4, Section 18 of the House Rules. The point of order is respectfully overruled.

Representative Walle observes that the minutes for the hearing at which **CSHB 972** was considered show that at 2:29 p.m., the committee reconvened. Roll was called, and Representative Cortez was shown as present. After showing that a quorum was present and before the committee considered any bills, the minutes show "Representative Cortez now present." Representative Walle asserts that showing Representative Cortez as now present meant that either Representative Cortez had not initially been in attendance, such that the record of the roll call was inaccurate, or that the notation that he was now present was inaccurate because he had been present the entire time.

The chair notes that committee minutes do not reflect the precise moment when a committee member has left a hearing. Indeed, after the roll was called, the committee considered eight bills for which Representative Cortez was present and voting on the bills. Then, on the votes for the ninth bill and tenth bill, which was **CSHB 972**, Representative Cortez is shown as absent. This notation

regarding his absence during votes is one of the few instances following a roll call when a committee member that has left is shown in the minutes. In any event, the notation that Representative Cortez was "now present" following a roll call in which he was also shown as present did not necessarily reflect an error in the roll call, but instead may have reflected either that Representative Cortez briefly left the room or that he was redundantly, but nonetheless accurately, recorded as being present.

#### **Amendment No. 8**

Representative Patrick offered the following amendment to **CSHB 972**:

Amend **CSHB 972** (house committee printing) on page 2, line 17, between "events" and "that", by inserting "or other official mass gatherings".

Amendment No. 8 was adopted.

**CSHB 972**, as amended, was passed to engrossment. (Allen, Anchia, E. Rodriguez, and C. Turner recorded voting no.)

#### **HB 1009 ON SECOND READING**

**(by Villalba, G. Bonnen, Fletcher, Menéndez, Keffer, et al.)**

**HB 1009**, A bill to be entitled An Act relating to the creation of a new category of law enforcement officer who shall be designated a school marshal, the training and appointment of certain employees of a school district or open-enrollment charter school as school marshals, and the rights, restrictions, limitations, and responsibilities of school marshals; authorizing the imposition of a fee.

(Speaker pro tempore in the chair)

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

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

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

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

#### **HB 1009 - (consideration continued)**

#### **HB 1009 - POINT OF ORDER**

Representative Walle raised a point of order against further consideration of **HB 1009** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

### LEAVES OF ABSENCE GRANTED

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

Herrero on motion of Eiland.

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

Geren on motion of Ritter.

### HB 1009 - (consideration continued)

#### POINT OF ORDER DISPOSITION

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

Representative Walle raised a point of order against further consideration of **HB 1009** under Rule 4, Section 32(c) of the House Rules. Specifically, Representative Walle asserts that the bill's provision that a person may renew the school marshal license by completing a renewal course that "will not exceed 16 hours combined of classroom and simulation training" is inconsistent with the bill analysis's statement that the bill "sets out minimum training and aptitude requirements" for school marshal license renewal. Representative Walle emphasizes that a 16-hour limit on classroom training is inconsistent with the description of minimum standards. The point of order is respectfully overruled.

Representative Walle is correct that the bill requires a renewal course that may not exceed 16 hours of classroom and simulation training. In addition, the bill also requires persons seeking renewal of a school marshal license to demonstrate knowledge on a written exam, demonstrate handgun proficiency, and demonstrate psychological fitness. These four requirements together, which are listed together in Subsection (h) of the bill, constitute the minimum training and aptitude requirements to which the bill analysis refers.

**HB 1009** was passed to engrossment. (Herrero and E. Rodriguez recorded voting no.)

### SB 299 ON SECOND READING

(Sheets, Fletcher, Fallon, Paddie, Isaac, et al. - House Sponsors)

**SB 299**, A bill to be entitled An Act relating to the intentional display of a handgun by a person licensed to carry a concealed handgun.

**SB 299** was considered in lieu of **HB 1304**.

**SB 299** was passed to third reading.

### HB 1304 - LAID ON THE TABLE SUBJECT TO CALL

Representative Sheets moved to lay **HB 1304** on the table subject to call.

The motion prevailed.

**HB 1314 ON SECOND READING**  
**(by Creighton, Price, et al.)**

**HB 1314**, A bill to be entitled An Act relating to the unlawful seizure of a firearm by a governmental officer or employee; providing penalties.

**HB 1314** was passed to engrossment. (Anchia, Herrero, E. Rodriguez, and C. Turner recorded voting no.)

**HB 1421 ON SECOND READING**  
**(by Perry, et al.)**

**HB 1421**, A bill to be entitled An Act relating to the disposition of certain seized weapons.

**HB 1421** was passed to engrossment.

**CSHB 777 ON SECOND READING**  
**(by White, et al.)**

**CSHB 777**, A bill to be entitled An Act relating to oversize or overweight vehicles transporting timber or timber products; authorizing fees and civil penalties.

**Amendment No. 1**

Representative White offered the following amendment to **CSHB 777**:

Amend **CSHB 777** (house committee printing) on page 6, between lines 14 and 15, by inserting the following:

(e) This section does not apply to a vehicle or combination of vehicles that are being used to transport unrefined timber, wood chips, or woody biomass from a storage yard to the place of first processing.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative White offered the following amendment to **CSHB 777**:

Amend **CSHB 777** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 623.011, Transportation Code, is amended by amending Subsection (g) and adding Subsection (h) to read as follows:

(g) Except as provided by Subsection (h), a [A] vehicle operating under a permit issued under this section may exceed the maximum allowable gross weight tolerance allowance by not more than five percent, regardless of the weight of any one axle or tandem axle, if no axle or tandem axle exceeds the tolerance permitted by Subsection (a).

(h) A vehicle or combination of vehicles operating under both a permit issued under this section and a permit issued under Section 623.321 may operate at weight limits that do not exceed those prescribed by Section 622.041.

Amendment No. 2 was adopted.

**CSHB 777**, as amended, was passed to engrossment.

**HB 1349 ON SECOND READING**  
**(by Larson, et al.)**

**HB 1349**, A bill to be entitled An Act relating to information that may be requested by the Department of Public Safety from a person applying for or renewing a concealed handgun license.

**HB 1349** was passed to engrossment. (Herrero and E. Rodriguez recorded voting no.)

**HB 1245 ON SECOND READING**  
**(by S. Turner)**

**HB 1245**, A bill to be entitled An Act relating to the allocation of money in the judicial and court personnel training fund.

**HB 1245** was passed to engrossment. (Button, Cook, Hunter, Phillips, and Springer recorded voting no.)

**HB 1076 ON SECOND READING**  
**(by Toth, Klick, Springer, Phillips, D. Bonnen, et al.)**

**HB 1076**, A bill to be entitled An Act relating to certain firearms, firearm accessories and firearm ammunition within the State of Texas; providing an exemption from federal regulation and providing penalties.

**HB 1076 - REMARKS**

REPRESENTATIVE TOTH: It's my privilege to present **HB 1076**, the Firearms Protection Act. The coauthor of the 2nd Amendment, George Mason, stated that, "To disarm the people is the best and most effectual way to enslave them." All over the United States, Americans—democrats and republicans—are asking for us to preserve, protect, and defend their 2nd Amendment rights, and that's what **HB 1076** does.

REPRESENTATIVE BURNAM: How much has the attorney general already spent in federal litigation in the last two years?

TOTH: I really couldn't answer that question, Lon.

BURNAM: How much do you think he's going to end up having to spend if we pass this unenforceable and unconstitutional law?

TOTH: This came back with a zero number from the Legislative Budget Board.

BURNAM: Isn't that because they don't prospectively think about how much it's going to cost us in court to defend this?

TOTH: I couldn't tell you, but we were very careful to make sure that the attorney general was involved in drafting this bill so that we could make sure that we had something that would be air-tight.

BURNAM: Something that he would enjoy taking to court?

TOTH: Well, I don't think that anyone wants to go to court.

BURNAM: Well, I've been assured that at least one AG asked for it and said that he'd cover the cost.

### **Amendment No. 1**

Representative Nevárez offered the following amendment to **HB 1076**:

Amend **HB 1076** (house committee report) on page 2 of the bill, between lines 7 and 8, by adding the following:

(f) It is an exception to the application of this section that the person's seizure of a firearm was:

(1) initiated by the Organized Crime and Drug Enforcement Task Force overseen by the United States Department of Justice;

(2) initiated by the Safe Streets Violent Crimes Initiative overseen by the Federal Bureau of Investigation; or

(3) part of a joint initiative between a federal law enforcement agency and any law enforcement agency of:

(A) this state; or

(B) a political subdivision of this state.

### **AMENDMENT NO. 1 - REMARKS**

REPRESENTATIVE NEVÁREZ: My amendment—and I hate to tell you that it's a simple amendment—it is, but everybody seems to say that when it's not, but this is. What it does is it allows an exemption for border task forces. As you know, or may not know, along the border we have a lot of task forces that include state officials or state law enforcement, along with federal, which are the organized crime task forces, along with the DEA task forces. The way the bill is written—I don't agree with the way the bill is written, but in order to try to craft something that's a little more palatable to district attorneys and people that fight crime along the border, especially with border security as an issue, I think it's only fair to have this type of protection in. Because the way I read the bill—and although I didn't really hear much of an explanation of how the bill is supposed to work, and I think in all fairness to the members who are going to have to vote this bill, it's only fair for the author to really tell you the nuts and bolts of this bill, and we didn't hear that. And while it's not my bill, and it's not my place to tell you the nuts and bolts of the bill, I will tell you that if we can carve out some exemptions for people trying to do a decent and good job of protecting us along the border, then that's something that needs to be done on this bill.

But if we're going to be passing bills out of this house that are going to limit the opportunity for the federal authorities to do their job, limit the state officials to do their job, we need a much better explanation on second reading. We didn't get it, and therefore I'm offering this amendment up. I know it's not acceptable to the author, but it does something in strengthening the border, and keeping those officials out of the crosshairs of overzealous prosecutors, overzealous legislators, in some cases, and basically keeping them out of the way of ourselves. So, anyway, we move passage on our amendment.

REPRESENTATIVE TOTH: Members, the Firearms Protection Act supports and protects local sheriffs and law enforcement officers working hard to protect our 2nd Amendment rights. It sends a very clear message to our constituents that we support Texans in any unconstitutional overreach, whether it's local, state, federal—anything. It's very specific. It has a laser beam approach which is to protect certain kinds of weapons that the federal or state government may choose to take away from us. And that's that. It's very, very simple. It's a very clean bill, and because it's a clean bill, it's one of the only bills that the San Antonio Police Officers Association defended. When they came here to testify against all other bills, this was the only one that they liked. So, I move we table the amendment.

NEVÁREZ: Look, I'm going to tell you that I'm a gun owner, and I support 2nd Amendment rights, but that's just rhetoric. It doesn't tell us what the bill does. I mean, we can sit up here all day long and talk about, it protects 2nd Amendment rights, and it does this, and it keeps the federal government from doing this to us—but that is rhetoric. What does this bill do, and where is it going to take us as a legislative body? And again, I don't agree with this legislation, but if we're going to do something like this, we need to be able to carve out something so the men and women who are trying to protect us along the border can do their jobs without fear of prosecution.

REPRESENTATIVE HOWARD: I am trying to follow all these bills that are coming along and trying to keep up with what's happening here, and it looks to me while I'm reading this, in your amendment, is there some potential problem with state and local governments in terms of, perhaps, grant money from the federal government—or whatever—are they putting certain things in jeopardy if they did not follow federal rules and regulations?

NEVÁREZ: I think there is. We just passed out of second reading Representative Creighton's bill, which I think addresses a lot of this stuff, so we're going into an area—I'm going to take my legislator cap off and put my lawyer cap on, and say, you know what, this just doesn't pass muster. And, I mean, there are a whole lot of ways we can protect our 2nd Amendment rights, and they are very important, not just in this state but across the country. But this bill doesn't do that, and for somebody to come up here—and no disrespect to Representative Toth, because I know he's worked very hard on this—you can't come up here and just say, this is about 2nd Amendment rights, it's about American freedom. That's not good enough. It shouldn't be good enough for this body when we make this decision to vote this out on second reading and take it to third reading. We should expect more so that we can defend this position. When we walk out those doors, and they say, what have you done with respect to federal rights, state rights, and how do these things work together? And, I mean, I know you all—each and every one of the representatives who are sitting here have read this bill packet and have read the bill—I know you've read them, but the people who are watching up there, for the people who are watching at home, that's not good enough.

HOWARD: Is there some other way, you think, to accomplish what Representative Toth is attempting to do here without putting our government employees in the position of being in violation and criminalizing what they do?



NEVÁREZ: Well, I will tell you this, Representative Creighton's bill goes a long way to do that, and I don't think it puts us in the position that this bill puts us in. If not, I would've gotten up and said so, because I feel that strongly about it.

HOWARD: So, what you're trying to do with your amendment is at least carve out your particular area so they don't necessarily—they're not putting themselves in jeopardy of violating federal regulations and rules?

NEVÁREZ: Well, you know, we hear, and sometimes we have jests, we hear a lot of joking on the floor about border security and local control, but I'm dead serious. I mean, this is about border security. So, when you start putting these people, men and women who work very hard, put their lives on the line and their livelihood on the line, and you subject them to—I'm not a slippery slope guy in the least. I'm not. But I can tell you, this bill, it's not a slippery slope. It will subject them to prosecution—needless prosecution. It will subject security forces along the border, and it will hamper their efforts to do what they need to do. And so, the author of the bill needs to come up here and tell us, this is the reasons why it won't. And we're not hearing that. All we're hearing about why it's such a great a bill for America, for 2nd Amendment rights. There's a lot of great bills that we passed today that protect 2nd Amendment rights—great. But on this one, we really need to sit back and look at it, and I appreciate that Representative Toth has gotten the AG's input, but, you know, in the baseball tournament, the AG's batting 1,000 right now when it comes to battling the federal government on things he thinks are important.

Representative Toth moved to table Amendment No. 1.

The motion to table prevailed.

## **Amendment No. 2**

Representative C. Turner offered the following amendment to **HB 1076**:

Amend **HB 1076** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. If the legality or constitutionality of any provision of this Act is challenged by the federal government, the attorney general may not expend state funds in the defense of any provision of this Act. The attorney general may not use any provision of this Act as a basis for bringing suit against any branch or agency of the federal government.

## **AMENDMENT NO. 2 - REMARKS**

REPRESENTATIVE C. TURNER: We've had a lot of bills on the floor today relating to 2nd Amendment rights, and I'm a strong supporter of the 2nd Amendment. I've supported some of the bills we voted on today, I've opposed others. This bill, though, to me, isn't really about the 2nd Amendment. This bill is simply about making a political statement that we don't like what's going on in Washington, D.C., and therefore we're going to pass a law that is unenforceable

and is simply making a political statement. And, essentially, that we're going to somehow pass some version of nullification in year 2013, when nullification was decided in President Andrew Jackson's time.

So I'm offering an amendment that says that if this law—or if this bill becomes law, and is ultimately challenged by the federal government, that the attorney general of our state may not expend any state funds in the defense of this Act, nor may the AG use this Act as a basis for bringing suit against the federal government. We have, as I've talked about on this floor before, currently, a lot of lawsuits against the federal government right now which have spent a lot of our taxpayer money challenging various aspects of federal law, and this is simply to protect the taxpayers, to see that we don't waste any more money challenging what is almost certainly an unconstitutional law.

REPRESENTATIVE BURNAM: Representative Turner, with this amendment what you're suggesting, since this is largely political rhetoric and not relevant to governing the State of Texas, that maybe somebody else should pay for it instead of the people of Texas?

C. TURNER: Exactly.

BURNAM: And you said we've had a lot of litigation offered up by the attorney general, maybe in the scores, and we've spent maybe in the millions in political posturing and litigation by the attorney general's office.

C. TURNER: In my opinion, absolutely so. We've seen numerous lawsuits against the EPA, against the Department of Justice, against the Affordable Care Act, which is ultimately upheld by the Supreme Court. So, I think we've seen a lot of, in my opinion, waste of state resources challenging federal laws, all in an attempt to make a political statement. And I understand that there are people in our state government who don't support the current administration, and that's their right, and I respect that right. I don't know that they should have the right to so freely use taxpayer money and taxpayer resources to make political statements against the current administration. And so, I'm just trying to limit that here in the context of this bill, because this bill is simply, in my view, a political statement.

BURNAM: Are you familiar with how many millions of dollars has been spent by the attorney general's office with law firms outside of the State of Texas in pursuing this political agenda?

C. TURNER: I don't recall the exact number. I know it's in the several millions though, I believe.

BURNAM: Several millions. And did you hear me earlier when I was here at the back mic and it was volunteered to my right ear, literally and figuratively, that an AG's aspirant would be willing to pay these court costs? That they were given the opportunity to do so and that a nonprofit entity could handle these costs if they were sincerely interested in pursuing this at their own expense and not the taxpayers' expense.

C. TURNER: I think that's a great point, and if this becomes laws worth defending, I'm sure people would rise up to the occasion to raise the money—

BURNAM: Thank you for this very fiscally conservative and responsible proposed amendment.

REPRESENTATIVE LOZANO: Representative, you know in my second term on Energy Resources, I appreciate what Texas has been able to do on the oil and gas sector. You know that we have more funds available this session, right, because of oil and gas?

C. TURNER: Yes, the oil and gas industry is doing very well. I would agree.

LOZANO: Yes, sir. And you mentioned the AG has challenged federal action on various occasions, and that that to you is making a political statement, and it's not—

C. TURNER: In several instances, I—and if I wasn't clear, I'll make myself clear. I don't purport that every single lawsuit is—

LOZANO: You mentioned the EPA a while ago with Representative Burnam, and do you remember the Endangered Species Act, when Washington was basically adding moths and salamanders which would have shut off the Eagle Ford Shale, and which would have rendered us this session with probably a shortfall and not able to increase funds to public education, is that correct? If it weren't for Attorney General Abbott suing the federal government, would that Endangered Species Act not be in effect right now?

C. TURNER: The Endangered Species Act is in effect right now. The attorney general has not successfully overturned the Endangered Species Act yet.

LOZANO: Well, it's not enforced.

C. TURNER: I think what you're referring to involves a—

LOZANO: We're drilling right now where there are moths and salamanders, right?

C. TURNER: I'm not advised about moths and salamanders, so I will take your word on that.

LOZANO: Well, it's on the Endangered Species Act, but you weren't here last session—but it was a big fight last session. What I want to point out and I want to ask you is, were it not for attorney general, wouldn't we be in a far worse financial position today, and isn't your amendment actually political posturing—what you're standing for right now?

C. TURNER: Well, Representative, this bill is political posturing, and what I'm trying to do with this amendment—

LOZANO: You're asking the attorney general not to spend any money.

C. TURNER: You asked me a question, Representative, I'd like to respond to your question.

LOZANO: Quickly, quickly.

C. TURNER: Well, I'll respond to it in as long as it takes.

LOZANO: Quickly. I see the gavel behind you.

C. TURNER: I see them. So, Representative, this bill is political posturing. We have a Supremacy Clause in the United States Constitution—

REPRESENTATIVE TOTH: In 2008, the case of *McDonald v. Chicago*, Antonin Scalia, representing the majority of opinion, looked back on a very difficult time in Americans' history. When slaves, who are now free, were fighting for their freedom again after the Civil War, white—prior white slave owners took guns away from them. And Antonin Scalia said preservation of the 2nd Amendment was imperative so that they could be free. There are 27 amendments in the Constitution. Twenty-seven. And there's only one that says "shall not be infringed." This amendment to my bill seeks to keep the attorney general from preserving this right that keeps all people free, and I'd ask that we table it.

REPRESENTATIVE WALLE: I see that you're holding your pocket constitution there. Are you familiar with the Supremacy Clause?

TOTH: I am familiar with the Supremacy Clause. The Supremacy Clause is certain and inclusive of anything that which is not constitutional.

WALLE: Is your bill political posturing?

TOTH: No, absolutely not, Mr. Walle.

WALLE: Why would it not be political posturing?

TOTH: It's not political posturing if you're infringing on someone's 2nd Amendment right, which is what is underway right now.

WALLE: You know we just passed a slew—by voice vote—a slew of pro-gun legislation, right now, and so what—I mean, what is it? Are you not political posturing, or are you—

TOTH: It's not political posturing. We're here for five months, 140 days, every two years. The purpose of this bill is to ensure that over the next two years, no laws—federal laws or state actions—will be taken to infringe on 2nd Amendment rights.

WALLE: Do you know how much money would be—did you consider the cost, the future cost to litigation by trying to again posture and say that you're beating down against President Obama and the Justice Department by filing these lawsuits—

TOTH: Well, I hope this isn't about the president—

WALLE: Did you anticipate any cost to your—and I know you mentioned earlier that the LBB came back with no fiscal implications, but there will be fiscal implications, you're aware of that, right?

TOTH: It's imperative that we protect and defend the 2nd Amendment right. Now, if you're saying that the federal government wants to infringe on those 2nd Amendment rights, then that would be the only reason why they would bring an action against this, and if that's what you're saying, then I hope that's not true.

WALLE: The U.S. Senate hasn't even—they had a bill that died, so why are we actually passing your bill to try to do this?

TOTH: The fact that another bill could come up in the next month when we're out of session is why we're passing this bill.

WALLE: So do you think that the U.S. Congress is going to pass—

TOTH: We're only in session 140 days every two years.

WALLE: After watching what transpired in Washington, D.C. over just background checks to guns—that going down. What is the purpose of your bill then? We already know that these types of pieces of legislation in congress don't pass.

TOTH: Again, we're only in session for five months, 140 days every two years. The purpose of the bill is to ensure that over the next two years, we continue to preserve, protect, and defend all Texans' 2nd Amendment rights. If you don't think that the bill is substantive, you think it's just hyperbole, then there won't be any lawsuit.

WALLE: I would suggest to you to read all of the U.S. Constitution, the whole—every last word of the U.S. Constitution.

TOTH: I have, and you can find underlining and highlighting throughout the whole thing.

C. TURNER: I won't spend much more time on this, but I'll just say, this bill is not about the 2nd Amendment, okay. We've had plenty of votes today that were bills, arguably, about the 2nd Amendment. As I've said, I supported some of those, some of those I didn't support, but this bill is not about the 2nd Amendment. This bill is about saying that we're making a political statement that we don't like President Obama and we don't like what's going on in Washington, and we can go back home and say we took it to the president. That's what this bill is about, and that's fine. If members want to do that, I'm not going to support it, but if members want to do that, that's fine. But if we're going to make a political statement, let's not let that political statement cost taxpayer money by enabling the attorney general to sue or to defend this unconstitutional law when the federal government or someone seeks to have it overturned.

We know this is unconstitutional and we know it's a violation of the Supremacy Clause. This is a matter that was settled in 1821 in *McCulloch v. Maryland*, and the chief justice, John Marshall, in that decision very clearly stated that the state formed a union in order for the union to govern the country—not some of the country, not part of the country, all of the country. And sometimes we don't like the decisions that get made in Washington, D.C.—heaven knows I don't like some of the decisions that are made in Washington, D.C. in my lifetime—but that's the system we have. That is the United States of America and that is our U.S. Constitution. This is an unconstitutional bill that is before us today. Again, I get that people want to make a political statement by voting for it,

and that is fine, that is your right, but let's not let a political statement cost our state taxpayers more money than it should. I ask you vote no on the motion to table.

### **LEAVES 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 Ritter.

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

Farias on motion of Guillen.

Martinez Fischer on motion of E. Rodriguez.

Smithee on motion of Raymond.

### **HB 1076 - (consideration continued)**

Representative Toth moved to table Amendment No. 2.

The motion to table prevailed by (Record 550): 82 Yeas, 33 Nays, 2 Present, not voting.

Yeas — Anderson; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Farney; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Hilderbran; Hunter; Isaac; Kacal; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lozano; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Patrick; Perry; Phillips; Price; Raney; Ratliff; Riddle; Ritter; Sanford; Schaefer; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Zedler; Zerwas.

Nays — Allen; Alvarado; Anchia; Canales; Coleman; Cortez; Davis, Y.; Deshotel; Dukes; Eiland; González, M.; Gonzalez, N.; Guerra; Howard; Huberty; Klick; Longoria; Lucio; Márquez; McClendon; Moody; Muñoz; Nevárez; Pickett; Pitts; Reynolds; Rodriguez, E.; Rodriguez, J.; Thompson, S.; Turner, C.; Vo; Walle; Wu.

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

Absent, Excused — Alonzo; Farias; Geren; Giddings; Hernandez Luna; Herrero; Johnson; Keffer; Martinez; Martinez Fischer; Miles; Smithee; Turner, S.; Villarreal.

Absent, Excused, Committee Meeting — Otto.

Absent — Ashby; Callegari; Collier; Dutton; Farrar; Fletcher; Hughes; King, K.; Lewis; Menéndez; Naishtat; Oliveira; Perez; Raymond; Rose; Sheets; Strama; Workman.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 550. I intended to vote no.

Burnam

I was shown voting no on Record No. 550. I intended to vote yes.

Huberty

I was shown voting no on Record No. 550. I intended to vote yes.

Klick

When Record No. 550 was taken, I was in the house but away from my desk. I would have voted no.

Menéndez

When Record No. 550 was taken, I was temporarily out of the house chamber. I would have voted yes.

Sheets

**HB 1076** was passed to engrossment. (Allen, Anchia, Herrero, Moody, Pickett, E. Rodriguez, and C. Turner recorded voting no.)

**CSHB 1913 ON SECOND READING**

(by Bohac and Zedler)

**CSHB 1913**, A bill to be entitled An Act relating to the waiver of penalties and interest on certain delinquent ad valorem taxes.

**REMARKS ORDERED PRINTED**

Representative Burnam moved to print all remarks on **HB 1076**.

The motion prevailed.

**CSHB 1913 - (consideration continued)****Amendment No. 1**

Representative Eiland offered the following amendment to **CSHB 1913**:

Amend **CSHB 1913** (house committee printing) as follows:

(1) On page 1, line 6, strike "Subsection (i)" and substitute "Subsections (i) and (j)".

(2) On page 1, line 8, strike "Subsection (a)(1) or (3), (b), or (h)" and substitute "Subsection (a)(1) or (3), (b), [~~or~~] (h), or (j)".

(3) On page 2, between lines 11 and 12, insert the following:

(j) The governing body of a taxing unit may waive penalties and interest on a delinquent tax if the taxpayer submits evidence sufficient to show that the taxpayer delivered payment for the tax before the delinquency date to:

(1) the United States Postal Service for delivery by mail, but an act or omission of the postal service resulted in the taxpayer's payment being postmarked after the delinquency date; or

(2) a private delivery service for delivery, but an act or omission of the private carrier resulted in the taxpayer's payment being received by the taxing unit after the delinquency date.

Amendment No. 1 was adopted.

**CSHB 1913**, as amended, was passed to engrossment.

**CSHB 970 ON SECOND READING**

**(by E. Rodriguez, Kolkhorst, Stickland, Muñoz, Farrar, et al.)**

**CSHB 970**, A bill to be entitled An Act relating to regulation of cottage food products and cottage food production operations.

**CSHB 970** was passed to engrossment.

**CSHB 3077 ON SECOND READING**

**(by R. Miller, Zedler, Harless, Menéndez, Riddle, et al.)**

**CSHB 3077**, A bill to be entitled An Act relating to display of the Honor and Remember flag.

**CSHB 3077** was passed to engrossment. (Pickett recorded voting no.)

**CSHB 2665 ON SECOND READING**

**(by Taylor, et al.)**

**CSHB 2665**, A bill to be entitled An Act relating to the use of a concealed handgun license as valid proof of personal identification.

**CSHB 2665 - POINT OF ORDER**

Representative McClendon raised a point of order against further consideration of **CSHB 2665** 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 McClendon raised a point of order against further consideration of **CSHB 2665** under Rule 4, Section 32(c) of the House Rules, asserting that the bill analysis is inaccurate. The point of order is sustained.

As the author of the bill forthrightly acknowledged, the bill contains a reference to Section 411.205 of the Transportation Code, which does not exist. The author had intended to cite to Section 411.205 of the Government Code. The bill analysis, rather than recognizing that the bill cites a nonexistent code, seems to analyze the bill as though it had in fact referenced the Government Code, stating that the "bill's provisions expressly do not affect the requirement to display both a concealed handgun license and a driver's license or personal identification certificate on request by a peace officer or magistrate or affect the types of identification required under federal law to access airport premises or pass through airport security." Because the bill's provisions did not actually address the appropriate Government Code provision and instead referred to a



nonexistent section of a statute, this statement in the bill analysis was incorrect and misleading. See Rule 4, Section 32(c)(2) of the House Rules (requiring an analysis of the content of the bill).

**CSHB 2665** was returned to the Committee on Homeland Security and Public Safety.

#### **FIVE-DAY POSTING RULE SUSPENDED**

Representative Kolkhorst moved to suspend the five-day posting rule to allow the Committee on Public Health to consider **SB 53, SB 126, SB 127, SB 153, SB 190, SB 227, SB 404, SB 519, SB 646, SB 889, SB 944, and SB 978** at 8 a.m. Wednesday, May 8 in E2.012.

The motion prevailed.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Public Health, 8 a.m. Wednesday, May 8, E2.012, for a public hearing, to consider **SB 53, SB 126, SB 127, SB 153, SB 190, SB 227, SB 404, SB 519, SB 646, SB 889, SB 944, and SB 978**.

#### **HB 990 ON SECOND READING**

**(by S. Thompson)**

**HB 990**, A bill to be entitled An Act relating to the establishment of a sentencing policy, accountability, and review council to develop means to assess the effect of sentencing practices and policies on state correctional resources and improve the efficiency of the state criminal justice system.

Representative S. Thompson moved to postpone consideration of **HB 990** until 12 p.m. Monday, May 6.

The motion prevailed.

#### **HR 1847 - ADOPTED**

**(by Craddick)**

Representative Craddick moved to suspend all necessary rules to take up and consider at this time **HR 1847**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1847**, Congratulating Dally Willis of Midland on his 93rd birthday.

**HR 1847** was adopted.

On motion of Representative Lewis, the names of all the members of the house were added to **HR 1847** as signers thereof.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Human Services, upon adjournment today, Desk 12, for a formal meeting, to consider pending business.

(Speaker in the chair)

### ADJOURNMENT

Representative K. King moved that the house adjourn until 10 a.m. Monday, May 6 in memory of Deana Gardiner of Canadian.

The motion prevailed.

The house accordingly, at 3:04 p.m., adjourned until 10 a.m. Monday, May 6.

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### ADDENDUM

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#### SIGNED BY THE SPEAKER

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

#### House List No. 24

**HCR 31, HCR 118**

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### APPENDIX

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#### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

#### May 3

Agriculture and Livestock - **SB 1312**

Business and Industry - **HB 1468, HB 2696, HB 3316**

Corrections - **HB 1266**

Economic and Small Business Development - **HB 3039, SB 860**

Elections - **HB 313, HB 582, HB 1958, HB 2211, HB 3081, HB 3593**

Environmental Regulation - **HB 648, HB 2499**

Government Efficiency and Reform - **HB 1726**

Homeland Security and Public Safety - **SB 299, SB 1814**

Human Services - **SB 939**

Insurance - **HB 1810, HB 2125**

International Trade and Intergovernmental Affairs - **HR 1194**

Natural Resources - **HB 1168, HB 1461**

Public Education - **HB 1122, HB 2483, HB 2542, HB 2756**

Public Health - **HB 1893, HB 3262, HB 3534, HB 3687**

Special Purpose Districts - **HB 3906, HB 3937, HB 3940, HB 3942, HB 3943**

State Affairs - **HB 3738**

Transportation - **HB 2612**

Urban Affairs - **HB 365, HB 1299, HB 1377, HB 2416, HB 3758, HB 3947, SB 186**

Ways and Means - **HB 311, HB 546, HB 2024, HB 2408, HB 2687, HB 3086, HB 3437, HB 3475**

### ENGROSSED

**May 3 - HB 6, HB 7, HB 124, HB 138, HB 154, HB 205, HB 274, HB 316, HB 318, HB 339, HB 340, HB 343, HB 367, HB 376, HB 396, HB 438, HB 439, HB 585, HB 590, HB 655, HB 658, HB 746, HB 772, HB 796, HB 826, HB 842, HB 843, HB 866, HB 894, HB 932, HB 983, HB 985, HB 1010, HB 1018, HB 1020, HB 1047, HB 1081, HB 1134, HB 1147, HB 1185, HB 1198, HB 1224, HB 1249, HB 1324, HB 1337, HB 1354, HB 1355, HB 1376, HB 1442, HB 1454, HB 1458, HB 1472, HB 1501, HB 1506, HB 1520, HB 1544, HB 1586, HB 1593, HB 1594, HB 1632, HB 1662, HB 1678, HB 1692, HB 1724, HB 1759, HB 1781, HB 1800, HB 1801, HB 1846, HB 1874, HB 1875, HB 1888, HB 1895, HB 1947, HB 1971, HB 1982, HB 2000, HB 2020, HB 2025, HB 2028, HB 2029, HB 2055, HB 2094, HB 2099, HB 2111, HB 2112, HB 2135, HB 2155, HB 2204, HB 2290, HB 2293, HB 2294, HB 2312, HB 2318, HB 2356, HB 2362, HB 2380, HB 2388, HB 2414, HB 2424, HB 2448, HB 2474, HB 2478, HB 2482, HB 2485, HB 2501, HB 2503, HB 2537, HB 2562, HB 2580, HB 2607, HB 2610, HB 2619, HB 2620, HB 2621, HB 2645, HB 2662, HB 2688, HB 2704, HB 2718, HB 2749, HB 2766, HB 2772, HB 2806, HB 2825, HB 2883, HB 2912, HB 2913, HB 2935, HB 2962, HB 3028, HB 3063, HB 3066, HB 3067, HB 3085, HB 3096, HB 3097, HB 3105, HB 3125, HB 3137, HB 3178, HB 3201, HB 3209, HB 3256, HB 3296, HB 3307, HB 3355, HB 3357, HB 3397, HB 3412, HB 3413, HB 3422, HB 3433, HB 3436, HB 3447, HB 3460, HB 3483, HB 3511, HB 3523, HB 3556, HB 3578, HB 3589, HB 3604, HB 3605, HB 3613, HB 3640, HB 3662, HB 3674, HB 3677, HB 3729, HB 3739, HB 3756, HB 3761, HB 3762, HB 3764, HB 3787, HB 3795, HB 3798, HB 3800, HB 3813, HB 3874, HB 3875, HB 3896, HB 3905, HB 3925, HB 3935, HCR 59**

### ENROLLED

**May 3 - HB 407, HB 477, HB 2377, HB 2472, HCR 31, HCR 118**

