

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-EIGHTH DAY — WEDNESDAY, MAY 8, 2013

The house met at 2:30 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 668).

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

Absent, Excused — Giddings.

HB 2038 - NOTICE GIVEN

Pursuant to the provisions of Rule 7, Section 37(c) of the House Rules, at 2:34 p.m., Representative Keffer announced his intention to make the motion to reconsider the vote by which **HB 2038**, as amended, failed to pass by Record No. 582 on Tuesday, May 7.

CSHB 2605 - VOTE RECONSIDERED

Representative Flynn moved to reconsider the vote by which **CSHB 2605** was passed to engrossment earlier today.

The motion to reconsider prevailed.

CSSB 176 (Flynn - House Sponsor), in lieu of **CSHB 2605**, A bill to be entitled An Act relating to contracts for certain professional services and the distribution of certain consultants' reports.

CSSB 176 was passed to third reading.

Representative Flynn moved to lay **CSHB 2605** on the table subject to call, and the motion prevailed.

LEAVES OF ABSENCE GRANTED

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

RULES SUSPENDED

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

The motion prevailed.

MOTION FOR ONE RECORD VOTE

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

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

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

(Record 669): 147 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Giddings.

SB 350 (Frullo, Harper-Brown, Paddie, and Price - no) (143 - 4 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 385 (Burkett, Carter, Creighton, S. Davis, Fallon, Huberty, Kleinschmidt, Kuempel, Lavender, Perry, Schaefer, R. Sheffield, Springer, and Taylor - no) (133 - 14 - 2)

SB 487

SB 821

SB 887

SB 1212

SB 1300

HB 308 (Schaefer - no) (146 - 1 - 2)

STATEMENT OF VOTE

I strongly support **HB 308**. I initially voted against this bill on the local and consent calendar because I thought it was mandatory for local schools to teach children about winter traditions. Upon closer examination, the bill is permissive and protects local school districts that want to educate students about Christmas and other winter traditions.

Schaefer

HB 506 (Harper-Brown - no) (145 - 1 - 2)

HB 546 (Burkett, Capriglione, Craddick, Creighton, Crownover, S. Davis, Fallon, Frullo, Geren, Goldman, Gooden, Harless, Harper-Brown, Huberty, Kleinschmidt, Kolkhorst, Krause, Kuempel, Paddie, Parker, Perry, Price, Sanford, Schaefer, R. Sheffield, Simmons, Simpson, Springer, Stickland, and Workman - no) (118 - 29 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 233

HB 619 (Frullo, Huberty, Kuempel, Paddie, Perry, Phillips, Price, and Schaefer - no) (139 - 8 - 2)

HB 647

HB 679

HB 714**HB 738**

HB 871 (Burkett, Capriglione, Carter, Craddick, Fallon, Frullo, Goldman, Kolkhorst, Krause, Kuempel, Paddie, Parker, Perry, Phillips, Price, Sanford, Schaefer, Springer, Stickland, and Taylor - no) (127 - 20 - 2)

HB 1004 (Capriglione, Krause, and Sanford - no) (144 - 3 - 2)

SB 245 (Huberty, Kuempel, Lavender, Perry, and Schaefer - no) (142 - 5 - 2)

HB 1114

HB 1122 (Craddick, Crownover, Frullo, Geren, Harless, Huberty, Kolkhorst, Krause, Kuempel, Laubenberg, Paddie, Parker, Perry, Phillips, Price, Schaefer, Simmons, Simpson, Stickland, and E. S. Turner - no) (127 - 20 - 2)

HB 1123

HB 1143 (Capriglione, Krause, Sanford, Schaefer, and Stickland - no) (142 - 5 - 2)

HB 1179

HB 1183 (Capriglione, Phillips, and Sanford - no) (144 - 3 - 2)

SB 670 (Schaefer and Simpson - no) (145 - 2 - 2)

SB 610**HB 1357**

HB 1361 (Schaefer - no) (146 - 1 - 2)

HB 1384

HB 1396 (Capriglione, Crownover, S. Davis, Frullo, Huberty, Krause, Kuempel, Paddie, Perry, Price, Sanford, Schaefer, and Stickland - no) (134 - 13 - 2)

HB 1452**HB 1523**

HB 1573 (Burkett, Capriglione, Craddick, Crownover, S. Davis, Frullo, Geren, Gooden, Harless, Huberty, Kolkhorst, Kuempel, Lavender, Paddie, Perry, Phillips, Price, Schaefer, Sheets, Simmons, and Simpson - no) (126 - 21 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1004 (Schaefer - no) (146 - 1 - 2)

HB 1633 (Capriglione, Crownover, S. Davis, Frullo, Harless, Krause, Lavender, Laubenberg, Paddie, Perry, Phillips, Price, Schaefer, Simmons, Simpson, Stickland, and E. S. Turner - no) (130 - 17 - 2)

SB 1589

HB 1659 (Krause, Phillips, and Stickland - no) (144 - 3 - 2)

SB 696

HB 1726 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 1734

SB 984

HB 1755 (Capriglione, Carter, Fallon, Lavender, Schaefer, Simmons, Simpson, and Taylor - no) (139 - 8 - 2)

HB 1775

SB 860

HB 1847 (Phillips - no) (146 - 1 - 2)

HB 1856 (Schaefer - no) (146 - 1 - 2)

HB 1951 (Craddick, Geren, Lavender, Phillips, Schaefer, Simmons, and Simpson - no) (140 - 7 - 2)

HB 1975

HB 1996

HB 2006

HB 2012 (Capriglione, Crownover, S. Davis, Flynn, Frullo, Harless, Huberty, Krause, Kuempel, Lavender, Paddie, Perry, Price, Sanford, Schaefer, Simpson, Stickland, and Zedler - no) (129 - 18 - 2)

HB 2021 (Burkett, Lavender, Schaefer, Simmons, and Simpson - no) (145 - 5 - 2)

HB 2024

HB 2036 (Schaefer, Simmons, and Simpson - no) (144 - 3 - 2)

HB 2080 (Schaefer - no) (146 - 1 - 2)

HB 2110

HB 2117

HB 2118

HB 2123 (Schaefer, Simmons, and Simpson - no) (144 - 3 - 2)

SB 651 (Lavender - no) (146 - 1 - 2)

SB 1133 (Craddick, Crownover, Geren, Harless, and Kolkhorst - no) (142 - 5 - 2)

HB 2150 (Capriglione, Frullo, Huberty, Krause, Kuempel, Paddie, Perry, Price, Sanford, and Stickland - no) (137 - 10 - 2)

HB 2153

HB 2211 (Phillips - no) (146 - 1 - 2)

HB 2269

HB 2305 (Capriglione, Krause, Sanford, and Stickland - no) (143 - 4 - 2)

HB 2450 (Capriglione, Krause, Sanford, and Stickland - no) (143 - 4 - 2)

HB 2483 (Capriglione, Krause, Phillips, Sanford, Schaefer, Simmons, Simpson, and Stickland - no) (139 - 8 - 2)

HB 2511 (Schaefer - no) (146 - 1 - 2)

HB 2539 (Schaefer and Simpson - no) (145 - 2 - 2)

SB 1191

HB 2590

HB 2612 (Craddick, Geren, and Kolkhorst - no) (144 - 3 - 2)

HB 2636

HB 2648 (Schaefer - no) (146 - 1 - 2)

HB 2679

HB 2707

HB 2742 (Goldman and Schaefer - no) (145 - 2 - 2)

HB 2781 (Carter, Craddick, Fallon, Goldman, Kolkhorst, Krause, Parker, Schaefer, Springer, Stickland, and Taylor - no) (136 - 11 - 2)

HB 2795 (Craddick, Geren, and Kolkhorst - no) (144 - 3 - 2)

HB 2808

HB 2818 (Harper-Brown - no) (146 - 1 - 2)

HB 2862

SB 661

HB 2895

HB 2902

HB 2907

HB 2910 (Phillips - no) (146 - 1 - 2)

HB 2921 (Simpson - no) (146 - 1 - 2)

HB 2924

HB 2929 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 2930 (Burkett, Carter, Creighton, S. Davis, Fallon, Flynn, Frullo, Harper-Brown, Kleinschmidt, Kuempel, Lavender, Laubenberg, Paddie, Perry, Phillips, Price, Sheets, R. Sheffield, Springer, Taylor, E. S. Turner, and Zedler - no) (125 - 22 - 2)

HB 2975

HB 2982

SB 1427 (Capriglione, Krause, Sanford, Schaefer, Simpson, and Stickland - no) (141 - 6 - 2)

HB 3015 (Burkett, Crownover, S. Davis, Frullo, Harless, Harper-Brown, Huberty, Kuempel, Lavender, Paddie, Perry, Price, and Sheets - no) (134 - 13 - 2)

HB 3017

HB 3038 (Craddick, Geren, Kolkhorst, Schaefer, Simmons, and Simpson - no) (141 - 6 - 2)

HB 3043 (Burkett, Capriglione, Carter, Craddick, Creighton, Fallon, Flynn, Goldman, Gooden, Harper-Brown, Kleinschmidt, Kolkhorst, Parker, Sanford, Sheets, R. Sheffield, Springer, Taylor, and Zedler - no) (129 - 18 - 2)

HB 3086 (Schaefer - no) (146 - 1 - 2)

HB 3102 (Schaefer - no) (146 - 1 - 2)

HB 3126 (Carter, Craddick, Crownover, Fallon, Flynn, Geren, Harless, Kolkhorst, Parker, Sanford, Schaefer, Taylor, and Zedler - no) (135 - 12 - 2)

HB 3142

HB 3159

HB 3161

HB 3169

HB 3211 (Capriglione, Craddick, Crownover, Flynn, Frullo, Goldman, Harless, Huberty, Kuempel, Lavender, Paddie, Perry, Price, Sanford, Schaefer, Simpson, Springer, and Zedler - no) (129 - 18 - 2)

HB 3334 (Laubenberg, Phillips, Sanford, and E. S. Turner - no) (143 - 4 - 2)

HB 3385

HB 3401 (Capriglione, Crownover, S. Davis, Flynn, Frullo, Harless, Huberty, Krause, Kuempel, Lavender, Paddie, Perry, Phillips, Price, Sanford, Schaefer, Simpson, Springer, Stickland, Workman, and Zedler - no) (126 - 21 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

HB 3438

HB 3439

HB 3440

HB 3441

HB 3443

HB 3471 (Laubenberg, Sheets, and E. S. Turner - no) (144 - 3 - 2)

SB 1487

HB 3520 (Burnam - no) (146 - 1 - 2)

HB 3568

HB 3573

SB 1814 (Harless, Huberty, Krause, Kuempel, Perry, Schaefer, Springer, and Stickland - no) (139 - 8 - 2)

HB 3686 (Schaefer and Simpson - no) (145 - 2 - 2)

HB 3714 (Capriglione, Crownover, S. Davis, Flynn, Frullo, Harless, Kuempel, Paddie, Perry, Price, Sanford, Schaefer, Simmons, Simpson, and Zedler - no) (132 - 15 - 2)

HB 3731

HB 3792 (Capriglione and Sanford - no) (145 - 1 - 2)

HB 3794 (Schaefer - no) (146 - 1 - 2)

HB 3838 (Crownover, Frullo, Krause, Paddie, Price, Schaefer, Simpson, and Stickland - no) (139 - 8 - 2)

HB 3871

HB 3903

HB 3907

HB 3913

HB 3929

HB 3933

HB 3946

HB 1180

HB 1256

HB 3687

SB 176

The following resolutions which were laid out on the previous legislative day on the local, consent, and resolutions calendar were adopted by the above referenced vote (Record 669): 147 Yeas, 0 Nays, 2 Present, not voting (members registering votes and the results of the vote are shown following bill number).

HCR 97

HCR 102

HCR 104

HCR 111

HCR 115

HR 266

HR 1194

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

SB 1889 ON THIRD READING
(Lavender - House Sponsor)

SB 1889, A bill to be entitled An Act relating to the transport of a mental health patient who is not a resident of this state.

SB 1889 was passed by (Record 670): 146 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Giddings.

Absent — Cortez.

(Speaker in the chair)

SB 1538 ON THIRD READING
(Farney, Geren, Patrick, and Alonzo - House Sponsors)

SB 1538, A bill to be entitled An Act relating to evaluating the performance, including computing dropout and completion rates, of public schools designated as dropout recovery schools.

SB 1538 was passed by (Record 671): 146 Yeas, 1 Nays, 1 Present, not voting.

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

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

Nays — Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Toth.

MESSAGE FROM THE SENATE

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

SB 822 ON THIRD READING (Eiland - House Sponsor)

SB 822, A bill to be entitled An Act relating to the regulation of certain health care provider network contract arrangements; providing an administrative penalty; authorizing a fee.

SB 822 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE EILAND: After having the opportunity to review the reimbursement criteria or fee schedules for each item of business, the provider can choose none, one, some, or all of the product lines offered. The contracting entity or network can then determine if they want to sign the contract as presented to them.

REMARKS ORDERED PRINTED

Representative Eiland moved to print his remarks.

The motion prevailed.

SB 822 - STATEMENT OF LEGISLATIVE INTENT

Please allow me to enter this statement into the record to establish legislative intent with regard to **SB 822**, the PPO registration bill passed out of this house.

There has been some confusion about whether **SB 822** would allow providers to sue contracting entities, employers, self-funded insurance plans, provider organizations, or third-party administrators. It does not. This bill does not create a cause of action, nor does it permit lawsuits that are not allowed under current law.

This bill is designed to better regulate PPO networks and increase the transparency of PPO provider reimbursement practices by making PPOs register with the state.

Eiland

SB 822 was passed by (Record 672): 113 Yeas, 29 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycocock; Bell; Bohac; Bonnen, G.; Branch; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Frank; Geren; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kolkhorst; Kuempel; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Stephenson; Strama; Thompson, E.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Bonnen, D.; Burkett; Button; Carter; Fallon; Flynn; Frullo; Goldman; Harper-Brown; Hughes; Isaac; King, P.; Kleinschmidt; Klick; Krause; Lavender; Lewis; Miller, D.; Parker; Perry; Schaefer; Simpson; Springer; Stickland; Taylor; Thompson, S.; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Burnam; Hunter; Miles; Morrison; Toth; Turner, E.S.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 672. I intended to vote no.

Bell

I was shown voting yes on Record No. 672. I intended to vote no.

Creighton

I was shown voting yes on Record No. 672. I intended to vote no.

Gooden

I was shown voting yes on Record No. 672. I intended to vote no.

Harless

When Record No. 672 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting yes on Record No. 672. I intended to vote no.

R. Miller

When Record No. 672 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

I was shown voting yes on Record No. 672. I intended to vote no.

Riddle

I was shown voting no on Record No. 672. I intended to vote yes.

S. Thompson

When Record No. 672 was taken, I was in the house but away from my desk. I would have voted no.

Toth

When Record No. 672 was taken, I was in the house but away from my desk. I would have voted no.

E. S. Turner

SB 1360 ON THIRD READING
(Herrero, Lucio, and Villalba - House Sponsors)

SB 1360, A bill to be entitled An Act relating to the punishment for the offense of tampering with a witness and the evidence that may be offered to show that offense.

SB 1360 was passed by (Record 673): 148 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

**SB 620 ON THIRD READING
(Allen - House Sponsor)**

SB 620, A bill to be entitled An Act relating to student loan repayment assistance for speech-language pathologists or audiologists employed by a public school or as faculty members of certain programs at public institutions of higher education.

SB 620 was passed by (Record 674): 86 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Branch; Callegari; Canales; Clardy; Coleman; Collier; Cortez; Crownover; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Geren; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Hunter; Johnson; Keffer; King, S.; King, T.; Kolkhorst; Kuempel; Larson; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Patrick; Perez; Pickett; Pitts; Price; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Simpson; Smith; Strama; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Wu; Zerwas.

Nays — Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Capriglione; Carter; Cook; Craddick; Creighton; Dale; Darby; Davis, J.; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; Harper-Brown; Hilderbran; Isaac; Kacal; King, K.; King, P.; Kleinschmidt; Klick; Krause; Laubenberg; Lavender; Leach; Miller, D.; Morrison; Orr; Paddie; Parker; Perry; Phillips; Raney; Riddle; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Burnam; Miller, R.

STATEMENTS OF VOTE

I was shown voting no on Record No. 674. I intended to vote yes.

Farney

I was shown voting yes on Record No. 674. I intended to vote no.

Gooden

I was shown voting yes on Record No. 674. I intended to vote no.

Harless

I was shown voting yes on Record No. 674. I intended to vote no.

Hunter

I was shown voting yes on Record No. 674. I intended to vote no.

Smith

**MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

HB 500 ON THIRD READING

(by Hilderbran, S. Thompson, Creighton, Button, E. S. Turner, et al.)

HB 500, A bill to be entitled An Act relating to the computation of the franchise tax, including certain exclusions from the tax.

HB 500 was passed by (Record 675): 117 Yeas, 24 Nays, 7 Present, not voting.

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

Nays — Allen; Alonzo; Alvarado; Burnam; Coleman; Collier; Cortez; Davis, Y.; Dutton; Farias; Farrar; González, M.; Gutierrez; Hernandez Luna; Johnson; Miles; Nevárez; Oliveira; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Turner, C.; Wu.

Present, not voting — Mr. Speaker(C); Anchia; Canales; Dukes; Howard; Strama; Villarreal.

Absent, Excused — Giddings.

Absent — McClendon.

STATEMENT OF VOTE

I was shown voting yes on Record No. 675. I intended to vote no.

Naishtat

HB 3153 ON THIRD READING
(by Lewis, Guillen, Pitts, and Crownover)

HB 3153, A bill to be entitled An Act relating to the operation and administration of, and practice in courts in, the judicial branch of state government; imposing a fee.

HB 3153 was passed by (Record 676): 147 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Oliveira.

GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING

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

HB 953 ON THIRD READING
(by Button, J. Davis, E. Rodriguez, Branch, Vo, et al.)

HB 953, A bill to be entitled An Act relating to a franchise tax credit for research and development activities performed in conjunction with institutions of higher education; authorizing a tax credit.

HB 953 was passed by (Record 677): 144 Yeas, 1 Nays, 2 Present, not voting.

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

Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Davis, Y.

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

Absent, Excused — Giddings.

Absent — Allen; Villalba.

HB 887 ON THIRD READING
(by Lucio, G. Bonnen, and Villarreal)

HB 887, A bill to be entitled An Act relating to full-contact drills by students who are members of a high school or middle school football team that participates in activities sponsored or sanctioned by the University Interscholastic League.

HB 887 was passed by (Record 678): 91 Yeas, 53 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Bohac; Burkett; Burnam; Canales; Coleman; Collier; Cortez; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Geren; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Johnson; King, K.; King, P.; King, T.; Krause; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Patrick; Perez; Pickett; Pitts; Price; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Smith; Smithee; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu.

Nays — Ashby; Aycock; Bell; Bonnen, D.; Bonnen, G.; Branch; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Darby; Fallon; Fletcher; Flynn; Frank; Frullo; Goldman; Harless; Hilderbran; Isaac; Kacal; Keffer; King, S.; Kleinschmidt; Klick; Kolkhorst; Kuempel;

Lavender; Lewis; Miller, D.; Murphy; Paddie; Parker; Perry; Phillips; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Springer; Stickland; Taylor; Thompson, E.; Toth; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Elkins; Farney; Hunter; Raney.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 678. I intended to vote no.

Gooden

When Record No. 678 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting yes on Record No. 678. I intended to vote no.

P. King

HB 2780 ON THIRD READING (by Elkins and N. Gonzalez)

HB 2780, A bill to be entitled An Act relating to the establishment of research technology corporations by institutions of higher education; providing for tax exemptions.

HB 2780 was passed by (Record 679): 142 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Simpson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Davis, Y.; Geren; Keffer; Kleinschmidt; Springer.

STATEMENT OF VOTE

When Record No. 679 was taken, my vote failed to register. I would have voted yes.

Springer

HB 1866 ON THIRD READING

(by Klick)

HB 1866, A bill to be entitled An Act relating to the composition of a political party's state executive committee.

HB 1866 was passed by (Record 680): 143 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Anchia; Geren; Orr; Pickett; Sanford.

STATEMENT OF VOTE

When Record No. 680 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

HB 3815 ON THIRD READING
(by Carter and Harless)

HB 3815, A bill to be entitled An Act relating to the suspension of a person's driver's license or permit on conviction of a fifth offense relating to the operating of a motor vehicle while intoxicated.

HB 3815 was passed by (Record 681): 147 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Simmons.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

STATEMENT OF VOTE

I was shown voting no on Record No. 681. I intended to vote yes.

Simmons

SB 1907 - RECOMMITTED

Representative Pickett moved to recommit **SB 1907** to the Committee on Homeland Security and Public Safety.

The motion prevailed.

POSTPONED BUSINESS

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

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

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

HB 194 was read second time on May 2, postponed until May 6, and was again postponed until 2 a.m. today.

HB 194 - POINT OF ORDER

Representative Dukes raised a point of order against further consideration of **HB 194** under Rule 4, Section 32(c)(1) of the House Rules on the grounds that the committee report is incorrect.

The point of order was withdrawn.

Representative Farias moved to postpone consideration of **HB 194** until 4:19 p.m. today.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Pickett requested permission for the Committee on Homeland Security and Public Safety to meet while the house is in session, at 3:25 p.m. today, in 3W.9, to consider **SB 1907** and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Homeland Security and Public Safety, 3:25 p.m. today, 3W.9, for a formal meeting, to consider **SB 1907** and pending business.

CSHB 613 ON SECOND READING
(by Orr and Larson)

CSHB 613, A bill to be entitled An Act relating to the regulation of foundation repair contractors; providing penalties; authorizing fees.

CSHB 613 was read second time on May 6, postponed until May 7, and was again postponed until 10 a.m. today.

Representative Orr moved to postpone consideration of **CSHB 613** until 10 a.m. tomorrow.

The motion prevailed.

HB 416 ON SECOND READING
(by Hilderbran)

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

HB 416 was read second time on May 1, postponed until May 3, postponed until May 6, and was again postponed until 2 p.m. today.

Representative Hilderbran moved to postpone consideration of **HB 416** until 11:55 p.m. tomorrow.

The motion prevailed.

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

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

**HJR 138 ON SECOND READING
(by E. Rodriguez)**

HJR 138, A joint resolution proposing a constitutional amendment authorizing the governing body of a political subdivision to adopt a local option residence homestead exemption from ad valorem taxation of a portion, expressed as a dollar amount, of the market value of an individual's residence homestead.

Amendment No. 1

Representative Bohac offered the following amendment to **HJR 138**:

Amend **HJR 138** (house committee printing) as follows:

(1) On page 1, line 22, between "alternative" and the comma, insert "or in addition to authorizing a percentage exemption pursuant to this subsection".

(2) On page 2, line 2, strike "alternative exemption" and substitute "portion exemption, expressed as a dollar amount,".

(3) On page 2, line 15, strike "alternative exemption" and substitute "portion exemption, expressed as a dollar amount,".

Amendment No. 1 was adopted.

HJR 138, as amended, was passed to engrossment by (Record 682): 69 Yeas, 68 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Burnam; Callegari; Canales; Coleman; Collier; Cortez; Crownover; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Isaac; Johnson; King, T.; Kleinschmidt; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Patrick; Perez; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheffield, J.; Stephenson; Strama; Thompson, S.; Toth; Turner, C.; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Aycock; Bell; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Dale; Darby; Davis, S.; Elkins; Fallon; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hughes; Kacal; Keffer; King, K.; King, P.; King, S.; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Lewis; Miller, D.; Miller, R.; Morrison; Murphy; Paddie; Parker; Perry; Price; Ratliff; Riddle; Ritter; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stickland; Taylor; Thompson, E.; Turner, E.S.; Villalba; White; Zedler.

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

Absent, Excused — Giddings.

Absent — Farney; Huberty; Hunter; Klick; Leach; McClendon; Phillips; Pitts; Sanford; Turner, S.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 682. I intended to vote no.

Crownover

When Record No. 682 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

When Record No. 682 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 682 was taken, I was in the house but away from my desk. I would have voted no.

Leach

When Record No. 682 was taken, my vote failed to register. I would have voted no.

Phillips

I was shown voting yes on Record No. 682. I intended to vote no.

Raney

I was shown voting yes on Record No. 682. I intended to vote no.

Schaefer

I was shown voting yes on Record No. 682. I intended to vote no.

Toth

When Record No. 682 was taken, I was in the house but away from my desk. I would have voted yes.

S. Turner

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

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

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

CSHB 1223 ON SECOND READING
(by Hilderbran, Murphy, Sheets, and Harless)

CSHB 1223, A bill to be entitled An Act relating to the temporary exemption of certain tangible personal property related to data centers from the sales and use tax.

Amendment No. 1

Representative Simmons offered the following amendment to **CSHB 1223**:

Amend **CSHB 1223** (house committee printing) as follows:

(1) On page 1, line 22, strike "single".

(2) On page 2, line 3, strike "a".

(3) On page 4, line 21, strike "A" and substitute "Subject to Subsection (k), a".

(4) On page 7, between lines 13 and 14, insert the following:

(k) A data center is not eligible to receive an exemption under this section if the data center is subject to an agreement limiting the appraised value of the data center's property under Subchapter B or C, Chapter 313.

(5) On page 8, line 20, strike "10~~[(9)]~~" and substitute "(10)~~[(9)]~~".

(6) On page 8, line 23, strike "11~~[(10)]~~" and substitute "(11)~~[(10)]~~".

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

SECTION _____. Section 151.1551(a), Tax Code, is amended to read as follows:

(a) This section applies to an exemption provided by:

(1) Sections 151.316(a)(6), (7), (8), (10), (11), and (12);

(2) Section 151.316(b) for tangible personal property used in the production of agricultural products for sale;

(3) Section 151.3162(b) for tangible personal property used in the production of timber for sale;

(4) Sections 151.317(a)(5) and (11) ~~[(10)]~~ for electricity used in agriculture or timber operations; and

(5) Section 151.3111 for services performed on tangible personal property exempted under Section 151.316(a)(6), (7), (8), (10), (11), or (12), 151.316(b), or 151.3162(b).

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

Sec. 313.010. CERTAIN ENTITIES INELIGIBLE. An entity that has been issued a registration number under Section 151.359 is not eligible to receive a limitation on appraised value under this chapter.

Amendment No. 1 was adopted.

CSHB 1223, as amended, was passed to engrossment. (Schaefer recorded voting no.)

CSHB 2767 ON SECOND READING
(by P. King, Keffer, and Lewis)

CSHB 2767, A bill to be entitled An Act relating to the treatment and recycling for beneficial use of certain waste arising out of or incidental to the drilling for or production of oil or gas.

CSHB 2767 - POINT OF ORDER

Representative E. Rodriguez raised a point of order against further consideration of **CSHB 2767** under Rule 2, Section 1; Rule 6, Section 17; and Rule 4, Section 38 of the House Rules.

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

Representative E. Rodriguez raised a point of order against further consideration of **CSHB 2767** on the grounds that it violates Rule 2, Section 1; Rule 6, Section 17; and Rule 4, Section 38 of the House Rules. Representative Herrero argues it also violates Rule 4, Section 13 and Rule 7, Section 37 of the House Rules.

CSHB 2767 followed an interesting route to the calendar. The committee report was distributed to the Committee on Calendars on April 30, 2013. Sometime after April 30, 2013, and before the May 1, 2013 recommittal of **CSHB 2767**, two things occurred. First, the committee clerk for the Committee on Calendars printed and distributed an informal document to be used by the Committee on Calendars at their May 1 meeting. The informal document indicates that there was originally a Calendars meeting planned for May 1, 2013. However, as correctly noted by Representative E. Rodriguez, the actual committee hearing was held on May 2, 2013. This informal list properly reflected that, at that moment in time, the bill was in the Committee on Calendars.

However, subsequent events rendered the informal list inaccurate. On May 1, 2013, Representative Keffer, informed of a defect in the committee paperwork, received house approval to recommit the bill to the Committee on Energy Resources. The effect of the recommittal was twofold—it divested the Committee on Calendars of any jurisdiction over the bill and it cleansed the bill of its prior defects and allowed it to start in its substantive committee as a new proposition, in accordance with Rule 8, Section 11(b) of the House Rules. *Id.* ("After a bill has been recommitted, it shall be considered by the committee as a new subject."; e.g. Committee on Criminal Jurisprudence minutes, 83rd Leg. R.S. (April 29, 2013) (reporting **CSHB 1790** favorably without reconsidering the vote by which the bill was reported prior to recommittal); Committee on Calendars minutes, 83rd Leg. R.S. (May 3, 2013) (placing **CSHB 1790** on the general state calendar without first reconsidering the vote by which the bill was placed on the calendar before recommittal); *cf.* Rule 8, Section 21 of the House Rules, explanatory note 2 (explaining that recommittal to conference would reopen the entire subject matter of a bill); Rule 11, Section 5 of the House Rules (explaining that a bill recommitted to a committee and later reported to the house with amendments shall again take the course of a bill at its second reading).

The rule that recommitted bills are a "new subject" has existed as part of the House Rules since 1941. See House Rules of the 47th Leg. R.S. 173 (1941). The same concept has existed in house precedent since at least 1917 when the house adopted the principle that "when a bill is recommitted to the committee which returned it, the whole question is before the committee anew as if it had not been before considered. When a resolution is recommitted the committee must take up the subject anew, the final action being of no further account." The chair further explained: "We must hold that where a bill or resolution is recommitted [~~sie~~] without instructions, the committee has a right to review the whole subject matter and report such amendments as they desire, and were it not for our house rules to the contrary, the chair would hold that the original joint resolution has been stripped of all amendments." See House Rules of the 35th Leg. R.S. 116. Under this longstanding principle, the Committee on Calendars could not act on the bill after recommittal without the bill first having been favorably reported from the Committee on Energy Resources, as with any other bill that remains pending in its substantive committee.

The Committee on Calendars, however, failed to be informed or act on the notice of the recommittal. In fact, the Committee on Calendars purported to set the bill at the 3:30 p.m. Calendars meeting on May 2, 2013 (despite not having possession of the bill). Although the Committee on Calendars was unaware of the recommittal, the chief clerk was. Under Rule 6, Section 17, the house chief clerk removed the bill from the May 4 calendar because the bill had been recommitted.

In the meantime, almost five hours after the 3:30 p.m. May 2, 2013 meeting, the recommitted **CSHB 2767** was distributed to the Committee on Calendars. It is at this point that Representative E. Rodriguez says that error occurred. Representative E. Rodriguez argues that even though the recommitted bill (by virtue of the recommittal) was a "new subject," before the committee anew as though it had not been before considered, error has occurred because there was no motion to reconsider the original vote by which **CSHB 2767** was set. Representative E. Rodriguez does not explain how there can be any motion for reconsideration made since, at the time the vote was taken, the Committee on Calendars did not have jurisdiction or control over the bill. The chair declines to hold that any motion for reconsideration is needed because Calendars was without jurisdiction to add the item to the calendar. Once the bill was recommitted and the Committee on Calendars placed the bill on the calendar, the chief clerk had no choice but to mechanically apply the rule regarding recommitted bills and removed the bill from the May 4 calendar.

When **CSHB 2767** (the recommitted version) was printed and distributed to the Committee on Calendars on May 3, 2013, and was considered the same day and placed on the May 6, 2013 calendar, it was done properly. Bills placed on the calendar following recommittal do not lose their relative position in the calendar because their removal from the calendar is specifically contemplated by Rule 6, Section 17 of the House Rules. Any error in setting the original bill is cured by the recommittal and a recommitted bill does not require a motion to reconsider before resetting the new recommitted measure.

(Phillips in the chair)

CSHB 2767 was passed to engrossment.

CSHB 2770 ON SECOND READING
(by Branch, Strama, Ratliff, Anchia, Frank, et al.)

CSHB 2770, A bill to be entitled An Act relating to the investment of a certain portion of the economic stabilization fund balance.

Amendment No. 1

Representative Frank offered the following amendment to **CSHB 2770**:

Amend **CSHB 2770** (house committee printing) on page 1, line 10, by striking "20 percent" and substituting "30 percent".

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Capriglione, Krause, Flynn, Simmons, Klick, Bohac, Taylor, Zedler, Howard, Dale, Springer, R. Miller, Longoria, and Villalba offered the following amendment to **CSHB 2770**:

Amend **CSHB 2770** (house committee printing) by adding the following section to the bill, numbered appropriately, and by renumbering any subsequent sections of the bill accordingly:

SECTION _____. (a) The comptroller of public accounts shall conduct a study of the potential costs and benefits of investing, as provided by Section 404.0241, Government Code, as added by this Act, or of investing under an alternative method as the comptroller may propose, a portion of the economic stabilization fund in precious metals stored in this state. The comptroller shall report the findings and conclusions of the study to the legislature not later than August 31, 2014.

(b) In conducting the study under Subsection (a) of this section, the comptroller shall include the comptroller's analysis of the costs and benefits of the following scenarios for managing the storage of precious metals in which economic stabilization fund money is invested:

- (1) establishing and operating a state depository for precious metals;
- (2) establishing and operating a state depository for precious metals with private depository agents regulated by this state;
- (3) establishing and operating several state depositories for precious metals;
- (4) establishing and operating several state depositories for precious metals with private depository agents regulated by this state; and
- (5) using an established network of private depository agents with regulatory oversight conducted by this state.

Amendment No. 2 was adopted.

CSHB 2770 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE CAPRIGLIONE: First of all, I like this bill a lot, but what I did want to do is talk maybe a little bit about the intent, so that when the comptroller's office has the ability to go and invest these billions of dollars, we have some idea of the types of investments that this would fall under.

REPRESENTATIVE BRANCH: Yes, as you know, the concept here is to preserve the corpus and to be very prudent. And so, there's certain standards by which the rainy day fund has been invested, and as you know, from the numbers perhaps, that our one-year returns have been around 0.5 percent. Three-year returns have been less than 1 percent. And so, the goal here is to be very careful and for her to look in historical context as to what the corpus has been, what the legislature does, how we act, what we appropriate or not. And as this fund has risen, perhaps you know, that since 2007—the first time we crossed the \$1 billion threshold—and now there's a history in more recent years of how much money's in there. And the idea is to keep a prudent amount highly liquid, highly safe, and then keep another amount, still highly liquid and very safe, but try and get a slightly higher return in order to be good stewards.

CAPRIGLIONE: That's great, chairman. I just wanted to read, if I could, Section J, so that the members know this is about prudent investing. And Section J just basically says that the persons making these decisions will use ordinary prudence, discretion, and intelligence exercising the judgment and care under the prevailing circumstances, and it goes on to say that you'll consider probable income as well as the probable safety of the capital. Does that fit your intent? There has to be probable income and probable safety in the investments?

BRANCH: Yes. That is the intent, and that's the prudent investment standard.

CAPRIGLIONE: Great. Thank you very much, I really appreciate it.

BRANCH: And what we hope is, even with a slight increase in basis points, we're talking about a half a billion dollars over the biennium.

CAPRIGLIONE: That's a large amount. Like you said, even just one or two percent increase from the treasury rate that we're getting—

BRANCH: And so, for me, that's being safe, but being a better steward, better fiduciary, not burying our talent but investing very carefully and wisely.

CAPRIGLIONE: I think that's right. I think investing in any investments that have probable income and probable safety of capital will provide hundreds of millions of dollars in the ESF.

CSHB 2770, as amended, was passed to engrossment. (Schaefer recorded voting no.)

SB 727 ON SECOND READING
(G. Bonnen - House Sponsor)

SB 727, A bill to be entitled An Act relating to the eligibility for judge-ordered community supervision or for release on parole of certain defendants convicted of burglary with the intent to commit a sex offense.

SB 727 was considered in lieu of **HB 1620**.

SB 727 was passed to third reading.

HB 1620 - LAID ON THE TABLE SUBJECT TO CALL

Representative G. Bonnen moved to lay **HB 1620** on the table subject to call.

The motion prevailed.

HB 2396 ON SECOND READING
(by G. Bonnen, Moody, et al.)

HB 2396, A bill to be entitled An Act relating to the penalty for certain family violence committed in the presence of a child.

Amendment No. 1

Representative Moody offered the following amendment to **HB 2396**:

Amend **HB 2396** (house committee printing) as follows:

(1) On page 1, line 14, strike "was committed" and substitute "is committed".

(2) On page 1, line 15, strike "or within the hearing of" and substitute "of, or in the same habitation or vehicle occupied by,".

(3) On page 1, line 19, strike "present and may see or hear the offense" and substitute "physically present or occupies the same habitation or vehicle".

Amendment No. 1 was adopted.

HB 2396, as amended, was passed to engrossment.

MESSAGE FROM THE SENATE

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

CSHB 628 ON SECOND READING
(by Dale, Márquez, Nevárez, Huberty, E. Thompson, et al.)

CSHB 628, A bill to be entitled An Act relating to the right of a member of the board of trustees of a school district to obtain information, documents, and records.

Amendment No. 1

Representative Nevárez offered the following amendment to **CSHB 628**:

Amend **CSHB 628** (house committee printing) as follows:

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

(2) On page 1, between lines 23 and 24, insert the following:

(d) A school district shall post, in a place convenient to the public, the cost of responding to one or more requests submitted by a member of the board of trustees of the district under Subsection (c) if the requests are for 200 or more pages of material in a 90-day period.

(e) The district shall report annually to the Texas Education Agency not later than September 1 of each year:

(1) the number of requests submitted by a member of the board of trustees of the district under Subsection (c) during the preceding school year; and

(2) the total cost to the district for that school year of responding to requests under Subsection (c).

(3) On page 1, line 24, strike "(d)" and substitute "(f)".

Amendment No. 1 was adopted.

CSHB 628, as amended, was passed to engrossment.

REMARKS ORDERED PRINTED

Representative Capriglione moved to print remarks between Representative Branch and Representative Capriglione on **CSHB 2770**.

The motion prevailed.

HB 2240 ON SECOND READING

(by S. Turner, N. Gonzalez, Alvarado, et al.)

HB 2240, A bill to be entitled An Act relating to a study on homeless youth.

Amendment No. 1

Representative S. Turner offered the following amendment to **HB 2240**:

Amend **HB 2240** by striking on page 1, lines 11 through 16 and inserting the following:

(A) Temporarily allowed to stay in the house of another person due to loss of housing;

(B) Temporary living in a motel or hotel;

(C) Living in an emergency shelter;

Amendment No. 1 was adopted.

Amendment No. 2

Representative Kleinschmidt offered the following amendment to **HB 2240**:

Amend **HB 2240** by striking (house committee printing) as follows:

(1) On page 1, line 13 strike "trailer park,"

Amendment No. 2 was adopted.

HB 2240, as amended, was passed to engrossment. (Button, Capriglione, Carter, Flynn, Hunter, Laubenberg, Schaefer, Simpson, and Workman recorded voting no.)

SB 660 ON SECOND READING

(Anchia - House Sponsor)

SB 660, A bill to be entitled An Act relating to assessment collection in certain public improvement districts.

SB 660 was considered in lieu of **HB 1508**.

SB 660 was passed to third reading. (Schaefer recorded voting no.)

HB 1508 - LAID ON THE TABLE SUBJECT TO CALL

Representative Anchia moved to lay **HB 1508** on the table subject to call.

The motion prevailed.

CSHB 2075 ON SECOND READING
(by Anchia)

CSHB 2075, A bill to be entitled An Act relating to the operation of certain condominium unit owners' associations.

CSHB 2075 was passed to engrossment. (Schaefer recorded voting no.)

CSHB 710 ON SECOND READING
(by Callegari)

CSHB 710, A bill to be entitled An Act relating to the use by a peace officer of the officer's rank or status to advertise or promote certain private businesses.

CSHB 710 was passed to engrossment.

CSHB 3276 ON SECOND READING
(by Simmons, G. Bonnen, Eiland, et al.)

CSHB 3276, A bill to be entitled An Act relating to the coverage by certain health benefit plans for the screening and treatment of autism spectrum disorder.

CSHB 3276 was passed to engrossment. (Schaefer recorded voting present, not voting.)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Anchia requested permission for the Committee on International Trade and Intergovernmental Affairs to meet while the house is in session, at 5 p.m. today, in 3W.15, to consider **HCR 80**, **HCR 106**, **SB 1046**, and **SB 1425**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

International Trade and Intergovernmental Affairs, 5 p.m. today, 3W.15, for a formal meeting, to consider **HCR 80**, **HCR 106**, **SB 1046**, and **SB 1425**.

SB 200 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED

On motion of Representative Anchia, the house granted the request of the senate for the appointment of a Conference Committee on **SB 200**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 200**: Anchia, chair; Martinez, Callegari, Cook, and Eiland.

**SB 1312 - REQUEST OF SENATE GRANTED
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Aycock, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1312**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1312**: Aycock, chair; Farney, Darby, T. King, and Howard.

**CSHB 2753 ON SECOND READING
(by Branch, Patrick, and Pitts)**

CSHB 2753, A bill to be entitled An Act relating to excellence funding for health-related institutions of higher education.

Representative Branch moved to postpone consideration of **CSHB 2753** until 6 a.m. tomorrow.

The motion prevailed.

**CSHB 3454 ON SECOND READING
(by Eiland)**

CSHB 3454, A bill to be entitled An Act relating to an exemption from the franchise tax for certain insurance entities.

CSHB 3454 was passed to engrossment.

**HB 3574 ON SECOND READING
(by Orr, Howard, Otto, Darby, and S. Turner)**

HB 3574, A bill to be entitled An Act relating to the authority of the School Land Board to designate certain revenue for deposit in the real estate special fund account of the permanent school fund.

HB 3574 was passed to engrossment.

**HB 2138 ON SECOND READING
(by Dutton)**

HB 2138, A bill to be entitled An Act relating to the boundaries of the Near Northside Management District.

Amendment No. 1

Representative Dutton offered the following amendment to **HB 2138**:

Amend **HB 2138** (house committee report) by inserting the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter C, Chapter 3905, Special District Local Laws Code, is amended by adding Section 3905.1121 to read as follows:

Sec. 3905.1121. COORDINATION WITH NEAR NORTHSIDE DISTRICT. In determining the improvement projects or services the district provides in an area that is located also within the boundaries of the Near Northside Management District, the district shall coordinate its efforts with the

efforts of the Near Northside Management District to achieve governmental efficiency and avoid duplication of improvement projects or services. The district may not duplicate an improvement project or service that the Near Northside Management District provides in the same territory.

Amendment No. 1 was adopted.

HB 2138, as amended, was passed to engrossment. (Button, Flynn, Hunter, and Taylor recorded voting no.)

CSHB 2100 ON SECOND READING

(by **S. Thompson, Price, Workman, White, Longoria, et al.**)

CSHB 2100, A bill to be entitled An Act relating to the salary for certain employees of the Department of Public Safety of the State of Texas.

CSHB 2100 was passed to engrossment. (Schaefer recorded voting no.)

CSHB 3042 ON SECOND READING

(by **Oliveira**)

CSHB 3042, A bill to be entitled An Act relating to the allocation of state hotel occupancy tax revenue to certain municipalities for cleaning and maintenance of and erosion control for public beaches.

CSHB 3042 was passed to engrossment. (Flynn and Schaefer recorded voting no.)

CSHB 705 ON SECOND READING

(by **Howard, Schaefer, Hughes, Moody, Toth, et al.**)

CSHB 705, A bill to be entitled An Act relating to the definition of emergency services personnel for purposes of the enhanced penalty prescribed for an assault committed against a person providing services in that capacity.

CSHB 705 was passed to engrossment.

SB 376 ON SECOND READING

(**E. Rodriguez, Aycock, Alvarado, J. Davis, and Miles - House Sponsors**)

SB 376, A bill to be entitled An Act relating to breakfast for certain public school students.

SB 376 was considered in lieu of **HB 296**.

SB 376 was passed to third reading. (Button, Capriglione, Flynn, Kolkhorst, Laubenberg, Parker, Schaefer, Simpson, Springer, Taylor, and Workman recorded voting no.)

HB 296 - LAID ON THE TABLE SUBJECT TO CALL

Representative E. Rodriguez moved to lay **HB 296** on the table subject to call.

The motion prevailed.

HB 1581 ON SECOND READING
(by Riddle)

HB 1581, A bill to be entitled An Act relating to an entity's designation of an agent for service of process, notice, or demand in an assumed business or professional name certificate.

Amendment No. 1

Representative Villalba offered the following amendment to **HB 1581**:

Amend **HB 1581** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 71.052, Business & Commerce Code, is amended to read as follows:

Sec. 71.052. CONTENTS OF CERTIFICATE. The certificate must state:

(1) the assumed name under which the business is or is to be conducted or the professional service is or is to be rendered;

(2) if the registrant is:

(A) an individual, the individual's full name and an office or residence address where the individual may be served with, process, notice, or demand.

(B) a partnership:

(i) the venture or partnership name;

(ii) the venture or partnership office address;

(iii) the full name of each joint venturer or general partner; and

(iv) each joint venturer's or general partner's residence address

if the venturer or partner is an individual or the joint venturer's or general partner's office address if the venturer or partner is not an individual;

(C) an estate:

(i) the name of the estate;

(ii) the estate's office address, if any;

(iii) the full name of each representative of the estate; and

(iv) each representative's residence address if the

representative is an individual or the representative's office address if the representative is not an individual;

(D) a real estate investment trust:

(i) the name of the trust;

(ii) the address of the trust;

(iii) the full name of each trustee manager; and

(iv) each trustee manager's residence address if the trustee

manager is an individual or the trustee manager's office address if the trustee manager is not an individual; or

(E) a company, other than a real estate investment trust:

(i) the name of the company;

(ii) the state, country, or other jurisdiction under the laws of which the company was organized; and

(iii) the company's office address;

(3) the period, not to exceed 10 years, during which the registrant will use the assumed name; and

(4) a statement specifying that the business that is or will be conducted or the professional service that is or will be rendered in the county under the assumed name is being or will be conducted or rendered as a proprietorship, sole practitioner, partnership, real estate investment trust, joint-stock company, or other form of unincorporated business or professional association or entity other than a limited partnership, limited liability company, limited liability partnership, or foreign filing entity.

SECTION 2. Subchapter B, Chapter 71, Business & Commerce Code, is amended by adding Section 71.0531 to read as follows:

Sec. 71.0531. CHANGE BY REGISTRANT TO AGENT FOR SERVICE OF PROCESS. If a registrant changes the registrant's agent for service of process included in the certificate filed under this subchapter, the registrant shall file a statement of the change in the office of the county clerk in each county in which the registrant filed the certificate.

SECTION 3. This Act takes effect September 1, 2013.

Amendment No. 1 - Point of Order

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

The point of order was withdrawn.

Amendment No. 1 was adopted.

HB 1581, as amended, was passed to engrossment.

CSHB 2004 ON SECOND READING (by M. González, S. King, Guillen, and Walle)

CSHB 2004, A bill to be entitled An Act relating to the determination of certain exemptions from the administration of state assessment instruments to public school students and to the consideration of the performance of certain students on state assessment instruments.

Representative M. González moved to postpone consideration of **CSHB 2004** until 2 a.m. tomorrow.

The motion prevailed.

HB 2595 ON SECOND READING (by Parker)

HB 2595, A bill to be entitled An Act relating to the value of personal property that is exempt from seizure to pay a crime victim under an order of restitution.

HB 2595 was passed to engrossment.

(Keffer in the chair)

HB 2570 ON SECOND READING
(by Miles)

HB 2570, A bill to be entitled An Act relating to the provision of the reason for rejecting a voter registration application.

Amendment No. 1

Representative Klick offered the following amendment to **HB 2570**:

Amend **HB 2570** by adding a Subsection (e) to Section 13.073 to read as follows:

(e) The registrar shall work to lower error rates in applications by following the training standards for deputy voter registrars as set out in Section 13.047.

Strike SECTION 2 of the bill and add a new SECTION 2, SECTION 3 and S SECTION 4 of the bill as follows:

SECTION 2. The heading to Section 13.047, Election Code, is amended to read as follows:

Sec. 13.047. TRAINING STANDARDS FOR DEPUTY REGISTRARS; TRAINING USING MATERIALS POSTED ON THE SECRETARY OF STATE WEBSITE.

SECTION 3. Section 13.047, Election Code, is amended by adding Subsections (c), (d), (e), (f), (g), (h), and (i) to read as follows:

(c) The secretary of state shall provide on the agency's website the training materials and, if applicable, the examination that a potential volunteer deputy registrar may access at any time.

(d) The materials posted online and described by Subsection (c) must allow an applicant to download and print a document to be used as a certificate of completion of training. The document must:

(1) provide for the applicant to include the applicant's name, county, and residence address and any other information the secretary of state considers necessary;

(2) include the examination questions, if required by the secretary of state; and

(3) contain a form on which the applicant may execute an affidavit affirming that the applicant has read the training materials in their entirety.

(e) A person commits an offense if the person knowingly makes a false statement or requests, commands, or attempts to induce another person to make a false statement on an affidavit completed as part of a certificate of completion. An offense under this subsection is a Class B misdemeanor.

(f) An applicant who completes the training materials and a certificate of completion shall present the certificate to the registrar at the time the applicant requests appointment as a volunteer deputy registrar. Upon appointment, the applicant is not required to take further training and may immediately receive another person's voter registration application.

(g) The registrar must accept a certificate of completion presented by an applicant and appoint the person as a volunteer deputy registrar if the applicant:

(1) is eligible to be appointed as a volunteer deputy registrar under this subchapter;

(2) has executed the affidavit with an original signature; and

(3) has passed the examination, if applicable.

(h) At the time a volunteer deputy registrar who received training is appointed, the registrar shall advise the volunteer:

(1) of county-specific procedures for processing voter registration applications, if applicable; and

(2) that the only requirements for voter registration are those prescribed by state law or by the secretary of state.

(i) A volunteer deputy registrar requesting appointment in an additional county may present the person's valid certificate of appointment as proof of training. The volunteer is eligible to receive another person's voter registration application immediately on receiving a certificate of appointment from the registrar of the additional county.

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

Amendment No. 1 was adopted.

HB 2570, as amended, was passed to engrossment. (Button, Capriglione, Carter, Hunter, Laubenberg, Murphy, and Taylor recorded voting no.)

CSHB 3240 ON SECOND READING **(by Phillips and Fallon)**

CSHB 3240, A bill to be entitled An Act relating to the penalty for delivery of certain miscellaneous substances under the Texas Controlled Substances Act.

CSHB 3240 was passed to engrossment by (Record 683): 104 Yeas, 37 Nays, 2 Present, not voting.

Yeas — Anderson; Ashby; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Eiland; Elkins; Fallon; Farney; Fletcher; Flynn; Frullo; Geren; Goldman; Gonzales; Gooden; Guerra; Guillen; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hughes; Isaac; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Lucio; Martinez Fischer; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Toth; Turner, C.; Turner, E.S.; Villalba; White; Workman; Wu; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Burnam; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farias; Farrar; Frank; González, M.; Gonzalez, N.; Gutierrez; Hernandez Luna; Johnson; Longoria; Márquez; Martínez; McClendon; Miles; Nevárez; Oliveira; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Simpson; Stickland; Turner, S.; Walle.

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

Absent, Excused — Giddings.

Absent — Aycock; Hunter; Riddle; Thompson, S.; Villarreal; Vo.

STATEMENTS OF VOTE

When Record No. 683 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

I was shown voting no on Record No. 683. I intended to vote yes.

Perez

CSHB 2952 ON SECOND READING (by J. Rodriguez and Collier)

CSHB 2952, A bill to be entitled An Act relating to the period of time allowed for issuance of decisions by the commissioner of education in certain appeals against school districts.

CSHB 2952 was passed to engrossment.

CSHB 2158 ON SECOND READING (by Goldman and Callegari)

CSHB 2158, A bill to be entitled An Act relating to the period of ineligibility from participation in the Medicaid program by providers found liable for certain unlawful acts under the program.

Amendment No. 1

Representative Canales offered the following amendment to **CSHB 2158**:

Amend **CSHB 2158** (house committee report) as follows:

(1) On page 1, lines 6 through 7, strike "Section 36.005, Human Resources Code, is amended by amending Subsection (b-1) and adding Subsections (b-3) and (f)" and substitute "Section 36.005(b-1), Human Resources Code, is amended".

(2) On page 1, line 9, between "the" and "date", insert "day after the".

(3) On page 1, line 11, between "36.052" and "[the", insert "and all appellate remedies relating to that finding are exhausted or waived".

(4) Strike page 1, line 13, to page 2, line 5.

Representative Goldman moved to table Amendment No. 1.

The motion to table prevailed.

CSHB 2158 was passed to engrossment.

COMMITTEE GRANTED PERMISSION TO MEET

Representative D. Bonnen requested permission for the Committee on Special Purpose Districts to meet while the house is in session, at 5:50 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Special Purpose Districts, 5:50 p.m. today, 3W.9, for a formal meeting, to consider pending business.

CSHB 793 ON SECOND READING

(by Lozano, Zedler, R. Sheffield, Dale, Muñoz, et al.)

CSHB 793, A bill to be entitled An Act relating to the prosecution and punishment of the smuggling of persons.

CSHB 793 was passed to engrossment.

LEAVE OF ABSENCE GRANTED

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

Eiland on motion of Alvarado.

CSHB 30 ON SECOND READING

(by Branch, et al.)

CSHB 30, A bill to be entitled An Act relating to measures to facilitate the transfer of students within the public higher education system and the timely graduation of students from public institutions of higher education.

Amendment No. 1

Representative McClendon offered the following amendment to **CSHB 30**:

Amend **CSHB 30** (house committee report) as follows:

(1) On page 4, line 7, between "included in the" and "common course", insert "single".

(2) On page 4, line 17, before "common course", insert "single".

(3) On page 4, line 26, strike "Subsection (a)" and substitute "Subsections (a) and (b)".

(4) On page 5, between lines 12 and 13, insert the following:

(b) Each institution of higher education shall adopt a core curriculum of not [~~no~~] less than 42 semester credit hours, including specific courses comprising the curriculum. The core curriculum shall be consistent with the single common course numbering system approved by the board under Section 61.832(a) and with the statement, recommendations, and rules issued by the board. An institution may have a core curriculum of other than 42 semester credit hours only if approved by the board.

(5) Strike the SECTION of the bill beginning on page 5, line 23, through page 6, line 3, and substitute the following appropriately numbered SECTION:

SECTION _____. Section 61.832, Education Code, is amended to read as follows:

Sec. 61.832. COMMON COURSE NUMBERING SYSTEM. (a) The board shall approve a single common course numbering system for lower-division courses to facilitate the transfer of those courses among institutions of higher education by promoting consistency in course designation and identification.

(b) The board shall solicit input from institutions of higher education regarding the development of the single common course numbering system.

(c) Each institution of higher education other than The University of Texas at Austin and Texas A&M University shall:

(1) use the approved common course numbering system for each course for which a common number designation and course description are included in that system; and

(2) include the applicable course numbers from that system in its course catalogs and other course listings.

(d) The board may approve only a common course numbering system already in common use in this state by one or more institutions of higher education.

(e) [(e)] The board shall cooperate with institutions of higher education in any additional development or alteration of the common course numbering system approved under Subsection (a), including the taxonomy to be used, and in the development of rules for the administration and applicability of the system.

(f) A student who transfers from one institution of higher education to another shall receive academic credit from the receiving institution for each course that the student has successfully completed that serves as an equivalent course under the single common course numbering system at the institution from which the student transfers.

(g) Not later than June 1, 2014, the board shall:

(1) approve a single common course numbering system as required by Subsection (a); and

(2) establish a timetable that requires the institutions of higher education to which Subsection (c) applies to phase in the inclusion of the applicable course numbers from the single common course numbering system in their individual course listings and course numbering systems as required by this section so that each institution fully complies with this section for all courses offered for the 2018-2019 academic year and subsequent years.

(g-1) Subsection (g) and this subsection expire January 1, 2020.

~~[(d) An institution of higher education shall include in its course listings the applicable course numbers from the common course numbering system approved by the board under this section. For good cause, the board may grant to an institution of higher education an exemption from the requirements of this subsection.]~~

(6) On page 7, line 2, strike "61.832(e)" and substitute "61.832(f)".

(7) Add the following appropriately numbered SECTION to the bill:

SECTION _____. Section 61.830, Education Code, is amended to read as follows:

Sec. 61.830. PUBLICATION OF GUIDELINES ADDRESSING TRANSFER PRACTICES. In its course catalogs and on its website, each institution of higher education shall publish guidelines addressing the practices of the institution regarding the transfer of course credit. In the guidelines, the institution must identify a course by using the single common course numbering system approved by the board under Section 61.832(a).

(8) Renumber the other existing SECTIONS of the bill appropriately.

Amendment No. 1 was adopted.

CSHB 30, as amended, was passed to engrossment.

CSHB 3648 ON SECOND READING
(by Harper-Brown)

CSHB 3648, A bill to be entitled An Act relating to compliance with certain terms in the performance of state purchasing contracts.

Amendment No. 1

Representative Pickett offered the following amendment to **CSHB 3648**:

Amend **CSHB 3648** (house committee printing) by adding the following appropriately number SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 2252.002, Government Code, is amended to read as follows:

Sec. 2252.002. AWARD OF CONTRACT TO NONRESIDENT BIDDER. A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in:

(1) the state in which the nonresident's principal place of business is located; or

(2) a state in which the nonresident is a resident manufacturer.

Amendment No. 1 was adopted.

CSHB 3648, as amended, was passed to engrossment.

SB 878 ON SECOND READING
(Carter - House Sponsor)

SB 878, A bill to be entitled An Act relating to the disposition of proceeds and property from criminal asset forfeiture.

SB 878 was considered in lieu of **HB 1849**.

SB 878 was passed to third reading.

HB 1849 - LAID ON THE TABLE SUBJECT TO CALL

Representative Carter moved to lay **HB 1849** on the table subject to call.

The motion prevailed.

CSHB 1878 ON SECOND READING

(by McClendon, Riddle, Geren, et al.)

CSHB 1878, A bill to be entitled An Act relating to the allocation of certain revenue to the Texas rail relocation and improvement fund.

CSHB 1878 was passed to engrossment. (Schaefer, Simpson, and Toth recorded voting no.)

CSHB 724 ON SECOND READING

(by Guillen, Herrero, and Lozano)

CSHB 724, A bill to be entitled An Act relating to the creation of a commission to study unclaimed land grant mineral proceeds.

Amendment No. 1

Representative Guillen offered the following amendment to **CSHB 724**:

Amend **CSHB 724** (house committee printing) as follows:

(1) On page 2, line 7, strike "17 members as follows" and substitute "the following members".

(2) On page 2, strike lines 12-19 and substitute the following:

(3) the lieutenant governor or up to two designees of the lieutenant governor;

(4) the speaker of the house of representatives or up to two designees of the speaker;

(5) the commissioner of the General Land Office or up to two designees of the commissioner;

(6) the comptroller or up to two designees of the comptroller;

(7) the executive director of the Texas Historical Commission or up to two designees of the executive director; and

(3) On page 2, strike lines 25-27 and substitute the following:

(e) Members of the commission shall be appointed or designated, as appropriate, not later than December 31, 2013.

(4) On page 3, line 2, between "appointments" and "are made", insert "or designations".

Amendment No. 1 was adopted.

CSHB 724, as amended, was passed to engrossment.

HB 1966 ON SECOND READING

(by Deshotel)

HB 1966, A bill to be entitled An Act relating to a project that may be undertaken by certain development corporations in connection with infrastructure improvements necessary for municipal area development and revitalization.

Amendment No. 1

Representative Kolkhorst offered the following amendment to **HB 1966**:

Amend **HB 1966** (house committee printing) on page 2, between lines 7 and 8, by inserting the following:

(c) This section expires September 1, 2017.

Amendment No. 1 was adopted.

HB 1966, as amended, was passed to engrossment.

HB 2090 ON SECOND READING
(by Canales)

HB 2090, A bill to be entitled An Act relating to a written statement made by an accused as a result of custodial interrogation.

Amendment No. 1

Representative Carter offered the following amendment to **HB 2090**:

Amend **HB 2090** (house committee printing) on page 1, line 12, by striking "and" and substituting "or".

Amendment No. 1 was adopted.

HB 2090, as amended, was passed to engrossment.

CSHB 2201 ON SECOND READING
(by Farney, R. Sheffield, Huberty, Paddie, Fallon, et al.)

CSHB 2201, A bill to be entitled An Act relating to increasing the courses offered in the career and technology education curriculum.

Amendment No. 1

Representative Farney offered the following amendment to **CSHB 2201**:

Amend **CSHB 2201** (house committee printing) on page 1, line 10, between "courses" and "are" by inserting ", including a course in personal financial literacy that is consistent with Section 28.0021 and satisfies statistics,".

Amendment No. 1 was adopted.

CSHB 2201, as amended, was passed to engrossment.

HB 3569 ON SECOND READING
(by Kleinschmidt)

HB 3569, A bill to be entitled An Act relating to activities conducted in connection with a state or federal disease control or eradication program for animals.

HB 3569 was passed to engrossment. (Schaefer recorded voting no.)

CSHB 1773 ON SECOND READING
(by E. Thompson, D. Miller, et al.)

CSHB 1773, A bill to be entitled An Act relating to named driver insurance policies and certain related exclusions.

CSHB 1773 was passed to engrossment by (Record 684): 90 Yeas, 48 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Callegari; Canales; Coleman; Collier; Cook; Cortez; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Farias; Farney; Farrar; Flynn; Frullo; Geren; Goldman; González, M.; Guerra; Gutierrez; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Hughes; Johnson; Kacal; Klick; Kuempel; Larson; Laubenberg; Leach; Lewis; Longoria; Lozano; Márquez; Martinez; McClendon; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Paddie; Patrick; Perry; Pitts; Price; Raney; Ratliff; Reynolds; Riddle; Ritter; Rodriguez, J.; Rose; Simmons; Smith; Smithee; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Alvarado; Anchia; Branch; Button; Capriglione; Carter; Clardy; Craddick; Creighton; Dale; Davis, S.; Fallon; Fletcher; Frank; Gonzales; Gonzalez, N.; Gooden; Guillen; Hernandez Luna; Huberty; Isaac; King, P.; King, T.; Kleinschmidt; Kolkhorst; Krause; Lavender; Lucio; Martinez Fischer; Menéndez; Morrison; Oliveira; Orr; Otto; Parker; Pickett; Raymond; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simpson; Springer; Stickland; Taylor; Toth; Villalba.

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

Absent, Excused — Eiland; Giddings.

Absent — Hunter; King, K.; King, S.; Phillips; Rodriguez, E.; Stephenson; Strama.

STATEMENTS OF VOTE

I was shown voting no on Record No. 684. I intended to vote yes.

Alvarado

I was shown voting no on Record No. 684. I intended to vote yes.

Clardy

I was shown voting yes on Record No. 684. I intended to vote no.

Cortez

I was shown voting no on Record No. 684. I intended to vote yes.

Gooden

I was shown voting yes on Record No. 684. I intended to vote no.

Hilderbran

When Record No. 684 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting no on Record No. 684. I intended to vote present, not voting.

Lucio

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a committee meeting:

Lucio on motion of Guillen.

HB 2872 ON SECOND READING (by Villarreal)

HB 2872, A bill to be entitled An Act relating to the number of student absences that constitute a failure to attend school.

Amendment No. 1

Representative J. Davis offered the following amendment to **HB 2872**:

Amend **HB 2872** (house committee report) as follows:

(1) On page 3, line 5, strike "Subsection (a-1)" and substitute "Subsections (a-1) and (a-2)".

(2) On page 3, strike lines 11 through 14 and substitute the following:
~~school year~~, a school district shall within 10 school days of the student's 5th [~~10th~~] absence:

(3) Between page 3, line 27, and page 4, line 1, insert the following:

(a-2) Notwithstanding Subsection (a), a school district may choose to take the action required under Subsection (a)(1) or (2) not later than January 15, if the absences occur in the fall semester, or not later than June 15, if the absences occur in the spring semester.

Amendment No. 1 was adopted.

HB 2872, as amended, was passed to engrossment. (Schaefer, Simpson, and Toth recorded voting no.)

HB 1021 ON SECOND READING (by Moody)

HB 1021, A bill to be entitled An Act relating to venue for the offense of failure to attend school.

HB 1021 was passed to engrossment.

HB 1022 ON SECOND READING (by Moody)

HB 1022, A bill to be entitled An Act relating to venue for the offense of a parent contributing to a child's failure to attend school.

HB 1022 was passed to engrossment.

CSHB 2824 ON SECOND READING
(by Ratliff, Branch, Simpson, S. Turner, Kacal, et al.)

CSHB 2824, A bill to be entitled An Act relating to the Texas High Performance Schools Consortium.

CSHB 2824 was passed to engrossment.

HB 2792 ON SECOND READING
(by Elkins)

HB 2792, A bill to be entitled An Act relating to the circumstances under which an appraisal review board hearing shall be closed to the public.

HB 2792 was passed to engrossment.

CSHB 2148 ON SECOND READING
(by Hilderbran)

CSHB 2148, A bill to be entitled An Act relating to the motor fuel tax on compressed natural gas and liquefied natural gas; providing penalties; imposing a tax.

Amendment No. 1

Representative Hilderbran offered the following amendment to **CSHB 2148**:

Amend **CSHB 2148** (house committee report) as follows:

(1) Strike page 2, lines 18 through 20 and substitute the following:

(19-a) "Diesel gallon equivalent" means:

(A) 6.380 pounds of compressed natural gas; or

(B) 6.060 pounds of liquefied natural gas.

(2) Strike page 3, lines 5 through 6, and substitute the following:

(29-a) "Gasoline gallon equivalent" means:

(A) 5.660 pounds of compressed natural gas; or

(B) 5.370 pounds of liquefied natural gas.

(3) Strike page 5, lines 11 through 16, and substitute the following:

Sec. 162.353. TAX RATE; UNIT OF MEASUREMENT. (a) The rate of the tax under Sections 162.351 and 162.352 is 15 cents for each:

(1) gasoline gallon equivalent or fractional part of compressed natural gas or liquefied natural gas; or

(2) diesel gallon equivalent or fractional part of compressed natural gas or liquefied natural gas.

(b) The tax shall be imposed on an amount of compressed natural gas or liquefied natural gas equal to a:

(1) diesel gallon equivalent of compressed natural gas, as provided by Section 162.001(19-a)(A), if the natural gas dispenser lists the price in diesel gallon equivalents and the natural gas is supplied to the dispenser from a pipeline or other nonliquefied source;

(2) diesel gallon equivalent of liquefied natural gas, as provided by Section 162.001(19-a)(B), if the natural gas dispenser lists the price in diesel gallon equivalents and the natural gas is supplied to the dispenser from a liquefied source;

(3) gasoline gallon equivalent of compressed natural gas, as provided by Section 162.001(29-a)(A), if the natural gas dispenser lists the price in gasoline gallon equivalents and the natural gas is supplied to the dispenser from a pipeline or other nonliquefied source; or

(4) gasoline gallon equivalent of liquefied natural gas, as provided by Section 162.001(29-a)(B), if the natural gas dispenser lists the price in gasoline gallon equivalents and the natural gas is supplied to the dispenser from a liquefied source.

(4) On page 6, line 22, between "Section 162.351(b)" and "unless", insert "and in accordance with Section 162.012".

(5) On page 7, line 2, between "Section 162.352(b)" and "unless", insert "and in accordance with Section 162.012".

(6) Strike page 16, lines 8 through 12, and substitute the following:

(7) all compressed natural gas and liquefied natural gas delivered into the fuel supply tank of a motor vehicle or other equipment exempt from tax under Section 162.356 or sold to the operator of a motor vehicle or owner of equipment exempt from tax under Section 162.356, showing the name of the operator of the vehicle or the owner of the equipment and the date of the delivery or sale; and

(7) Strike page 17, line 23, through page 18, line 1, and substitute the following:

(1) is the United States government and the fuel was delivered into the fuel supply tank of a motor vehicle operated exclusively by the United States, provided that a credit or refund is not allowed for fuel delivered into the fuel supply tank of a motor vehicle operated by a person operating under a contract with the United States;

(8) On page 18, line 4, between "operated" and "by", insert "exclusively".

(9) On page 18, line 12, between "operated" and "by", insert "exclusively".

(10) On page 18, line 14, between "operated" and "by", insert "exclusively".

(11) On page 18, line 18, between "operated" and "by", insert "exclusively".

(12) On page 18, line 22, between "operated" and "by", insert "exclusively".

(13) Strike page 21, lines 20 through 22, and substitute the following:

(6) the rate and amount of tax, separately stated from the selling price;

and

(14) On page 22, line 8, strike "and is not a license holder".

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

SECTION _____. Subchapter D, Chapter 162, Tax Code, is amended by adding Section 162.312 to read as follows:

Sec. 162.312. APPLICABILITY OF SUBCHAPTER TO CERTAIN PUBLIC TRANSPORTATION PROVIDERS USING COMPRESSED NATURAL GAS OR LIQUEFIED NATURAL GAS. (a) This section applies only to a person who:

(1) operates motor vehicles used to provide the services of a transit company, including a metropolitan rapid transit authority under Chapter 451, Transportation Code, or a regional transportation authority under Chapter 452, Transportation Code; and

(2) held a liquefied gas tax decal license on or before August 31, 2013.

(b) Notwithstanding Subchapter D-1, a person to which this section applies may:

(1) pay tax as provided by this subchapter on compressed natural gas or liquefied natural gas delivered into the fuel supply tank of all motor vehicles described by Subsection (a)(1) from a refueling facility accessible only to motor vehicles described by Subsection (a)(1); and

(2) operate those motor vehicles on the public highways of this state using compressed natural gas or liquefied natural gas described by Subdivision (1).

(c) This section does not apply to compressed natural gas or liquefied natural gas delivered into the fuel supply tank of a motor vehicle from a refueling facility accessible to motor vehicles other than those described by Subsection (a)(1).

(d) In this subchapter, "liquefied gas" includes compressed natural gas and liquefied natural gas with respect to the persons to which this section applies.

(e) The comptroller shall adopt rules necessary to implement this section.

Amendment No. 1 was adopted.

CSHB 2148, as amended, was passed to engrossment. (Capriglione recorded voting no.)

HB 742 ON SECOND READING **(by Strama, Villarreal, and Otto)**

HB 742, A bill to be entitled An Act relating to a grant program for certain school districts to provide summer instruction primarily for students who are educationally disadvantaged and summer teaching opportunities for high-performing, new, and student teachers.

Amendment No. 1

Representative Taylor offered the following amendment to **HB 742**:

Amend **HB 742** (house committee report) as follows:

(1) On page 6, between lines 3 and 4, insert the following:

(h) Using information reported under Section 11.179 and the report under Subsection (g), the agency shall conduct a study that compares the academic performance of students in each school district that participates in the program with the academic performance of students in at least 10 districts that do not participate in the program to determine the type and amount of instruction and student participation in school-sponsored or school-related activities that most contribute to improved academic performance.

(2) On page 6, line 4, strike "(h)" and substitute "(i)".

(3) On page 6, line 8, strike "(f) and (g)" and substitute "(f), (g), and (h)".

(4) On page 6, line 9, strike "(i)" and substitute "(j)".

(5) Insert the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.064 to read as follows:

Sec. 7.064. ANNUAL REPORT CONCERNING STUDENT HOURS. (a) For each school year, the commissioner shall prepare a report that compiles the information submitted to the commissioner by school districts and open-enrollment charter schools under Sections 11.179 and 12.104(b-1), respectively.

(b) Not later than August 1 of each year, the commissioner shall submit the report prepared under Subsection (a) to the:

- (1) governor;
- (2) lieutenant governor;
- (3) speaker of the house of representatives; and
- (4) presiding officers of the standing committees of the senate and house of representatives having primary jurisdiction over primary and secondary education.

SECTION _____. Subchapter D, Chapter 11, Education Code, is amended by adding Section 11.179 to read as follows:

Sec. 11.179. STUDENT HOURS REPORTING REQUIREMENT. (a) Not later than July 1 of each year, the board of trustees of an independent school district shall prepare and submit to the commissioner a report for the school year that ended during the preceding calendar year that, for each class and for each grade level at each district campus, indicates the average and total number of hours students spent on campus:

- (1) receiving classroom instruction;
- (2) receiving special instruction, disaggregated by the type of instruction; and
- (3) participating in school-sponsored or school-related activities, disaggregated by the type of activity in which the students engaged.

(b) The commissioner may adopt rules as necessary for purposes of this section.

SECTION _____. Section 12.104, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The governing body of an open-enrollment charter school shall comply with the student hours reporting requirement as provided by Section 11.179 as though:

- (1) the open-enrollment charter school were an independent school district; and
- (2) an open-enrollment charter school campus were a school district campus.

SECTION _____. (a) Not later than August 1, 2014, the commissioner of education shall submit a report concerning the 2012-2013 school year, as required by Section 7.064, Education Code, as added by this Act.

(b) Not later than July 1, 2014, the board of trustees of a school district shall submit to the commissioner of education a report concerning the 2012-2013 school year, as required by Section 11.179, Education Code, as added by this Act.

(c) Not later than July 1, 2014, the governing body of an open-enrollment charter school shall submit to the commissioner of education a report concerning the 2012-2013 school year, as required under Section 12.104(b-1), Education Code, as added by this Act.

Amendment No. 1 was adopted.

HB 742, as amended, was passed to engrossment. (Capriglione, Schaefer, Toth, and Workman recorded voting no.)

(Lucio now present)

CSHB 2719 ON SECOND READING
(by Guillen)

CSHB 2719, A bill to be entitled An Act relating to the collection of information concerning the number of inmates who have been in the conservatorship of a state agency responsible for providing child protective services.

Amendment No. 1

Representative Toth offered the following amendment to **CSHB 2719**:

Amend **CSHB 2719** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 501, Government Code, is amended by adding Section 501.103 to read as follows:

Sec. 501.103. ANNUAL REPORT. (a) Not later than December 31 of each year, the department's reentry and integration division and parole division shall jointly prepare and submit an annual report to:

- (1) the governor;
- (2) the lieutenant governor;
- (3) the speaker of the house of representatives;
- (4) the standing committees of the house and senate primarily responsible for criminal justice issues and corrections issues; and
- (5) the reentry task force.

(b) The report must include the following information about parole during the year in which the report is submitted:

- (1) the number of referrals of releasees for employment, housing, medical care, treatment for substance abuse or mental illness, education, or other basic needs;
- (2) the outcome of each referral;
- (3) the identified areas in which referrals are not possible due to unavailable resources or providers;
- (4) community resources available to releasees, including faith-based and volunteer organizations; and

(5) parole officer training.

(c) The report must include the following information about reentry and reintegration during the year in which the report is submitted:

(1) the outcomes of programs and services that are available to releasees based on follow-up inquiries evaluating clients' progress after release;

(2) the common reentry barriers identified during releasees' individual assessments, including in areas of employment, housing, medical care, treatment for substance abuse or mental illness, education, or other basic needs;

(3) the common reentry benefits and services that reentry coordinators help releasees obtain or apply for;

(4) available community resources, including faith-based and volunteer organizations; and

(5) reentry coordinator training.

(d) The report required by Subsection (a) must be made available to the public.

SECTION _____. The reentry and integration division and the parole division of the Texas Department of Criminal Justice shall submit the initial report required by Section 501.103, Government Code, as added by this Act, not later than December 31, 2014.

Amendment No. 1 was adopted.

CSHB 2719, as amended, was passed to engrossment.

CSHB 2061 ON SECOND READING

(by Murphy, Deshotel, Anchia, Pitts, E. Rodriguez, et al.)

CSHB 2061, A bill to be entitled An Act relating to a tax credit for investment in certain communities; imposing a monetary penalty; authorizing a fee.

(Speaker in the chair)

Amendment No. 1

Representative Villarreal offered the following amendment to **CSHB 2061**:

Amend **CSHB 2061** (house committee report) as follows:

(1) On page 19, line 11, between "shall" and "prepare", insert "contract with an independent researcher from an education research center established under Section 1.005, Education Code, to".

(2) On page 19, line 27, strike "and".

(3) On page 20, line 12, between "jobs" and the period, insert the following:
; and

(7) an examination of the effect the implementation of this chapter has had on economic activity in this state and on state tax revenue during the biennium

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Anchia, Martinez Fischer, and Murphy offered the following amendment to **CSHB 2061**:

Amend **CSHB 2061** (house committee printing) as follows:

(1) On page 8, line 23, between "(6)" and "examples", insert "except as provided by Subsection (c)".

(2) On page 8, line 26, through page 9, line 2, strike ", except that an applicant is not required to disclose the identity of a specific qualified active low-income community business in which the applicant intends to invest".

(3) On page 9, line 5, between "(8)" and "the refundable", insert "except as provided by Section 231.201(c)".

(4) On page 9, between lines 6 and 7, insert the following:

(c) An applicant is not required to have invested under the federal New Markets Tax Credit Program, and an application is not required to include the examples described by Subsection (b)(6), if the application includes information in the form required by the comptroller demonstrating that the applicant, together with the applicant's controlling entity and the affiliates of its controlling entity:

(1) is a duly formed qualified community development entity;

(2) has total assets under management in the amount of \$250 million or less; and

(3) has a demonstrable track record of successfully investing in low-income communities, as defined by Section 45D, Internal Revenue Code of 1986.

(5) On page 11, line 9, strike "30th" and substitute "60th".

(6) On page 14, line 22, between "DEPOSIT" AND "REQUIRED", insert "OR SURETY BOND".

(7) On page 14, line 22, strike "(a) A" and substitute "(a) Except as provided by Subsection (c), a".

(8) On page 14, line 27, between "account" and the period, insert ", or maintain a surety bond of an equal amount".

(9) On page 15, between lines 4 and 5, insert:

(c) A qualified community development entity is not required to make a deposit under this section if the qualified community development entity is:

(1) formed or operated by a governmental entity; or

(2) a nonprofit organization.

Amendment No. 2 was adopted.

CSHB 2061, as amended, was passed to engrossment. (Schaefer, Simpson, and Toth recorded voting no; Caprigione recorded voting present, not voting.)

HB 2371 ON SECOND READING

(by Leach, Canales, Hughes, Carter, Moody, et al.)

HB 2371, A bill to be entitled An Act relating to creating the offense of voyeurism; providing a penalty.

Amendment No. 1

Representative Carter offered the following amendment to **HB 2371**:

Amend **HB 2371** (house committee printing) as follows:

(1) On page 1, lines 7-8, strike "arouse or gratify the sexual desire of any person," and substitute "arouse, gratify, degrade, or abuse any person,".

(2) On page 1, strike lines 9-24 and substitute the following:
person's consent when the other person is located in a dwelling, structure, or conveyance that provides a reasonable expectation of privacy.

(3) On page 2, strike line 1 and substitute the following:

(b) An offense under this section is a Class B misdemeanor, except that the offense is a state jail felony if the person who is being observed under Subsection (a) is a child younger than 14 years of age at the time of the offense.

(c) If conduct that constitutes an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

Amendment No. 1 was adopted.

HB 2371, as amended, was passed to engrossment.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 4).

CSHB 3750 ON SECOND READING

(by Farrar)

CSHB 3750, A bill to be entitled An Act relating to the destruction of the records of businesses, state and local governments, and nonprofit entities stored on copy machines; providing a civil penalty.

Representative Farrar moved to postpone consideration of **CSHB 3750** until 1 a.m. tomorrow.

The motion prevailed.

CSHB 1790 ON SECOND READING

(by Longoria, S. Thompson, Burnam, and Hughes)

CSHB 1790, A bill to be entitled An Act relating to certain procedures for defendants who successfully complete a period of state jail felony community supervision.

Amendment No. 1

Representative Dutton offered the following amendment to **CSHB 1790**:

Amend **CSHB 1790** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Section 5(c), Article 42.12, Code of Criminal Procedure, is amended to read as follows:

(c) On expiration of a community supervision period imposed under Subsection (a), if the judge has not proceeded to adjudication of guilt, the judge shall dismiss the proceedings against the defendant and discharge the defendant ~~him~~. The judge may dismiss the proceedings and discharge a defendant, other than a defendant charged with an offense requiring the defendant to register as a sex offender under Chapter 62, prior to the expiration of the term of community supervision if in the judge's opinion the best interest of society and the defendant will be served. The judge may not dismiss the proceedings and discharge a defendant charged with an offense requiring the defendant to register under Chapter 62. Except as provided by Section 12.42(g), Penal Code, a dismissal and discharge under this section may not be deemed a conviction for the purposes of disqualifications or disabilities imposed by law for conviction of an offense. Notwithstanding any other law, a dismissal and discharge under this section may be used only as described by Section 12.42(g)(1), Penal Code, or as otherwise described by this subsection. A dismissal and discharge under this section may not be used as grounds for denying housing, employment, or a professional license to an individual who is otherwise entitled to or qualified for the housing, employment, or license. For any defendant who receives a dismissal and discharge under this section, [±

[~~±~~] upon conviction of a subsequent offense, the fact that the defendant had previously received community supervision with a deferred adjudication of guilt shall be admissible before the court or jury to be considered on the issue of penalty[±

~~(2) if the defendant is an applicant for a license or is a licensee under Chapter 42, Human Resources Code, the Department of Family and Protective Services may consider the fact that the defendant previously has received community supervision with a deferred adjudication of guilt under this section in issuing, renewing, denying, or revoking a license under that chapter; and~~

~~(3) if the defendant is a person who has applied for registration to provide mental health or medical services for the rehabilitation of sex offenders, the Council on Sex Offender Treatment may consider the fact that the defendant has received community supervision under this section in issuing, renewing, denying, or revoking a license or registration issued by that council].~~

(b) The change in law made by this section applies only to a defendant placed on deferred adjudication community supervision for an offense committed on or after September 1, 2013. A defendant placed on deferred adjudication community supervision for an offense committed before September 1, 2013, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense was committed before September 1, 2013, if any element of the offense was committed before that date.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Wu offered the following amendment to **CSHB 1790**:

Amend **CSHB 1790** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 15, Article 42.12, Code of Criminal Procedure, is amended by adding Subsections (l), (m), and (n) to read as follows:

(l) A judge who places a defendant on community supervision following conviction of a state jail felony, on agreement of the attorney representing the state and the defendant, shall inform the defendant of the procedure provided for an amendment of the order of conviction under this subsection. In any case in which the defendant is informed under this subsection, on written motion of the defendant after completion of two-thirds of the original community supervision period, the judge shall review the defendant's record and consider whether to amend the record of conviction to reflect a conviction for a Class A misdemeanor in lieu of a state jail felony. On disposition of the case in a manner provided by Section 20, the judge, on discharge of the defendant, may amend the record of conviction to reflect a conviction for a Class A misdemeanor in lieu of a state jail felony, subject to Subsection (m), if:

(1) the offense for which the defendant was placed on community supervision was not an offense:

(A) under Section 30.04, Section 39.04(a)(2), Section 49.045, or Title 5, Penal Code;

(B) under Article 62.102 of this code; or

(C) involving family violence, as defined by Section 71.004, Family Code;

(2) the defendant has fulfilled to the judge's satisfaction all the conditions of community supervision, including the payment of all required restitution, and is not delinquent on the payment of any fines, costs, and fees that the defendant has the ability to pay;

(3) the defendant files with the written motion for the hearing a statement that:

(A) contains a summary of the defendant's performance during community supervision, including compliance with the conditions of community supervision; and

(B) asserts that the defendant meets the conditions for an amendment of the record of conviction under this subsection;

(4) the defendant at the time of filing the statement with the court also provides a copy of the motion and statement to the attorney representing the state; and

(5) at the hearing held on the motion, the judge finds that an amendment of the record of conviction is in the best interest of justice.

(m) A judge who amends a record of conviction under Subsection (l) may not modify the name of the state jail felony offense for which the judge placed the defendant on community supervision. A defendant whose record of conviction is amended under Subsection (l) is not considered to have been convicted of a felony with respect to the modified offense for any purpose other than the purpose described by Section 20(a)(1).

(n) A record of conviction that is amended under Subsection (l) supersedes and takes the place of the record of conviction as it existed on the original date of conviction. A judge retains jurisdiction for the purposes of Subsection (l) only until the expiration of the term of community supervision.

SECTION 2. The change in law made by this Act applies only to a defendant who is placed on community supervision on or after the effective date of this Act, regardless of whether the offense for which the defendant is placed on community supervision is committed before, on, or after that date.

SECTION 3. This Act takes effect September 1, 2013.

Amendment No. 2 was adopted.

Representative Longoria moved to postpone consideration of **CSHB 1790** until 7:30 p.m. today.

The motion prevailed.

HB 1289 ON SECOND READING (by Hilderbran)

HB 1289, A bill to be entitled An Act relating to the exclusion of certain transportation services costs in determining total revenue for purposes of the franchise tax.

HB 1289 was passed to engrossment.

SB 654 ON SECOND READING (Anchia - House Sponsor)

SB 654, A bill to be entitled An Act relating to the enforcement of water conservation and animal care and control ordinances of a municipality by civil action or quasi-judicial enforcement; providing civil penalties.

SB 654 was considered in lieu of **HB 1509**.

SB 654 was passed to third reading. (Schaefer, Simpson, Toth, and Workman recorded voting no.)

HB 1509 - LAID ON THE TABLE SUBJECT TO CALL

Representative Anchia moved to lay **HB 1509** on the table subject to call.

The motion prevailed.

CSHB 75 ON SECOND READING (by Fletcher, et al.)

CSHB 75, A bill to be entitled An Act relating to the regulation of certain private security companies and occupations.

CSHB 75 - POINT OF ORDER

Representative Schaefer raised a point of order against further consideration of **CSHB 75** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

(Ashby in the chair)

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

Representative Schaefer raised a point of order against further consideration of **CSHB 75** under Rule 4, Section 32(c)(2) of the House Rules contending the bill analysis does not adequately reflect the content of the bill. Specifically, he asserted the bill analysis should have explained that the bill created definitions of key terms used in the bill: "[c]amera systems company" and "[c]losed circuit television or still camera system." He further noted that the bill analysis acknowledged the bill's changing of the definition of a different term and concludes that if the analysis reflected a mere change in a definition, it should have also reflected that the bill created definitions of key terms. The point of order is respectfully overruled.

The chair has reviewed the sections cited by Representative Schaefer 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 complies with the provisions of Rule 4, Section 32 of the House Rules. See 81 H.J. Reg. 4138-39 (2009); 83 H.J. Reg. 1900 (2013).

COMMITTEE GRANTED PERMISSION TO MEET

Representative Guillen requested permission for the Committee on Culture, Recreation, and Tourism to meet while the house is in session, at 7:15 p.m. today, in 3W.9, to consider **SCR 26**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Culture, Recreation, and Tourism, 7:15 p.m. today, 3W.9, for a formal meeting, to consider **SCR 26**.

CSHB 75 - (consideration continued)

Amendment No. 1

Representative Fletcher offered the following amendment to **CSHB 75**:

Amend **CSHB 75** (house committee report) as follows:

(1) Strike page 2, line 12, through page 3, line 2, and substitute the following:

(4-b) For purposes of Subdivision (4-a), the term "closed circuit television or still camera system" does not include:

(A) a device or system of devices that is used exclusively:

(i) to view or monitor traffic conditions on public roads;

(ii) to detect motor vehicle violations on public roads;

(iii) for telephone or video conferencing;

(iv) to monitor a manufacturing process;

(v) for a medical purpose by medical practitioners;

(vi) by a courtroom reporter for recording or archiving

depositions or testimony;

(vii) in the course of an ongoing investigation, when installed by and remaining under the control of a licensed investigations company; or
(viii) by a law enforcement agency to monitor criminal activity; or

(B) a camera that, for the purpose of enabling videoconferencing, is integrated with or attached to:

(i) a wireless communication device that is capable of using a commercial mobile service, as defined by 47 U.S.C. Section 332;

(ii) computer equipment, as defined by Section 361.952, Health and Safety Code; or

(iii) a television, as defined by Section 361.952, Health and Safety Code.

(2) On page 4, line 9, between "device" and "or", insert ", a closed circuit television or still camera system,".

(3) On page 4, line 10, after the underlined period, insert "An alarm systems company may not rekey an electronic access control device or lock that can be activated by a key.".

(4) On page 6, line 5, between "device" and "or" insert ", a closed circuit television or still camera system,".

(5) On page 9, line 10, strike "or" and substitute "[~~or~~]".

(6) On page 9, line 12, strike "[~~or~~]" and substitute "or".

(7) On page 9, between lines 12 and 13, insert the following:

(F) National Credit Union Administration;

(8) On page 9, line 14, strike "or".

(9) On page 9, line 20, between "company" and the period, insert the following:

;
(19) a real estate trade association or other private entity that engages in the collection and dissemination of information regarding real property available for sale that may be accessed only by authorized participants, and that does not otherwise perform a locksmith service;

(20) a towing company or other business that unlocks a vehicle at the request of the owner or operator of the vehicle and that does not otherwise perform a locksmith service; or

(21) an automobile club that holds a certificate of authority under Chapter 722, Transportation Code

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Geren and Keffer offered the following amendment to **CSHB 75**:

Amend **CSHB 75** (house committee report) as follows:

(1) On page 1, line 6, strike "Subdivisions (1) and (6-a)" and substitute "Subdivision (1)".

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

(3) On page 3, strike lines 3 through 15.

Representative Fletcher moved to table Amendment No. 2.

The motion to table was lost.

Amendment No. 2 was adopted.

CSHB 75, as amended, failed to pass to engrossment by (Record 685): 33 Yeas, 97 Nays, 4 Present, not voting.

Yeas — Alvarado; Anderson; Bell; Bohac; Carter; Creighton; Davis, J.; Davis, S.; Deshotel; Elkins; Farias; Fletcher; Flynn; Geren; Gonzalez, N.; Guerra; Guillen; Keffer; King, T.; Kleinschmidt; Lavender; Lozano; Miller, D.; Miller, R.; Muñoz; Murphy; Pickett; Raymond; Riddle; Sheffield, R.; Stephenson; Turner, S.; Zedler.

Nays — Allen; Alonzo; Aycock; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Dale; Darby; Davis, Y.; Dukes; Dutton; Fallon; Farney; Farrar; Frank; Frullo; Gonzales; González, M.; Gooden; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Isaac; Johnson; Kacal; King, K.; King, P.; Krause; Kuempel; Larson; Laubenberg; Leach; Lewis; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Morrison; Nevárez; Oliveira; Orr; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pitts; Price; Raney; Ratliff; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Simpson; Smith; Smithee; Springer; Stickland; Taylor; Thompson, E.; Turner, C.; Turner, E.S.; Villalba; Villarreal; Vo; Walle; White; Workman; Zerwas.

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

Absent, Excused — Eiland; Giddings.

Absent — Goldman; Hughes; Hunter; King, S.; Klick; Kolkhorst; Menéndez; Moody; Naishtat; Otto; Simmons; Strama; Thompson, S.; Toth.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 685. I intended to vote no.

Anderson

I was shown voting yes on Record No. 685. I intended to vote no.

Creighton

When Record No. 685 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting yes on Record No. 685. I intended to vote no.

R. Sheffield

CSHB 2133 ON SECOND READING
(by Larson)

CSHB 2133, A bill to be entitled An Act relating to the public policy for the use of innovative and alternative water treatment technologies for water development purposes.

Amendment No. 1

Representative Frullo offered the following amendment to **CSHB 2133**:

Amend **CSHB 2133** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 10.010, Water Code, is amended to read as follows:

Sec. 10.010. POWERS AND DUTIES OF COUNCIL. (a) The council shall:

- (1) monitor trends in water conservation implementation;
- (2) monitor and evaluate new technologies for possible inclusion by the board as best management practices in the best management practices guide developed by the water conservation implementation task force under Chapter 109, Acts of the 78th Legislature, Regular Session, 2003;
- (3) monitor the effectiveness of the statewide water conservation public awareness program developed under Section 16.401 and associated local involvement in implementation of the program;
- (4) develop and implement a state water management resource library;
- (5) develop and implement a public recognition program for water conservation;
- (6) monitor the implementation of water conservation strategies by water users included in regional water plans; and
- (7) monitor target and goal guidelines for water conservation to be considered by the board and commission.

(b) New technologies evaluated for possible inclusion in the best management practices guide under Subsection (a)(2) must include technologies associated with agricultural and landscaping irrigation, plumbing retrofits, and hydraulic shock-prevention systems.

SECTION _____. Section 10.011, Water Code, is amended to read as follows:

Sec. 10.011. REPORT. Not later than December 1 of each even-numbered year, the council shall submit to the governor, lieutenant governor, and speaker of the house of representatives a report on progress made in water conservation in this state. The report must include specific statutory, budgetary, and policy recommendations to improve water conservation and management.

Amendment No. 1 was adopted.

CSHB 2133, as amended, was passed to engrossment. (Schaefer recorded voting no.)

CSHB 1318 ON SECOND READING
(by S. Turner, et al.)

CSHB 1318, A bill to be entitled An Act relating to the appointment of counsel for a detention hearing for certain youths.

Amendment No. 1

Representative S. Turner offered the following amendment to **CSHB 1318**:

Amend **CSHB 1318** (house committee printing) on page 1, line 16, by striking "The" and substituting "Unless the court finds that the appointment of counsel is not feasible due to exigent circumstances, the".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Alonzo offered the following amendment to **CSHB 1318**:

Amend **CSHB 1318** (house committee report) as follows:

(1) On page 1, line 24, strike "The change in law made by this Act applies" and substitute "Sections 51.101(a) and 54.01, Family Code, as amended by this Act, apply".

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

SECTION _____. Article 26.044, Code of Criminal Procedure, is amended by amending Subsection (j) and adding Subsections (j-1) and (j-2) to read as follows:

(j) A public defender's office may not accept an appointment under Article 26.04(f) if:

(1) a conflict of interest exists that has not been waived by the client;

(2) the public defender's office has insufficient resources to provide adequate representation for the defendant;

(3) the public defender's office is incapable of providing representation for the defendant in accordance with the rules of professional conduct;

(4) the acceptance of the appointment would violate the maximum allowable caseloads established at the public defender's office; or

(5) [~~4~~] the public defender's office shows other good cause for not accepting the appointment.

(j-1) On refusing an appointment under Subsection (j), a chief public defender shall file with the court a written statement that identifies any reason for refusing the appointment. The court shall determine whether the chief public defender has demonstrated adequate good cause for refusing the appointment and shall include the statement with the papers in the case.

(j-2) A chief public defender may not be terminated, removed, or sanctioned for refusing in good faith to accept an appointment under Subsection (j).

Amendment No. 2 was adopted.

CSHB 1318, as amended, was passed to engrossment.

CSHB 1398 ON SECOND READING
(by Murphy)

CSHB 1398, A bill to be entitled An Act relating to required disclosures on political advertising.

Amendment No. 1

Representative P. King offered the following amendment to **CSHB 1398**:

Amend **CSHB 1398** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 251.001(16), Election Code, is amended to read as follows:

(16) "Political advertising" means a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a measure that:

(A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; [✗]

(B) appears:

(i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or

(ii) on an Internet website; or

(C) is distributed using electronic mail by a person required to file reports of political contributions or expenditures under Chapter 254.

Amendment No. 1 was adopted.

CSHB 1398, as amended, was passed to engrossment. (Schaefer recorded voting no.)

CSSB 1907 ON SECOND READING
(Kleinschmidt, Raymond, Guillen, Sanford, Krause, et al. - House Sponsors)

CSSB 1907, A bill to be entitled An Act relating to the transportation and storage of firearms and ammunition in private vehicles on the campuses of institutions of higher education.

CSSB 1907 was considered in lieu of **HB 1077**.

Amendment No. 1

Representative Kleinschmidt offered the following amendment to **CSSB 1907**:

Amend **CSSB 1907** (house committee printing) as follows:

(1) On page 1, line 19, after "provision" insert "or take any other action, including posting notice under Section 30.06, Penal Code,".

(2) On page 1, line 22, after between "person" and "who", insert "; including a student enrolled at that institution."

Amendment No. 1 was adopted.

CSSB 1907, as amended, was passed to third reading. (Allen, Y. Davis, and Miles recorded voting no.)

HB 1077 - LAID ON THE TABLE SUBJECT TO CALL

Representative Kleinschmidt moved to lay **HB 1077** on the table subject to call.

The motion prevailed.

CSHB 694 ON SECOND READING
(by Phillips)

CSHB 694, A bill to be entitled An Act relating to access by certain military personnel to juvenile and criminal history information.

CSHB 694 was passed to engrossment.

CSHB 3743 ON SECOND READING
(by Wu)

CSHB 3743, A bill to be entitled An Act relating to the authority of a prosecutor in a juvenile case to appeal certain judicial decisions.

CSHB 3743 was passed to engrossment.

POSTPONED BUSINESS

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

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

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

HB 194 was read second time on May 2, postponed until May 6, postponed until 2 a.m. today, and was again postponed until this time.

Amendment No. 1

Representative Vo offered the following amendment to **HB 194**:

Amend **HB 194** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 2161.002, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The comptroller shall adopt rules to provide goals for increasing the contract awards for the purchase of goods or services by the commission and other state agencies to businesses that qualify as historically underutilized businesses because the businesses are owned or owned, operated, and controlled, as applicable, wholly or partly by one or more veterans as defined by 38 U.S.C. Section 101(2) who have a service-connected disability as defined by 38 U.S.C. Section 101(16). The goals established under this subsection are in addition to the

goals established under Subsection (c) and the goals established under Subsection (c) may not be reduced as a result of the establishment of goals under this subsection.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Sheets offered the following amendment to **HB 194**:

Amend **HB 194** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly.

SECTION _____. (a) Unless expressly provided otherwise, if any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

(b) This section does not affect the power or duty of a court to ascertain and give effect to legislative intent concerning severability of this Act.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Farias offered the following amendment to **HB 194**:

Amend **HB 194** (house committee report) as follows:

(1) On page 1, line 13, strike "have a" and substitute "have suffered at least a 20 percent".

(2) On page 2, line 3, strike "have a" and substitute "have suffered at least a 20 percent".

Amendment No. 3 was adopted.

Amendment No. 4

Representative Dukes offered the following amendment to **HB 194**:

Amend **HB 194** (house committee printing) by inserting the following appropriately numbered SECTION and renumbering SECTIONS of the bill accordingly:

SECTION _____. (a) The change in law made by this Act may not be implemented by a state agency unless a declaratory judgment is obtained by the comptroller or the attorney general that determines that the change in law is not:

(1) a violation of the Equal Protection Clause of Fourteenth Amendment to the United States Constitution; or

(2) preempted by federal law, including the following laws, if applicable:

(A) 15 U.S.C. Section 631 et seq.;

(B) 13 C.F.R. Parts 124 and 134; and

(C) 49 C.F.R. Part 26.

(b) Until a declaratory judgment described by Subsection (a) of this section is obtained, the law as it existed immediately before the effective date of this Act is continued in effect.

AMENDMENT NO. 4 - REMARKS

REPRESENTATIVE DUKES: Mr. Farias has repeatedly stated that he did not want to create a program that would be unconstitutional, nor one that would injure women and minority businesses, and even stated that if the program was unconstitutional, then he'd be willing for this program not to be put in place. I want to reference a report by the Inspector General of the United States that was written in February of 2012, where an audit was performed of the service-disabled veteran-owned small businesses. Service-disabled veteran-owned businesses—unlike minority and women-owned businesses—the service businesses self-certify—they self-certify. There's no entity that reviews whether or not they are, indeed, 20 percent disabled or a service vet; just that they were honorably discharged. The service-disabled vets do not have a personal net worth requirement, like minority and women businesses—their personal net worth must be below \$750,000. Service-disabled do not have to.

But what the Inspector General found in this report of February 29th and cited as the reason that it's very, very problematic to put this into action and, I believe, problematic to put it into state statute, is because, it's stated, "DOD awarded approximately \$342 million in funds set aside"—set aside, a quota, set aside—"for the Service-Disabled Veteran-Owned Small Business Program to potentially ineligible contractors. In addition, DOD contracting activities inaccurately coded contracts valued at \$1.3 billion, as service-disabled owned small business set aside, or sole source awards in the Federal Procurement Data System Program." What they're saying is that this program is so riddled with fraud—so riddled with fraud because of the self-certification—that one should proceed with caution. And because Representative Farias has agreed that he does not wish for this program to have a negative effect on our HUB businesses, I offer an amendment. And what this amendment would do was require that there be a declaratory judgment obtained by the comptroller or the attorney general that this law being put into place is, indeed, not unconstitutional; that it does not violate the Equal Protection Clause of the 14th Amendment of the United States Constitution, as cited by Sandra Day O'Connor in *Richmond v. J. A. Croson Co.*, which was the landmark case that established the Minority and Women Businesses Program; nor that this law preempts by federal law any of the following: 15 U.S.C., Section 631 and 13 C.F.R., parts 124 and 23, which are landmark cases and laws that establish that, in order to participate in a minority and women business program, that you must be an economically disadvantaged business as cited by the courts—that you cannot have greater than a \$750,000 personal net worth with the inclusion of your home in that accord; nor that this section would violate 49 C.F.R., part 26, which is the federal code that establishes a disadvantaged minority and women business.

Just to reiterate, the courts have stated that one cannot implement a program and redefine the categories of the definitions of economically disadvantaged that have been defined as racial and minorities who have been discriminated against

in the past. The courts have stated—and they have stated specifically in *[inaudible]* case, that you cannot include a group unless there has been a showing of discrimination, and there's no defined showing of discrimination in the hiring of service-disabled veteran-owned businesses. As a matter of fact, some of the wealthiest businesses and most successful businesses are owned by service-disabled vets—even those at 20 percent, 50 percent, or even 100 percent.

Representative Farias moved to table Amendment No. 4.

DUKES: What Representative Farias does not disclose to you was, by the Sheets amendment, these economically disadvantaged businesses have to be below \$750,000 in personal net worth—these little-bitty businesses, these little-bitty owners would have to file a lawsuit to declare constitutionality on the bill as it is today, as it is amended. The amendment that I'm offering is taking that burden, that high hurdle—after the small mom-and-pop businesses that make less than \$750,000 as their net worth, which includes their home that might be \$350,000, so they are technically making about \$250,000 a year—from having to be the ones to take it to court, to hire the attorneys to put up that litigation. Instead, if it's truly a program that you feel, if it is unconstitutional, shouldn't be put into place, then let the state defend it—let the state bring the declaratory judgment, instead of making the little people have the problem. So, let the little dogs eat and support this amendment. Vote no on the motion to table.

The motion to table prevailed.

Amendment No. 5

Representative Vo offered the following amendment to **HB 194**:

Amend **HB 194** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 2161.002, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The comptroller shall adopt rules to provide goals for increasing the contract awards for the purchase of goods or services by the commission and other state agencies to businesses that qualify as historically underutilized businesses because the businesses are owned or owned, operated, and controlled, as applicable, wholly or partly by one or more veterans as defined by 38 U.S.C. Section 101(2) who have a service-connected disability as defined by 38 U.S.C. Section 101(16). The goals established under this subsection are in addition to the goals established under Subsection (c) and the goals established under Subsection (c) may not be reduced as a result of the establishment of goals under this subsection.

AMENDMENT NO. 5 - REMARKS

DUKES: I know you all probably think this is strange that I'm talking against some amendments that are put up by my fellow democrats, but, being that I am quite familiar with Government Code 2161—largely because I wrote it, and wrote it with the assistance of some experts from around the country who knew

the federal lawsuits and the statutes. This amendment, as written, "the comptroller shall adopt rules to provide goals for increasing the contract awards", will conflict with the present statute which requires that each of the individual agencies as they are reviewing the contracts in values greater than \$100,000 would determine what the good-faith effort plan would be. There are different availabilities of businesses in different categories. If it's a contract that has to do with the service industry, there may be a larger participation level of minority and women businesses, versus, in construction, it might be lower.

If you give the authority to the comptroller, the comptroller could set an across-the-board percentage that may very well not have firms that could do that work, but over and above that, when you do that on every contract, you have, technically, developed a quota—a quota—because that means every single contractor that applies on that contract would have to meet that quota. On the other part of this amendment, which you're not being shown in common words, is that it is creating an automatic three-percent quota for the service-oriented vets, and then, on top of the automatic three-percent quota, stating that the comptroller must provide an additional quota for work based on each of the contracts. With that, first of all, quotas are illegal, unconstitutional, so I would ask for this amendment to be tabled.

Representative Dukes moved to table Amendment No. 5.

The motion to table was lost.

Amendment No. 5 was adopted.

HB 194 - REMARKS

DUKES: I'm going to be very, very quick. There were attempts to make this bill better; this bill has been made far worse. So, I would just tell you to vote against the bill. This is not a veterans' bill. I have veterans who are cousins, and friends, and people I know who have said, "Don't support this bill." You think you're voting to help veterans; you are not. This is not a veterans' bill.

HB 194, as amended, was passed to engrossment by (Record 686): 96 Yeas, 38 Nays, 3 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Callegari; Canales; Capriglione; Carter; Cortez; Craddick; Creighton; Crownover; Darby; Davis, J.; Fallon; Farias; Farney; Fletcher; Frank; Frullo; Geren; Goldman; González, M.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Menéndez; Miller, R.; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Patrick; Perry; Pitts; Price; Raney; Ratliff; Raymond; Ritter; Rodriguez, J.; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Toth; Turner, C.; Villalba; Villarreal; Walle; White.

Nays — Allen; Burkett; Burnam; Button; Clardy; Coleman; Cook; Dale; Davis, S.; Deshotel; Dukes; Dutton; Elkins; Farrar; Flynn; Gonzales; Gonzalez, N.; King, P.; Márquez; Martínez; McClendon; Miles; Miller, D.; Moody; Morrison; Orr; Perez; Pickett; Riddle; Rodriguez, E.; Rose; Simpson; Stickland; Turner, S.; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Eiland; Giddings.

Absent — Collier; Davis, Y.; Hunter; King, T.; Laubenberg; Martínez Fischer; Phillips; Reynolds; Sanford; Thompson, S.; Turner, E.S.

STATEMENTS OF VOTE

When Record No. 686 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 686 was taken, I was in the house but away from my desk. I would have voted no.

Laubenberg

I was shown voting no on Record No. 686. I intended to vote yes.

Moody

When Record No. 686 was taken, I was in the house but away from my desk. I would have voted yes.

E. S. Turner

CSHB 1790 ON SECOND READING

(by Longoria, S. Thompson, Burnam, and Hughes)

CSHB 1790, A bill to be entitled An Act relating to certain procedures for defendants who successfully complete a period of state jail felony community supervision.

CSHB 1790 was read second time earlier today, amendments were offered and disposed of, and **CSHB 1790** was again postponed until this time.

Amendment No. 3

Representative Carter offered the following amendment to **CSHB 1790**:

Amend **CSHB 1790** (house committee printing) as follows:

(1) On page 1, strike line 6 and substitute "Procedure, is amended by adding Subsections (l), (m), (n), and (o) to read as".

(2) On page 2, between lines 23 and 24, insert the following:

(n) Subsections (l) and (m) apply only to a county, or a municipality in a county, that:

(1) borders the United Mexican States;

(2) has a population of at least 400,000; and

(3) is within 200 miles of the Gulf of Mexico.

(o) Subsections (l), (m), (n), and this subsection expire on September 1, 2014.

Amendment No. 3 - Point of Order

Representative Dutton raised a point of order against further consideration of Amendment No. 3 under Rule 8, Section 10 of the House Rules on the grounds that the bill is limited to one or more subdivisions by means of artificial devices.

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

Representative Dutton raised a point of order against further consideration of Amendment No. 3 to **CSHB 1790** under Rule 8, Section 10 of the House Rules alleging the amendment's "application is limited to one or more political subdivisions by means of population brackets or other artificial devices in lieu of identifying the political subdivision or subdivisions by name." The prohibition against such measures does not apply if the proposed classification "bears a reasonable relation to the purpose of the proposed legislation. . . ." See Rule 8, Section 10(a) of the House Rules.

In this case, the proposed amendment would have limited the availability of certain modification procedures for defendants who successfully complete a period of state jail felony community supervision to only a county or a municipality in a county that (1) borders the United Mexican States, and (2) has a population of at least 400,000, and (3) is within 200 miles of the Gulf of Mexico.

For the sake of argument, even if the bracket of the bill was determined not to be an artificial bracket, the limitation proposed in the amendment would fail under the rule because the proposed classification bears no reasonable relation to the purpose of the proposed legislation. Because no argument was advanced on a reasonable relationship between the proposed bracket and the purpose of the bill, the chair finds that whether a county or municipality is "within 200 miles of the Gulf of Mexico" bears no relationship to limiting the availability of certain modification procedures for defendants who successfully complete a period of state jail felony community supervision as outlined in this bill. Accordingly, the point of order is sustained.

The ruling precluded further consideration of Amendment No. 3.

Amendment No. 4

Representative Carter offered the following amendment to **CSHB 1790**:

Amend **CSHB 1790** (house committee printing) as follows:

(1) On page 1, strike line 6 and substitute "Procedure, is amended by adding Subsections (l), (m), and (n) to read as".

(2) On page 1, line 20, between "supervision" and "was", insert "was an offense under Section 32.31, Penal Code, and".

(3) On page 2, between lines 23 and 24, insert the following:

(n) Subsections (l), (m), and this subsection expire on September 1, 2014.

Amendment No. 4 - Point of Order

Representative Nevárez raised a point of order against further consideration of Amendment No. 4 under Rule 11, Section 3 of the House Rules on the grounds that the amendment would change the original purpose of the bill.

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

Representative Nevárez raised a point of order against further consideration of Amendment No. 4 to **CSHB 1790** under Rule 11, Section 3 of the House Rules, asserting that the amendment would narrow the scope of the bill to the point of impermissibly changing the bill's original purpose, which was to ameliorate overcrowding of prisons and integrate lower-level offenders back into communities. The point of order is respectfully overruled.

CSHB 1790 provides for a procedure whereby defendants could modify the record of conviction for most state jail felonies under certain circumstances. Amendment No. 4 would have made the bill apply only to the state jail felony for credit card or debit card abuse under Section 32.31 of the Penal Code, and it would have caused the provisions added by **CSHB 1790** to expire on September 1, 2014. Although Representative Nevárez is correct that the amendment would have narrowed the bill's scope, the amendment would nonetheless have been aimed at achieving the same purpose of ameliorating overcrowding and reintegrating certain offenders, albeit on smaller scale. Thus, the amendment would not have changed the bill's original purpose. See Rule 11, Section 3 of the House Rules; *compare* 75 H.J. Reg. 3773 (1997) (sustaining a point of order where an amendment would have changed a bill establishing a process by which municipal acts could have been validated into a bill establishing a process by which municipal acts could be invalidated); 52 H.J. Reg. 519 (1951) (sustaining a point of order where an amendment sought to permit what the bill sought to prohibit).

(Speaker in the chair)

(Eiland now present)

Representative Wu moved to table Amendment No. 4.

The motion to table prevailed by (Record 687): 81 Yeas, 65 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Burkett; Burnam; Canales; Capriglione; Coleman; Collier; Cook; Cortez; Craddick; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Frank; Geren; Goldman; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hughes; Johnson; King, P.; King, T.; Klick; Kolkhorst; Larson; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Price; Raney; Ratliff;

Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Simmons; Simpson; Strama; Taylor; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; White; Wu.

Nays — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Button; Callegari; Carter; Clardy; Creighton; Dale; Darby; Davis, J.; Davis, S.; Elkins; Fallon; Fletcher; Flynn; Frullo; Gonzales; Gooden; Hilderbran; Hunter; Isaac; Kacal; Keffer; King, K.; Kleinschmidt; Krause; Kuempel; Laubenberg; Lavender; Lewis; Miller, D.; Miller, R.; Murphy; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pitts; Riddle; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Smith; Smithee; Springer; Stephenson; Stickland; Thompson, E.; Toth; Turner, E.S.; Villalba; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Crownover; King, S.

STATEMENT OF VOTE

I was shown voting yes on Record No. 687. I intended to vote no.

Herrero

CSHB 1790, as amended, was passed to engrossment by (Record 688): 100 Yeas, 43 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bonnen, G.; Burnam; Callegari; Canales; Capriglione; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Darby; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Frank; Frullo; Geren; Goldman; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Johnson; Kacal; King, K.; King, P.; King, T.; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Paddie; Perez; Perry; Pickett; Price; Ratliff; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villarreal; Vo; Walle; White; Wu; Zedler; Zerwas.

Nays — Anderson; Ashby; Bell; Bohac; Bonnen, D.; Branch; Burkett; Button; Carter; Clardy; Creighton; Dale; Davis, S.; Elkins; Fallon; Fletcher; Flynn; Gonzales; Harper-Brown; Isaac; Keffer; King, S.; Kleinschmidt; Lavender; Lewis; Miller, D.; Miller, R.; Murphy; Orr; Otto; Parker; Patrick; Phillips; Pitts; Riddle; Ritter; Sheets; Sheffield, R.; Stickland; Thompson, E.; Toth; Villalba; Workman.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Davis, J.; Harless; Hunter; Raney; Sheffield, J.

STATEMENTS OF VOTE

When Record No. 688 was taken, I was in the house but away from my desk. I would have voted no.

Harless

I was shown voting yes on Record No. 688. I intended to vote no.

Hilderbran

When Record No. 688 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting yes on Record No. 688. I intended to vote no.

P. King

I was shown voting yes on Record No. 688. I intended to vote no.

Morrison

HB 2038 - VOTE RECONSIDERED

Representative Keffer moved to reconsider the vote by which **HB 2038**, as amended, failed to pass by Record No. 582 on Tuesday, May 7.

The motion to reconsider prevailed.

**HB 2038 ON THIRD READING
(by Dukes, Raymond, and Coleman)**

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

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

HB 2038 was read second time Tuesday, May 7 and failed to pass, as amended, by Record No. 582.

HB 2038 - POINT OF ORDER

Representative Laubenberg raised a point of order against further consideration of **HB 2038**.

The point of order was withdrawn.

Amendment No. 2

Representative Workman offered the following amendment to **HB 2038**:

Amend **HB 2038** on third reading in SECTION 3 of the bill, in added Section 2.003(b), Human Resources Code, between "develop and" and "a Texas Model", by striking "adopt" and substituting "recommend to the legislature".

Amendment No. 2 was withdrawn.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 5).

HB 2038 - (consideration continued)

Amendment No. 3

Representative Workman offered the following amendment to **HB 2038**:

Amend **HB 2038** on third reading in SECTION 3 of the bill, in added Section 2.003(b), Human Resources Code, between "develop and" and "a Texas Model", by striking "adopt" and substituting "recommend to the commissioner".

Amendment No. 3 was adopted.

Amendment No. 1 - Vote Reconsidered

Representative Collier moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

HB 2038, as amended, was passed by (Record 689): 73 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Burnam; Callegari; Canales; Coleman; Collier; Cook; Cortez; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farrar; Geren; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; Keffer; King, S.; King, T.; Kuempel; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Perez; Phillips; Pickett; Price; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Bell; Bohac; Bonnen, G.; Burkett; Button; Capriglione; Carter; Clardy; Craddick; Creighton; Crownover; Dale; Davis, S.; Fallon; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; Harper-Brown; Hilderbran; Hughes; Isaac; Kacal; King, P.; Kleinschmidt; Kolkhorst; Krause; Laubenberg; Lavender; Leach; Lewis; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Parker; Patrick; Perry; Raney; Schaefer; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Bonnen, D.; Branch; Farney; Gooden; Harless; Huberty; Hunter; King, K.; Klick; Larson; Paddie; Pitts; Ritter; Sanford; Sheets.

STATEMENTS OF VOTE

When Record No. 689 was taken, I was temporarily out of the house chamber. I would have voted no.

D. Bonnen

When Record No. 689 was taken, my vote failed to register. I would have voted no.

Branch

When Record No. 689 was taken, I was in the house but away from my desk. I would have voted no.

Gooden

When Record No. 689 was taken, I was in the house but away from my desk. I would have voted no.

Harless

When Record No. 689 was taken, I was temporarily out of the house chamber. I would have voted no.

Huberty

When Record No. 689 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 689 was taken, my vote failed to register. I would have voted no.

Sheets

PROVIDING FOR ADJOURNMENT

At 9:54 p.m., Representative Riddle moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

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

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

(Taylor in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 10:06 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HR 1875 (By Hughes), Commemorating the 175th anniversary of the founding of Fort Sherman.

To Rules and Resolutions.

HR 1877 (By Coleman), Honoring former University of Houston basketball coach Guy V. Lewis on his enshrinement in the Naismith Memorial Basketball Hall of Fame.

To Rules and Resolutions.

HR 1878 (By Coleman), In memory of Henry M. Garza of Houston.

To Rules and Resolutions.

HR 1880 (By Fallon), Congratulating the Aubrey High School recipients of the Denton County Livestock Association and the Blue Ribbon Club scholarships.

To Rules and Resolutions.

HR 1881 (By Fallon), Congratulating the Pilot Point High School softball team on winning the 2013 District 12-2A championship.

To Rules and Resolutions.

HR 1882 (By Fallon), Congratulating members of the Griffin Middle School Choir who participated in the Lewisville ISD East Zone Choir Solo and Ensemble Competition.

To Rules and Resolutions.

HR 1883 (By Fallon), Congratulating the Pilot Point eighth grade girls' track and field team on winning the District 12-2A title.

To Rules and Resolutions.

HR 1884 (By Fallon), Honoring Teen Leadership students at Pilot Point Middle School for their participation in the Rain Barrel Project.

To Rules and Resolutions.

HR 1885 (By Fallon), Commending the participants in the Keep Pilot Point Beautiful 8th Annual Trash-Off.

To Rules and Resolutions.

HR 1886 (By Herrero), Congratulating Patrick and Renee Tarlton on the birth of their son, Tyler Grigar Tarlton.

To Rules and Resolutions.

HR 1887 (By Herrero), Congratulating Xavier Zamora of Robstown High School on his selection as a 2013 Exemplary Migrant Student by The University of Texas at Austin Migrant Student Graduation Enhancement Program.

To Rules and Resolutions.

HR 1888 (By Herrero), Congratulating Hector Salinas on his induction into the Texas A&M University–Kingsville Javelina Athletic Hall of Fame.

To Rules and Resolutions.

HR 1889 (By Herrero), In memory of Mary Lou Trevino of Robstown.

To Rules and Resolutions.

HR 1890 (By Eiland), Congratulating Robert Chase Bossert of Jamaica Beach on achieving the rank of Eagle Scout.

To Rules and Resolutions.

HR 1892 (By J. Sheffield), Congratulating Jared Thames of Glen Rose High School on taking his second state championship in powerlifting with his 2013 win.

To Rules and Resolutions.

HR 1893 (By Reynolds), Honoring the Missouri City Juneteenth Celebration Foundation.

To Rules and Resolutions.

HR 1894 (By Zerwas), Recognizing May 2013 as Brain Tumor Awareness Month and commending Dr. Ronald A. DePinho, Dr. Charles A. Conrad, Dr. Jeffrey S. Weinberg, Dr. Susan McGovern, and the entire staff of The University of Texas MD Anderson Cancer Center.

To Rules and Resolutions.

HR 1895 (By Eiland), Expressing support for chronic care coordination and encouraging the adoption of evidence-based strategies to prevent, postpone, and treat chronic diseases.

To Rules and Resolutions.

HR 1896 (By Goldman), Congratulating the Honorable Tom Craddick on his induction into the Petroleum Hall of Fame.

To Rules and Resolutions.

HR 1897 (By S. Thompson), Commemorating the 100th McIntosh-Ruffin Family Reunion in Jefferson.

To Rules and Resolutions.

HR 1898 (By White), Recognizing Dr. Scott Moody as Pastor of the Day on May 7, 2013.

To Rules and Resolutions.

HR 1899 (By White), Congratulating Emily Sue Soisson on her graduation from Jasper High School.

To Rules and Resolutions.

HR 1900 (By Cortez), Congratulating Magdalen Wiatrek of Kenedy on her 100th birthday.

To Rules and Resolutions.

HR 1901 (By Hughes), In memory of Jack David Ledkins of Mineola.

To Rules and Resolutions.

HR 1903 (By Miles), Honoring the Reverend Max A. Miller, Jr., of Mount Hebron Missionary Baptist Church in Houston for serving as Pastor of the Day on April 12, 2013.

To Rules and Resolutions.

HR 1908 (By Workman), Commending the Cheyanna's Champions-4-Children organization for its Austin to Boston Campaign.

To Rules and Resolutions.

HR 1909 (By Workman), Congratulating Neomi Raad of Austin on her retirement from the Texas Department of Assistive and Rehabilitative Services.

To Rules and Resolutions.

HR 1910 (By E. S. Turner), Congratulating Racy Grant of Prosper High School on her receipt of the Speech, Debate, and Theatre Educator of the Year Award from the National Federation of State High School Associations.

To Rules and Resolutions.

HR 1911 (By Darby), In memory of Jack Pardee, renowned football player and coach.

To Rules and Resolutions.

HR 1912 (By Darby), In memory of John F. Sutton, Jr., former dean of The University of Texas School of Law.

To Rules and Resolutions.

HR 1915 (By Lozano), Commemorating the 100th anniversary of the founding of St. John Lutheran Church in Bishop.

To Rules and Resolutions.

HR 1916 (By Lozano), Congratulating Aunt Aggie De's Pralines of Sinton on being named the 2013 Official Best Gourmet Pralines and Pecan Candy in Texas by the Official Best Of TV show and website.

To Rules and Resolutions.

HR 1917 (By Gutierrez), Honoring Gabriel Garcia as a participant in the 2013 Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

HR 1918 (By Callegari), Congratulating John Paul Callegari on his graduation from St. Pius X High School in Houston.

To Rules and Resolutions.

HR 1919 (By Guerra), Congratulating the McAllen Independent School District Board of Trustees on being named the 2012 Texas Outstanding School Board of the Year by the Texas Association of School Administrators.

To Rules and Resolutions.

HR 1920 (By Guerra), Honoring the city of Palmhurst for its contributions to the Rio Grande Valley.

To Rules and Resolutions.

HR 1921 (By Guerra), Congratulating the Monitor newspaper of McAllen on its receipt of numerous awards at the 2013 Texas Associated Press Managing Editors conference.

To Rules and Resolutions.

HR 1922 (By Guerra), Honoring La Union del Pueblo Entero (LUPE) for its 10 years of service to colonia residents in Hidalgo County.

To Rules and Resolutions.

HR 1923 (By Guerra), Commending Ann Williams Cass, executive director of Proyecto Azteca, for her achievements in South Texas.

To Rules and Resolutions.

HR 1924 (By Guerra), Honoring Dario V. Guerra, Jr., of Edinburg for his contributions to the Rio Grande Valley.

To Rules and Resolutions.

HR 1925 (By Guerra), Commending Edson Amaro of Edinburg for his inspiring attitude and resilience in the face of extraordinary challenges.

To Rules and Resolutions.

HR 1926 (By Guerra), Congratulating the McAllen Independent School District on its designation as a 2013 Best Community for Music Education by the National Association of Music Merchants' Foundation.

To Rules and Resolutions.

HR 1927 (By Guerra), Congratulating Alexandra Marie Vasquez of IDEA Academy and College Preparatory Mission on being chosen to participate in Subiendo: The Academy for Rising Leaders at The University of Texas at Austin.

To Rules and Resolutions.

HR 1928 (By Guerra), Commending Nicholas Tijerina of Edinburg for his inspiring attitude and resilience in the face of extraordinary challenges.

To Rules and Resolutions.

HR 1929 (By Guerra), Congratulating Valerie De Leon of McAllen Memorial High School on being chosen to participate in Subiendo: The Academy for Rising Leaders.

To Rules and Resolutions.

HR 1930 (By Dutton), Honoring Kappa Alpha Psi on its 81st Grand Chapter Meeting.

To Rules and Resolutions.

HR 1931 (By D. Miller), In memory of former Comal County judge and school superintendent Max R. Wommack, Sr., of Seguin.

To Rules and Resolutions.

HR 1932 (By D. Miller), In memory of Thomas G. Zipp of New Braunfels.

To Rules and Resolutions.

HR 1933 (By D. Miller), In memory of Charles Henry "Tart" Mund of New Braunfels.

To Rules and Resolutions.

HR 1934 (By Y. Davis), Congratulating Bernice Washington on her selection as chair of the board of directors of Texas Health Resources—Presbyterian Healthcare Resources.

To Rules and Resolutions.

HR 1935 (By Y. Davis), Congratulating Captain Dr. TeCora Ballom on her selection as a Women's History Month honoree of the Southeast Dallas Business and Professional Women's Senior and Youth Clubs.

To Rules and Resolutions.

HR 1936 (By Y. Davis), Congratulating Dr. Melanie Belt on her selection as a Women's History Month honoree of the Southeast Dallas Business and Professional Women's Senior and Youth Clubs.

To Rules and Resolutions.

HR 1937 (By Y. Davis), Congratulating Jennifer Manzay on her selection as a Women's History Month honoree of the Southeast Dallas Business and Professional Women's Senior and Youth Clubs.

To Rules and Resolutions.

HR 1938 (By Y. Davis), Honoring Curtis King for his achievements as founder and president of The Black Academy of Arts and Letters.

To Rules and Resolutions.

HR 1939 (By Y. Davis), Congratulating John Clem on being named a 2013 Good Samaritan by the Dallas Baptist University-Oak Cliff Partnership.

To Rules and Resolutions.

HR 1940 (By Y. Davis), Congratulating Dr. Cheronda Steele on her selection as a Women's History Month honoree of the Southeast Dallas Business and Professional Women's Senior and Youth Clubs.

To Rules and Resolutions.

HR 1941 (By Hughes), Honoring Barbara Lynn for her 50 years of teaching at Quitman Elementary School.

To Rules and Resolutions.

HR 1942 (By Hughes), Congratulating Martha Harris of Mineola on her retirement from City National Bank after more than 40 years in the banking business.

To Rules and Resolutions.

HR 1943 (By Guillen), In memory of Richard Reyes of Poteet.

To Rules and Resolutions.

HR 1944 (By White), Congratulating the Hardin County nominees for the 2013 Babe Didrikson Zaharias Junior Golfer of the Year Awards.

To Rules and Resolutions.

HR 1945 (By White), In memory of Larry "L. J." Jones of Spurger.

To Rules and Resolutions.

HR 1946 (By White), Commemorating the dedication of the historical marker honoring Colonel Samuel S. Lewis in Sand Ridge Cemetery.

To Rules and Resolutions.

HR 1947 (By Harless), In memory of Leslie Gerald Walker, Jr., of Houston.

To Rules and Resolutions.

SB 16 to Appropriations.

SB 163 to Ways and Means.

SB 327 to State Affairs.

SB 443 to Urban Affairs.

SB 467 to Environmental Regulation.

SB 482 to Special Purpose Districts.

SB 628 to Special Purpose Districts.

SB 667 to Higher Education.

SB 807 to Public Health.

SB 1040 to Business and Industry.

SB 1158 to Defense and Veterans' Affairs.

SB 1172 to Criminal Jurisprudence.

SB 1183 to Corrections.

SB 1200 to Defense and Veterans' Affairs.

SB 1384 to Public Education.

SB 1440 to Corrections.

SB 1475 to Corrections.

SB 1522 to Criminal Jurisprudence.

SB 1536 to Defense and Veterans' Affairs.

SB 1551 to International Trade and Intergovernmental Affairs.

SB 1557 to Public Education.

SB 1563 to Government Efficiency and Reform.

SB 1567 to Insurance.

SB 1576 to State Affairs.

SB 1586 to State Affairs.

SB 1590 to Higher Education.

SB 1635 to Natural Resources.

SB 1863 to County Affairs.

SB 1867 to Special Purpose Districts.

SB 1873 to Natural Resources.

SB 1879 to Special Purpose Districts.

SB 1891 to Judiciary and Civil Jurisprudence.

SB 1899 to Special Purpose Districts.

SB 1910 to Special Purpose Districts.

SB 1913 to Special Purpose Districts.

SB 1914 to Transportation.

SJR 16 to Ways and Means.

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

SB 1419 to Judiciary and Civil Jurisprudence.

SIGNED BY THE SPEAKER

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

Senate List No. 23

SB 1815

MESSAGES FROM THE SENATE

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

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, May 8, 2013 - 2

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 535 Davis, Yvonne SPONSOR: Zaffirini
Relating to the preference given by state agencies to goods offered by bidders in this state or manufactured, produced, or grown in this state or in the United States.

(Committee Substitute)

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 166 (30 Yeas, 0 Nays)

SB 265 (30 Yeas, 0 Nays)

SB 365 (30 Yeas, 0 Nays)

SB 367 (30 Yeas, 0 Nays)

SB 611 (30 Yeas, 0 Nays)

SB 698 (30 Yeas, 0 Nays)

SB 820 (30 Yeas, 0 Nays)

SB 866 (30 Yeas, 0 Nays)

SB 965 (30 Yeas, 0 Nays)

SB 1489 (30 Yeas, 0 Nays)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 213 (viva-voce vote)

Senate Conferees: Whitmire - Chair/Duncan/Hinojosa/Huffman/Nichols

SB 901

Senate Conferees: Fraser - Chair/Deuell/Eltife/Estes/Hinojosa

SB 1730

Senate Conferees: Nichols - Chair/Patrick/Paxton/Uresti/Watson

THE SENATE HAS GRANTED THE REQUEST OF THE HOUSE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

HB 4

Senate Conferees: Fraser - Chair/Estes/Hegar/Uresti/Williams

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 8, 2013 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 1334 Lucio
Relating to accounting and payoff statements for certain seller-financed residential loans.

SB 1375 Hinojosa
Relating to a study and report by the Sunset Advisory Commission of the self-directed semi-independent status of state agencies.

SB 1906 Hegar
Relating to the creation of Fort Bend County Municipal Management District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SCR 35 Taylor SPONSOR: Bonnen,
Greg

Commending George Mitchell for his generous support of the Texas Capitol Vietnam Veterans Monument through the Cynthia and George Mitchell Foundation.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 8, 2013 - 4

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 1720

Patrick

Relating to the Math and Science Scholars Loan Repayment Program for teachers who agree to teach mathematics or science in certain school districts in this state.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 5

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, May 8, 2013 - 5

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 1458

Duncan

Relating to contributions to, benefits from, and the administration of systems and programs administered by the Teacher Retirement System of Texas.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 7

County Affairs - **HB 3698**

Culture, Recreation, and Tourism - **HB 3279**

Defense and Veterans' Affairs - **HB 3544**

Elections - **HB 3078**

Human Services - **SB 49, SB 425, SB 1589**

Judiciary and Civil Jurisprudence - **SB 92, SB 94, SB 479, SB 670, SB 679, SB 723, SB 958**

Licensing and Administrative Procedures - **SB 362, SB 407**

Public Education - **SB 2, SB 376, SB 1538**

Public Health - **SB 62, SB 63, SB 64, SB 329**

State Affairs - **SB 1364**

Ways and Means - **HB 509, HB 607, HB 3571**

ENGROSSED

May 7 - HB 26, HB 167, HB 170, HB 462, HB 555, HB 626, HB 899, HB 928, HB 972, HB 990, HB 1129, HB 1133, HB 1228, HB 1302, HB 1360, HB 1392, HB 1428, HB 1597, HB 1736, HB 1748, HB 1772, HB 1813, HB 1862, HB 1897, HB 1908, HB 1931, HB 1965, HB 1992, HB 2268, HB 2280, HB 2320, HB 2330, HB 2446, HB 2447, HB 2532, HB 2668, HB 2691, HB 2694, HB 2712, HB 2851, HB 2859, HB 2887, HB 3101, HB 3103, HB 3121, HB 3152, HB 3162, HB 3196, HB 3233, HB 3234, HB 3285, HB 3327, HB 3370, HB 3459, HB 3536, HB 3566, HB 3668, HB 3671, HB 3805

ENROLLED

May 7 - HB 666, HB 893, HB 1016, HCR 35

SENT TO THE GOVERNOR

May 7 - HB 893, HCR 35