By Gene Green Nichols H.B. No. 1284

Nee Jones Washington

Caraway

A BILL TO BE ENTITLED

AN ACT

Hall of Harris

relating to establishing a Division of Occupational Safety and Health in the Texas Department of Labor and Standards, its duties and powers; establishing an Advisory Committee on Occupational Safety and Health; repealing Chapter 201, Acts of the 60th Legislature, Regular Session, 1967 (Article 5182a, Vernon's Texas Civil Statutes); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. LEGISLATIVE FINDINGS AND PURPOSE. (a) The legislature finds that:

(1) injuries and illnesses arising out of Texas public employee work places impose a substantial burden on and are a hindrance to the public employer in terms of lost efficiency and production and to the Texas taxpayer in terms of economic losses incident to retraining and replacement, lost production, and workmen's compensation payments; and

(2) the public employees of the State of Texas and its political subdivisions deserve a work place free from hazards which cause or are likely to cause death or harm.

(b) The legislature declares it to be the purpose and policy to assure, to the extent possible, every publicly employed man and woman in Texas safe and healthful working conditions and to preserve our human resources.

Sec. 2. TITLE. This Act may be cited as the Texas Public

Employee Safety and Health Act.

Sec. 3. DEFINITIONS. In this Act:

(1) "Citation" means a written charge issued by the commissioner against an employer for a violation of an obligation imposed on him under this Act.

(2) "Commissioner" means the Commissioner of Labor Statistics.

(3) "Division" means the Division of Occupational Safety and Health.

(4) "Employee" means an individual who engages to furnish his services subject to the direction and control of an employer.

(5) "Employer" means the State of Texas, an agency, board, commission, department, office, or instrumentality of the state, and a political subdivision of the state and its instrumentalities.

(6) "Standard" means an occupational safety and health standard established by the commissioner's rules promulgated under this Act.

Sec. 4. DUTIES OF EMPLOYERS AND EMPLOYEES. (a) An employer shall furnish to each employee employment and a place of employment free from recognized hazard causing or likely to cause death or serious harm and shall comply with the standards established under this Act.

(b) An employee shall comply with standards established under this Act that are applicable to his actions and with reasonable safety rules promulgated by his employer.

Sec. 5. DIVISION OF OCCUPATIONAL SAFETY AND HEALTH. (a) A Division of Occupational Safety and Health is established in

the Texas Department of Labor and Standards.

(b) The commissioner may employ or contract for technical, clerical, and other assistance necessary to perform the duties required by this Act.

(c) The commissioner may use, with the consent of a federal, state, or local government agency, the services, facilities, and personnel of the agency, with or without reimbursement.

(d) The commissioner shall establish an occupational safety and health program compatible with the "Occupational Safety and Health Act of 1970," 29 U.S.C. 651, et seq.

(e) The commissioner shall promulgate rules to establish occupational safety and health standards and to carry out the provisions of this Act, and shall file certified copies of all rules with the secretary of state.

Sec. 6. ADOPTION OF FEDERAL STANDARDS. (a) Before December 1, 1975, the commissioner shall adopt as a Texas occupational safety and health standard each federal standard promulgated by the United States Secretary of Labor pursuant to the "Occupational Safety and Health Act of 1970," 29 U.S.C. 651, et seq.

(b) Within 120 days after the promulgation, modification, or revocation of a federal standard, the commissioner shall:

(1) adopt the federal standard as a Texas standard;

(2) modify an existing Texas standard to conform to the modification of the corresponding federal standard;

(3) revoke the Texas standard corresponding to the revoked federal standard; or

(4) decline to promulgate, modify, or revoke a Texas

standard if he finds that there is good cause for not changing the Texas standard and that existing Texas standards will provide occupational safety and health protection as effective as the new or changed federal standard.

(c) The commissioner shall publish notice of adoption of standards. If the commissioner decides not to adopt, modify, or revoke a Texas standard in accordance with a federal standard, he shall publish the reasons.

Sec. 7. PROMULGATION OF STANDARDS. (a) An interested person may file with the commissioner a written petition for the promulgation, modification, or revocation of a standard. The petition shall state the proposed standard, modification, or revocation and the reasons for the proposed action including the intended results. Notice of the filing of the petition, including a brief statement of its contents, shall be published.

(b) Within 90 days after receipt of the petition, the commissioner shall render a decision and notify the petitioner of his decision:

(1) to promulgate, modify, or revoke the standard in accordance with the petition;

(2) to conduct a hearing on the petition; or

(3) to reject the petition.

(c) The commissioner may propose standards on his own motion.

(d) The commissioner may submit any proposed standard to the Advisory Committee on Occupational Safety and Health. The advisory committee shall submit to the commissioner its

recommendations regarding the issues within 90 days of the receipt of the commissioner's request, or within the period prescribed by the commissioner, which may not exceed 270 days.

(e) The commissioner shall publish any proposed rule promulgating, modifying, or revoking a standard and shall allow interested persons 30 days after publication in which to submit written comments.

(f) An interested person may request a hearing on a proposed rule promulgating, modifying, or revoking a standard within 30 days of the publication of the proposed rule. Within 30 days after the deadline for written comments pursuant to Subsection (e) of this section, the commissioner shall publish a notice of hearing specifying the proposed rule and the time and place for the hearing.

(g) Within 60 days of the expiration of the period for the submission of written comments or within 60 days of the completion of a hearing, the commissioner shall issue and file with the secretary of state a rule promulgating, modifying, or revoking a Texas standard or shall determine that a rule should not be issued. When a rule is issued, the commissioner shall publish a notice of its basis and purpose and the specific findings and conclusions on which the decision to issue was based.

(h) When a rule is issued, it may contain a provision delaying the effective date up to 90 days if the commissioner determines the delay is necessary to insure that affected employers and employees will be informed of the existence of the standard.

Sec. 8. TOXIC MATERIALS. In promulgating standards dealing

with toxic materials or harmful physical agents, the commissioner shall set standards that most adequately assure, on the basis of the best available evidence, that no employee will suffer material impairment of health or functional capacity as a result of the hazards, even if the employee has regular exposure to the hazard during his working life. Whenever practicable, the standard promulgated shall be expressed in terms of objective criteria and of the performance desired.

Sec. 9. TEMPORARY VARIANCE. (a) An affected employer may apply to the commissioner for a temporary order granting a variance from a promulgated standard. The application must be accompanied by a reasonable application fee in an amount established by the commissioner and must contain:

(1) a specification of the standard from which the employer seeks a variance;

(2) a representation by the employer, supported by statements from qualified persons having firsthand knowledge of the facts, that he is unable to comply with the standard, and a detailed statement of the reasons;

(3) a statement of the steps he has taken and will take, with specific dates when applicable, to protect employees against the hazard covered by the standard;

(4) a statement of when he expects to be able to comply with the standard and what steps he has taken and what steps he will take, with dates specified, to comply with the standard; and

(5) a certification that he has informed his employees of the application and of their right to petition the commissioner

by giving a copy to their authorized representative, if any; posting a summary of the application specifying where a copy may be examined at the place or places where notices to employees are normally posted; or by other appropriate means.

(b) A temporary order may be granted only after notice to affected employees and their authorized representative, if any, and an opportunity for a hearing. The hearing, if requested, shall be held within 60 days of the filing of an application under this section.

(c) The temporary order may be granted if the employer establishes that:

(1) he is unable to comply with a standard by its effective date because of unavailability of professional or technical personnel or of materials and equipment needed to come into compliance with the standard or because necessary construction or alteration of facilities cannot be completed by the effective date;

(2) he is taking all available steps to safeguard his employees against the hazards covered by the standards;

(3) he has an effective program for complying with the standard as quickly as practicable; and

(4) the granting of the variance will not create an unreasonable risk of harm.

(d) A temporary order issued under this section shall prescribe the practices, means, methods, operations, and processes that the employer must adopt and use while the order is in effect and shall state in detail the employer's program for complying

with the standard.

(e) No temporary order may be in effect for longer than the period needed by the employer to achieve compliance with the standard or one year, whichever is shorter. An order may be renewed twice, if the requirements of this section, including an opportunity for a hearing, are met for each renewal request, and if an application for renewal is filed at least 90 days prior to the expiration date of the order.

(f) The commissioner shall publish a notice of his decision, including a specification of the standard from which the employer seeks a variance and the specific findings and conclusions on which his decision is based.

Sec. 10. VARIANCE. (a) Any affected employer may apply to the commissioner for a variance from a promulgated standard.

(b) Affected employees shall be given a notice of each application and an opportunity to participate in a hearing.

(c) The commissioner shall issue a variance if he determines on the record, after opportunity for an inspection where appropriate, and a hearing, that the proponent of the variance has demonstrated by a preponderance of the evidence that the conditions, practices, means, methods, operations, or processes used or proposed to be used by the employer will provide employment and places of employment to his employees that are as safe and healthful as they would be if he complied with the standard.

(d) The variance shall prescribe the conditions the employer must maintain and the practices, means, methods, operations, and processes that he must adopt and utilize to the extent they differ

from the standard in question.

(e) The variance may be modified or revoked on application by an employer, employees, or by the commissioner on his own motion in the manner prescribed for its issuance under this section at any time after six months from its issuance.

Sec. 11. JUDICIAL REVIEW. An employer or employee adversely affected by a standard may, within 60 days after the standard is promulgated, file a complaint challenging the validity of the standard in a district court in Travis County. Unless ordered by the court, the filing of the complaint does not stay the standard. The court shall use the substantial evidence rule in reviewing the promulgation of the standard.

Sec. 12. ADVISORY COMMITTEE. (a) The Advisory Committee on Occupational Safety and Health is established.

(b) The committee is composed of 11 members appointed by the governor for terms of two years beginning on January 31 of odd-numbered years. In making the appointments, the governor shall select persons on the basis of their experience and competence in the field of occupational safety and health with four members qualified by experience and affiliation to present the viewpoint of employers, four members qualified to present the viewpoint of employees, and three occupational safety and health professionals. The governor shall designate one of the occupational safety and health professionals as chairman.

(c) The committee members serve without salary, but are entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties.

(d) The committee shall advise, consult with, and make recommendations to the commissioner and the governor on matters relating to the administration of this Act. The committee shall hold at least two meetings during each calendar year. Notice of each meeting shall be printed at least 30 days prior to the meeting date. All meetings of the committee are open to the public, and minutes shall be kept and a summary of the minutes printed.

Sec. 13. INTERAGENCY COOPERATION. (a) Each agency of the state having duties related to occupational safety and health shall cooperate and coordinate its programs with the division.

(b) On request of the division, the State Department of Health, or other appropriate state agency shall:

(1) investigate occupational health problems of employees unrelated to specific enforcement action;

(2) provide a continuing program of training for employees of the division in the recognition and abatement of occupational safety and health hazards; and

(3) conduct laboratory analysis of all samples forwarded by the division.

(c) The commissioner shall enter into contract with the State Department of Health for services.

(d) The commissioner may by rule promulgate standards for the utilization of state employees authorized by this Act to investigate or inspect places of employment for consultative services.

(e) The commissioner may authorize employees in the State Department of Health or any other agency to accompany occupational

safety and health compliance officers and otherwise assist them in the compliance inspections and investigations required by this Act. The commissioner shall promulgate rules governing the qualifications of employees to be authorized and the assistance that they may render.

Sec. 14. INSPECTIONS AND INVESTIGATIONS. (a) On presenting appropriate credentials to an employer, the commissioner may:

(1) enter without delay and at reasonable times any factory, plant, establishment, construction site, or other area, work place, or environment where work is performed by an employee of the employer;

(2) inspect and investigate, at reasonable times and in a reasonable manner, any place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein; and

(3) question privately any employer or employee.

(b) In conducting an inspection or investigation, the commissioner may:

(1) take environmental samples;

(2) take or obtain photographs related to the purposes of the inspection;

(3) examine records required to be kept under this Act or any documents and records relevant to the investigations; and

(4) conduct tests and other studies reasonably calculated to serve the purposes of this Act.

(c) No person may give advance notice of an inspection to be conducted under this Act without authority from the

commissioner.

(d) In making inspections and investigations, the commissioner may administer oaths and require the attendance and testimony of witnesses and the production of evidence under oath. Witnesses shall be paid the same fees and mileage provided for witnesses in civil cases in a district court. In case of failure or refusal of a person to comply with an order or a subpoena lawfully issued or refusal of a witness to testify to a matter regarding which he may be lawfully interrogated, upon application of the commissioner, a judge of a district court shall issue an order requiring the person to appear to produce evidence and to give testimony relating to the matter under investigation.

(e) Subject to regulations issued by the commissioner, a representative of the employer and a representative authorized by his employees shall accompany the commissioner during the physical inspection of a work place.

Sec. 15. SPECIAL INSPECTION. (a) An employee or representative of employees who believes that a violation of a standard exists which threatens physical harm or that an imminent danger exists, may request an inspection by giving notice of the violation or danger to the commissioner. The notice shall be in writing, shall set forth with reasonable certainty the grounds for the notice, and shall be signed by the employees or representative of employees. A copy shall be provided the employer no later than the time of inspection, except that the names of individual employees referred to therein may not appear in the copy or on a record published, released, or made available unless

the employees authorize the release or publication of their names in relation to the notice in writing.

(b) If on receipt of the notification the commissioner determines there are reasonable grounds to believe that the violation or danger exists, he shall make a special inspection as soon as practicable. If the commissioner determines there are no reasonable grounds to believe that a violation or danger exists he shall notify the employees or representative of the employees in writing of the determination.

Sec. 16. RECORDS. (a) An employer shall keep and make available to the commissioner such reports and records regarding his activities relating to this Act as the commissioner may by rule prescribe as necessary or appropriate for the enforcement of this Act or for developing information regarding the causes and prevention of occupational accidents and illnesses. The commissioner shall by rule prescribe which reports and records shall or may be furnished to employees and their authorized representatives.

(b) The commissioner shall promulgate rules requiring employers to maintain accurate records of, and to make periodic reports on, work-related deaths, injuries, and illnesses other than minor injuries that require only first aid treatment and that do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job. The commissioner shall prescribe which reports and records may be made available to employees and their authorized representatives.

(c) The commissioner shall issue rules requiring employers

to maintain accurate records of employee exposures to potentially toxic materials or harmful physical agents that are required to be monitored or measured under this Act. The rules must provide that employees or their representatives have an opportunity to observe the monitoring or measuring and have access on request to the records. The rules may provide employees or their representatives an opportunity to participate in and to undertake their own monitoring and measuring.

(d) The rules must make appropriate provision for an employee or former employee to have access to the records that indicate his own exposure to toxic materials or harmful physical agents. An employer shall promptly notify an employee who has been or is being exposed to toxic materials or harmful physical agents in concentrations or at levels that exceed those prescribed by an occupational safety and health standard promulgated under this Act and shall inform any employee who is being thus exposed of the corrective action being taken.

(e) The commissioner may request relevant medical reports of a physician attending or who attended an employee whom the commissioner has reason to believe has suffered or is suffering serious harm resulting from conditions or practices of the employment.

(f) The commissioner shall promulgate rules requiring employers to maintain accurate records of and to make periodic reports on money spent because of injuries and illnesses. The records must include money spent for medical treatment resulting from work-related deaths, injuries, and illnesses other than minor

injuries that require only first aid treatment and that do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job. Records must include money spent because of lost time due to accidents or illnesses, whether or not lost time claims or injury claims have been filed with the Industrial Accident Board, private insurance corporations, or local, county, or state-administered insurance programs.

Sec. 17. CITATIONS. (a) If on inspection or investigation the commissioner believes that an employer has violated a requirement of this Act or a standard or rule promulgated under this Act, he shall with reasonable promptness issue a citation to the employer.

(b) The citation shall be in writing and shall describe with certainty the nature of the violation, including a reference to the provision of the law, standard, or rule alleged to have been violated. The citation shall fix a reasonable time for the abatement of the violation.

(c) The commissioner may adopt procedures for the issuance of a notice in lieu of a citation for minor violations that have no direct or immediate relationship to safety or health.

(d) A citation issued under this section, or a copy or copies, shall be prominently posted at or near each place a violation referred to in the citation occurred.

(e) A citation may not be issued under this section after the expiration of six months following the final occurrence of a violation.

Sec. 18. ADMINISTRATIVE REVIEW. (a) If the commissioner

1 issues a citation, he shall, within a reasonable time after the
2 termination of the inspection or investigation, notify the employer
3 by certified mail of the citation that the employer has 15 working
4 days within which to notify the commissioner that he wishes to
5 contest the citation. If within 15 working days from the receipt
6 of the notice issued by the commissioner the employer fails to
7 notify the commissioner that he intends to contest the citation
8 and no notice is filed by an employee or representative of
9 employees within the time, the citation shall be deemed a final
10 order of the commissioner and not subject to review by a court.
11 (b) If the commissioner has reason to believe that an
12 employer has failed to correct a violation for which a citation
13 has been issued within the period permitted for its correction,
14 he shall notify the employer by certified mail of the failure and
15 that the employer has 15 working days within which to notify the
16 commissioner that he wishes to contest the notification. If
17 within 15 working days from the receipt of notification issued
18 by the commissioner the employer fails to notify the commissioner
19 that he intends to contest the notification, the notification
20 shall be deemed a final order of the commissioner and not subject
21 to review by a court.
22 (c) If an employer notifies the commissioner that he intends
23 to contest a citation or notification or if within 15 working
24 days of the issuance of a citation an employee or representative
25 of employees files a notice with the commissioner alleging that
26 the period of time fixed in the citation for the abatement of the
27 violation is unreasonable, the commissioner shall set the matter

for a hearing.

(d) Based upon evidence submitted at the hearing, the commissioner shall issue an order affirming, modifying, or vacating the citation or proposed penalty, or directing other appropriate relief.

(e) The rules of procedure shall provide affected employees or representatives of affected employees an opportunity to participate as parties to the hearings.

Sec. 19. PROHIBITED ACTIONS. A person may not discharge or in any manner discriminate against an employee or an applicant for employment because the employee or applicant for employment:

(1) has made to the employer or filed with the commissioner a complaint, under this Act;

(2) has instituted proceedings pursuant to this Act;

(3) has testified or is about to testify in any proceeding pursuant to this Act; or

(4) has exercised on behalf of himself or others any right set forth in this Act.

Sec. 20. JUDICIAL REVIEW. (a) Any party adversely affected by a final order of the commissioner may appeal to a district court of Travis County or to the district court of the district in which the violation was alleged to have occurred. A party desiring to appeal shall file with the commissioner a notice of appeal designating the order appealed from. He shall file a copy of the notice with the court and shall send a copy by certified mail to the commissioner. The notices shall be filed and mailed within 30 days following the issuance of an order. No appeal

bond may be required to make appeal effective.

(b) The filing of a notice of appeal does not automatically suspend the order of the commissioner. If it appears to the court that an unjust hardship to the appellant will result from the execution of the commissioner's order pending determination of the appeal, the court may grant a suspension of the order and fix its terms.

(c) Within 20 days after receipt of the notice of appeal, the commissioner shall prepare and file in the court the complete record of proceedings out of which the appeal arises, including any transcript of the testimony and any other evidence submitted to the commissioner. The expense of preparing and transcribing the record shall be taxed as a part of the costs of the appeal.

(d) Upon demand by a party, the commissioner shall furnish a copy of the record, and the party requesting the record shall pay the cost of furnishing the record. If the complete record is not filed within the time provided in this section, a party may apply to the court to have the case docketed, and the court shall order the record filed.

(e) In hearing the appeal, the court is confined to the record as certified to it by the commissioner. The court may grant a request for the admission of additional evidence if satisfied that the additional evidence is newly discovered and could not with reasonable diligence have been ascertained prior to the hearing before the commissioner.

(f) The court shall conduct a hearing on the appeal and shall give preference to all proceedings under this section over

all other civil cases.

Sec. 21. INTERNAL SAFETY PROGRAMS AND RESPONSIBILITIES. (a) An employer shall develop and maintain an effective internal occupational safety and health program that is consistent with the size, complexity, nature, hazards, and physical conditions of the employment.

(b) The commissioner shall provide for the establishment of safety committees where he believes such committees are appropriate. The committees shall consist of an equal number of representatives chosen by the employees and employer and shall participate fully in the conduct of the internal occupational safety and health program.

(c) The commissioner shall provide for periodic internal inspections of employment and places of employment, for action to correct safety and health hazards, and for records of the inspections, of recommendations resulting from the inspections, and of corrective action taken in response to the recommendations.

(d) The commissioner may inspect and examine the internal program of an employer and the records of the program.

Sec. 22. PUBLICATION. (a) All information which the commissioner is required or authorized to publish pursuant to this Act shall be printed and distributed periodically by the division in a form which will expedite reference and comprehension. The contents of the publications shall be indexed and shall include all information required or authorized to be published under this Act.

(b) The publication shall be mailed without cost to all

employers and all employee representatives and shall be made available at cost to other interested persons.

Sec. 23. RESEARCH AND RELATED ACTIVITIES. (a) The division shall conduct research, experiments, and demonstrations relating to occupational safety and health, including studies of psychological factors involved, and relating to innovative methods, techniques, or approaches for dealing with occupational safety and health problems. The commissioner may enter into contracts, agreements, or other arrangements with appropriate public agencies or institutions or with private organizations or institutions for the purpose of conducting activities authorized by this Act.

(b) The commissioner may establish programs of medical examinations and tests that are necessary for determining the incidence of occupational illnesses and the susceptibility of employees to the illnesses.

(c) Nothing in this Act shall be construed as authorizing or requiring medical examination, immunization, or treatment for those who object on religious grounds, except when necessary for the protection of the health or safety of others.

(d) On request of an employer required to measure and record exposure of employees to substances or physical agents for the purposes of this section, the commissioner shall furnish the employer with financial and other assistance to defray any additional expense incurred by the employer in carrying out the measuring and recording required of him.

Sec. 24. TRAINING AND EMPLOYEE EDUCATION. (a) The commissioner may conduct, directly or by grants or contract,

education programs to provide an adequate supply of qualified personnel to carry out the purposes of this Act, and short-term training of personnel engaged in work related to their responsibilities under this Act.

(b) The commissioner, in cooperation with the Commissioner of Health, shall conduct, directly or by grants or contracts, programs for the education and training of employers and employees in the recognition, avoidance, and prevention of unsafe or unhealthful working conditions in employments covered by this Act, informational programs on the importance of and proper use of adequate safety and health equipment, and short-term training of personnel engaged in work related to this Act.

Sec. 25. STATISTICS. The commissioner shall develop and maintain an effective program of collection, compilation, and analysis of occupational safety and health statistics compatible with the program administered by the United States Department of Labor.

Sec. 26. ANNUAL REPORTS. The commissioner shall prepare and submit to the governor an annual report on the activities of the division and the needs and requirements in the field of occupational safety and health. The report may include other relevant information.

Sec. 27. REPEALER. Chapter 201, Acts of the 60th Legislature, Regular Session, 1967 (Article 5182a, Vernon's Texas Civil Statutes), is repealed.

Sec. 28. EFFECTIVE DATE. Sections 17 and 18 of this Act take effect January 1, 1976. All other sections of this Act take

effect September 1, 1975.

Sec. 29. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

H.B. No. 1284 By Gene Green

A BILL TO BE ENTITLED
AN ACT

relating to establishing a Division of Occupational Safety and Health in the Texas Department of Labor and Standards, its duties and powers; establishing an Advisory Committee on Occupational Safety and Health; repealing Chapter 201, Acts of the 60th Legislature, Regular Session, 1967 (Article 5182a, Vernon's Texas Civil Statutes); and declaring an emergency.

MAR 6 1975 1. Filed with the Chief Clerk of the House.

MAR 11 1975 2. Read first time and Referred to Committee on State Affairs.

____ 3. Fiscal note requested from Legislative Budget Board by ____.

____ 4. Reported favorably (unfavorably) (as amended) and sent to Printer ____ ____ M.

____ 5. Printed, distributed by Calendar Clerk and sent to Committee on ____ ____ M.

____ 6. Read second time (amended) and ordered engrossed by (Non-record vote) (Record Vote of ____ yeas, ____ nays, ____ present and not voting).

____ 7. Motion to reconsider the vote by which H. B. ____ was ordered engrossed and to table the motion to reconsider prevailed (failed) by (Non-record vote) (Record Vote of ____ yeas, ____ nays, and ____ present and not voting).

____ 8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of ____ yeas, ____ nays, and ____ present and not voting.

____ 9. Read third time (amended) and finally passed by following vote: (Non-record vote) (Record Vote of ____ yeas, ____ nays, ____ present and not voting.

____ 10. Caption ordered amended to conform to body of bill.

____ 11. Motion to reconsider and table the vote by which H.B. ____ was finally passed prevailed (failed) by a (Non-record Vote) (Record Vote of ____ yeas, ____ nays, and ____ present and not voting).

____
Chief Clerk of the House

____ 12. Sent to Engrossing Clerk ____

____ 13. Engrossed.

____
Engrossing Clerk of the House

____ 14. Returned to Calendar Clerk ____

____ 15. Sent to Senate.

_____ 16. Received from the House _____

_____ 17. Read, referred to Committee on _____

_____ 18. Reported favorably _____

_____ 19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

_____ 20. Ordered not printed.

_____ 21. Regular order of business suspended by
(a viva voce vote.
(_____ yeas, _____ nays.

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.
(_____ yeas, _____ nays.

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas, _____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.
(_____ yeas, _____ nays.

OTHER ACTION:

OTHER ACTION:

_____
Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments).