

# HOUSE JOURNAL

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EIGHTIETH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

FORTY-FIRST DAY — WEDNESDAY, MARCH 21, 2007

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

The roll of the house was called and a quorum was announced present (Record 143).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

The invocation was offered by Dr. Fred Morgan, pastor, Hope Presbyterian Church, Austin, as follows:

God of all people, you have called each of us to a life of goodness and mercy, peace and wholeness. Bless now those who gather in this place. To those who lead here, grant patience of cooperation. To those who debate here, grant clarity of thought. To those who decide here, grant discernment, wisdom, and courage for truth. Keep before us the broken places of life. Set our ears to hear the cry of the poor. Set our eyes to see the needs of the infirm and aged. Set our hearts to beat in rhythm with yours this day. Blend us together with all people of good will, both in this place and beyond, in order that the great State of Texas might be a signal of hope and fulfillment. Amen.

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

### CAPITOL PHYSICIAN

The speaker recognized Representative Creighton who presented Dr. Katie Youngblood of Conroe as the "Doctor for the Day."

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

(Hardcastle in the chair)

#### **HR 865 - ADOPTED (by Hernandez)**

Representative Hernandez moved to suspend all necessary rules to take up and consider at this time **HR 865**.

The motion prevailed.

The following resolution was laid before the house:

**HR 865**, Congratulating the Houston Dynamo soccer team for winning the Major League Soccer championship.

**HR 865** was read and was adopted.

On motion of Representative Cohen, the names of all the members of the house were added to **HR 865** as signers thereof.

### INTRODUCTION OF GUESTS

The chair recognized Representatives Hernandez, Cohen, and Noriega who introduced members of the Houston Dynamo soccer team.

#### **HR 939 - ADOPTED (by McReynolds)**

Representative McReynolds moved to suspend all necessary rules to take up and consider at this time **HR 939**.

The motion prevailed.

The following resolution was laid before the house:

**HR 939**, Recognizing the State Firemen's and Fire Marshals' Association of Texas.

**HR 939** was adopted.

#### **HR 610 - READ (by McReynolds)**

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

**HR 610**, Honoring the Texas Forestry Association for their exemplary reforestation efforts and advocacy.

#### **HR 610 - MOTION TO ADD NAMES**

On motion of Representative Swinford, the names of all the members of the house were added to **HR 610** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative McReynolds who introduced representatives of the Texas Forestry Association.

**HCR 157 - ADOPTED  
(by Hughes)**

Representative Hughes moved to suspend all necessary rules to take up and consider at this time **HCR 157**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 157**, Recognizing March 21, 2007, as Wood County Day at the State Capitol.

**HCR 157** was adopted.

**HR 898 - ADOPTED  
(by Swinford)**

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 898**.

The motion prevailed.

The following resolution was laid before the house:

**HR 898**, Honoring the Texas A&M University College of Agriculture Development Council on the occasion of its semiannual meeting on March 20-22, 2007.

**HR 898** was read and was adopted.

(Heflin in the chair)

**INTRODUCTION OF GUESTS**

The chair recognized Representative Swinford who introduced representatives of the Texas A&M University College of Agriculture Development Council.

**MESSAGE FROM THE SENATE**

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

**HR 899 - ADOPTED  
(by Swinford)**

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 899**.

The motion prevailed.

The following resolution was laid before the house:

**HR 899**, Commending the personnel of Texas Cooperative Extension and the Prairie View A&M Cooperative Extension Program for their outstanding contributions to the Lone Star State.

**HR 899** was read and was adopted.

On motion of Representative Miller, the names of all the members of the house were added to **HR 899** as signers thereof.

**HR 773 - ADOPTED**  
**(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 773**.

The motion prevailed.

The following resolution was laid before the house:

**HR 773**, Honoring Houston Ballet principal Lauren Anderson on the occasion of her retirement.

**HR 773** was read and was adopted.

On motion of Representative Turner, the names of all the members of the house were added to **HR 773** as signers thereof.

**INTRODUCTION OF GUEST**

The chair recognized Representative Dutton who introduced Lauren Anderson.

(Speaker in the chair)

**HR 800 - ADOPTED**  
**(by Aycock)**

Representative Aycock moved to suspend all necessary rules to take up and consider at this time **HR 800**.

The motion prevailed.

The following resolution was laid before the house:

**HR 800**, Recognizing March 21, 2007, as Leadership Killeen Day at the State Capitol.

**HR 800** was read and was adopted.

**HR 964 - ADOPTED**  
**(by Haggerty)**

Representative Haggerty moved to suspend all necessary rules to take up and consider at this time **HR 964**.

The motion prevailed.

The following resolution was laid before the house:

**HR 964**, Honoring the men and women of Fort Bliss and recognizing March 21, 2007, as Fort Bliss Day at the State Capitol.

**HR 964** was adopted.

**BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 14).

**GENERAL STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

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

**HB 481 ON THIRD READING  
(by Jackson)**

**HB 481**, A bill to be entitled An Act relating to the transfer of a used motor vehicle.

A record vote was requested.

**HB 481** was passed by (Record 144): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Cohen; Howard, C.; King, S.; Olivo; Pitts; Rose.

### STATEMENTS OF VOTE

When Record No. 144 was taken, I was in the house but away from my desk. I would have voted yes.

C. Howard

When Record No. 144 was taken, my vote failed to register. I would have voted yes.

S. King

When Record No. 144 was taken, I was in the house but away from my desk. I would have voted yes.

Olivo

When Record No. 144 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

### HB 1042 ON THIRD READING (by Peña)

**HB 1042**, A bill to be entitled An Act relating to excepting certain crime victim information from required disclosure under the public information law.

A record vote was requested.

**HB 1042** was passed by (Record 145): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycocck; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — Callegari; Martinez Fischer; Miller; Rose.

**STATEMENTS OF VOTE**

When Record No. 145 was taken, I was in the house but away from my desk. I would have voted yes.

Callegari

When Record No. 145 was taken, I was in the house but away from my desk. I would have voted yes.

Miller

When Record No. 145 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

**HB 348 ON THIRD READING**

**(by Callegari, Guillen, Dutton, Branch, et al.)**

**HB 348**, A bill to be entitled An Act relating to an offense involving a motor vehicle with an altered or obscured license plate.

A record vote was requested.

**HB 348** was passed by (Record 146): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent — McCall; Rose.

### STATEMENTS OF VOTE

When Record No. 146 was taken, I was in the house but away from my desk. I would have voted yes.

McCall

When Record No. 146 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

### EMERGENCY CALENDAR HOUSE BILLS SECOND READING

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

#### **CSHB 427 ON SECOND READING** **(by Madden, McClendon, Branch, and Peña)**

**CSHB 427**, A bill to be entitled An Act relating to the prosecution of certain crimes occurring in the Texas Department of Criminal Justice or Texas Youth Commission.

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

Representative Madden offered the following amendment to **CSHB 427**:

Amend **CSHB 427** as follows:

(1) On page 1, between lines 10 and 11, insert ", or committed by or against a person in the custody of the department or commission while the person is performing a duty away from department or commission property".

(2) On page 2, strike lines 15-22 and substitute the following:

Sec. 61.098. PROSECUTION OF CERTAIN CRIMES CONCERNING THE COMMISSION. As appropriate, the district attorney, criminal district attorney, or county attorney performing the duties of a district attorney who would otherwise represent the state in the prosecution of an offense concerning the commission and described by Article 104.003(a), Code of Criminal Procedure, may request that the special prosecution unit prosecute the offense.

#### **CSHB 427 - REMARKS**

REPRESENTATIVE DUNNAM: Mr. Madden.

REPRESENTATIVE MADDEN: Thank you, Mr. Dunnam.

DUNNAM: I'm looking on page 2 of the bill.

MADDEN: Okay.

DUNNAM: And your amendment, did that amend page 2 of the bill?

MADDEN: It affects on page 2, it strikes lines 15 through 22 and substitutes a new section, 61.098, for prosecution of certain crimes concerning the commission.



DUNNAM: Is it still limited to offenses under Article 104.003(a) of the code of criminal procedure, or did we take that out?

MADDEN: I'm sorry, I said it strikes lines 15 through 22 and you're looking at—

DUNNAM: I'm looking on page 2, at least this is my copy. My lines are not numbered.

MADDEN: Okay. What it strikes is Sec. 61.098 and puts in a new line 61.08 on that second page.

DUNNAM: The old version talks about Article 104.003(a) of the code of criminal procedure.

MADDEN: That's correct. The amendment leaves it as section Article 104.003(a) of the code of criminal procedure.

DUNNAM: So your bill deals with offenses described under Article 104.003(a)?

MADDEN: That is correct.

DUNNAM: Okay. I pulled that section, and as I read 104.003(a), it talks about the prosecution of a felony committed while the actor was a prisoner in the custody of?

MADDEN: I think, Jim, it takes into account all actors that are there.

DUNNAM: Okay. Also it says under Chapter 21 and Chapter 481 of the Health and Safety Code—

MADDEN: That's correct.

DUNNAM: What are those?

MADDEN: I'm going to have to get some notes. I don't think I have those with me, Jim.

DUNNAM: Excuse me?

MADDEN: I don't think I have them with me, and I'd have to specifically check those out. I don't have them here.

DUNNAM: Do you know what those offenses are?

MADDEN: I don't have a list of them here and I apologize for that.

DUNNAM: Well, let me ask you this.

MADDEN: Sure.

DUNNAM: Do you know when the proclamation, your bill is on the emergency calendar?

MADDEN: That's correct.

DUNNAM: And do you know when the proclamation came down from the governor?

MADDEN: It was approximately two weeks ago today, I believe. I believe that's correct.

DUNNAM: So Mr. Madden, do you think this was within the last two weeks?

MADDEN: The governor's proclamation came down creating this as an emergency just about a week before the end of that deadline date of March 8. So I'm going to say about March the 1st or 2nd, Jim. That's the approximate date.

DUNNAM: Did you have the opportunity to speak with the governor's office about making these issues emergencies?

MADDEN: Yes, I did.

DUNNAM: Can you tell us, you've met with the Texas Rangers, is that right?

MADDEN: That's correct.

DUNNAM: And the Texas Ranger was dispatched to the TYC facilities when?

MADDEN: He was out there in February of 2005. I think he got the call about 12:58 p.m. and I think it was February 23rd or 24th.

DUNNAM: Okay, so the Texas Ranger was dispatched to TYC over two years ago, is that correct?

MADDEN: That is correct.

DUNNAM: And you also know that at the time he was dispatched, the governor's office was notified that he was being dispatched.

MADDEN: I am not aware that they were notified that he was being dispatched.

DUNNAM: Are you aware of—

MADDEN: I'm not sure of that. I cannot speak for the governor's office and what they were aware of.

DUNNAM: Are you aware of the June 13, 2005, e-mail from the governor's office saying what's going on with the West Texas investigation?

MADDEN: I read the *Houston Chronicle's* article this morning. That's the only time I've seen it.

DUNNAM: And so you are aware that in June of 2005, the governor's office was aware of problems at TYC involving sex with minors?

MADDEN: I am aware, Jim. As the committee chairman, we've had several things that have come to us concerning various offenses throughout Texas Youth Commission that we've obviously turned over to their office to look at at that time.

DUNNAM: Your committee did not know that there was sex going on at a West Texas facility many years ago?

MADDEN: No, the committee did not know that.

DUNNAM: And you're aware that last summer, or two years ago in the summer, the governor's office was aware of the ongoing investigation of sexual misconduct in West Texas?

MADDEN: Jim, I think it's fair to say that there was a time schedule that was known. I don't think the governor's office had any further follow-up on that specific issue, that I'm aware of.

DUNNAM: I agree, I know they didn't cover up.

MADDEN: So I'm not aware that, you know, if I looked at what the *Houston Chronicle* article says this morning, because I'm obviously very interested in all of this, things that are going on. If I had gotten one of those e-mails or a message like that, I would probably ask the question, "what's happening?", and they would go under the agency, agents would have at that time.

DUNNAM: You probably wouldn't have waited 18 months to make it an emergency item in the Texas legislature, would you?

MADDEN: Jim, if I had heard that this case had gone to the Feds for prosecution, okay, and that they were actively looking at it, which at some stage they were, and we know from the Ranger's testimony that that was happening until, I believe it was July, he said he got the final notification back from the Feds, and they were and at that time, as I understand it, he took the information to the district attorney in Ward County. I think it was in July of 2005.

DUNNAM: Okay, so July of 2005. So why didn't the governor's office declare an emergency and do something in July 2005? We weren't here in July 2005.

MADDEN: We weren't aware of.

DUNNAM: We were here in January of this year, weren't we?

MADDEN: We were.

DUNNAM: And you know the governor got a copy of the Ranger's report, on October 30th or 31st.

MADDEN: Jim, I'm not sure that they got the entire report. I think that Representative Turner's people, at least, are quoted in there as saying they got notes on what happened at that time. I don't know if they actually saw the whole report or when they had that.

DUNNAM: In October of '06, right?

MADDEN: The date I've gotten from Mr. Turner's staff indicated they had the ranger's report, I believe, the last day of October 2006. Whether they gave it to the governor's office in October or November, the notes on it, I'm not sure.

DUNNAM: If you want to say November, that's fine. So why wasn't this declared an emergency in January? Did they tell you that?

MADDEN: No, they didn't, Jim.

DUNNAM: Why did we have to wait until the *Dallas Morning News* reported these atrocities before this became an emergency item?

MADDEN: Jim, you'd have to ask the governor's office that. I understand what you're saying, and I will tell you that our house Corrections Committee, in our interim report, as you're well aware—

DUNNAM: I wasn't on the committee.

MADDEN: I know you weren't, but you've been given a copy of that, obviously, to see what the other members got. At that time, and all members, by the way, obviously that was put out as a report that all members could have gotten in about the middle of November, I think was the publishing date of the report. I think all of the members saw, at that time, the actions and the recommendations that our house Committee on Corrections specifically had to deal with the Texas Youth Commission. As I think you realize, that this committee that I've been honored to lead for the last two-and-a-half years, has specifically did not have a charge even to that level when we left here in June or July of 2005. We went in and started seeing things during one of the special sessions when they had the problems down at Evans in the South Texas unit. People like Mr. Peña and Mr. Hilderbran said or started bringing me problems with not only Evans, but San Saba. We went and had special hearings in this body in March, I believe March 22, 2006, and we started looking at the things. We recognized—

DUNNAM: Are you saying that you know about the content of the Ranger's report in March of 2006?

MADDEN: No, definitely not.

DUNNAM: But—

MADDEN: As you know, this legislature started asking a whole lot of questions.

DUNNAM: After the *Dallas Morning News* brought it to your attention.

MADDEN: No, no, definitely not.

DUNNAM: Did you know about the sexual allegations before the *Dallas Morning News* reported it?

MADDEN: I'm not talking about sexual allegations.

DUNNAM: Isn't that the problem at TYC? We have sexual conduct going on that is not reported?

MADDEN: It's one of them. It's one of them.

DUNNAM: Well, don't you think that's probably the most serious one?

MADDEN: I think the overall management of the entire agency was extremely serious and that certainly was a major part of that.

DUNNAM: If I can go back to my original question.

MADDEN: Absolutely.

DUNNAM: The governor's office, in July of '05, knew about this. You do agree with me that the attorney general got a copy of the Ranger's report of February 21, 2006?

MADDEN: The attorney general sent by the Ranger the request (tape inaudible) in February 2006, I agree.

DUNNAM: So did the governor's office tell you why they didn't make this an emergency until after the *Dallas Morning News* brought it to their attention?

MADDEN: No, I cannot answer for the governor's office. They did not say why they didn't. They did it because I went to them and specifically told them that there are things that we have that could start to fix the problem, and that this was one of them. That's what we were trying to do.

DUNNAM: Did you do that after the *Dallas Morning News* reported this?

MADDEN: No, I went to them when we started doing the special things. I said we have things out there that in fact need to be done and need to be done as rapidly as we can. At that stage I certainly recognized that. Jim, as you know, I filed this bill in December. I knew there were problems with the prosecution out there and I knew they had problems with their inspector generals inside the agency, not being licensed officers, not being—

DUNNAM: I'm going to vote for your bill.

MADDEN: I know you are.

DUNNAM: But can you explain to me why this house is not going to be given the opportunity to vote on a conservator for TYC like the senate did?

MADDEN: I'm not sure that you're not going to be, Mr. Dunnam.

DUNNAM: Well, you told us yesterday that you thought we were going to vote it out.

MADDEN: But I just cancelled a meeting, that's all we've done.

DUNNAM: Then why did you cancel the meeting?

MADDEN: I cancelled the meeting because in thinking about where we're at in the process.

### REMARKS ORDERED PRINTED

Representative Dunnam moved to print remarks between Representative Madden and Representative Dunnam.

The motion prevailed.

Amendment No. 1 was adopted.

### Amendment No. 2

Representative Dunnam offered the following amendment to **CSHB 427**:

Amend **CSHB 427** as follows:

(1) On page 2, line 16, between the period and "In", insert "(a)".

(2) On page 2, strike lines 18 thru 20 and substitute "district attorney for the 201st Judicial District shall prosecute an offense".

(3) On page 2, between lines 22 and 23, insert the following:

"(b)(1) The district attorney for the 201st Judicial District is chosen as provided in Subdivision (2).

(2)(A) Each person named on the list maintained under Section 74.055, Government Code, who served as a judge of the Court of Criminal Appeals and did not fail to be renominated for election to that court is a member of the board of appointment for the 201st Judicial District.

(B) Whenever there is a vacancy in the office of district attorney for the 201st Judicial District, the judge of the 201st District Court, not later than the 10th day after the date the vacancy is created, shall summon each member of the board to the courthouse at which the court holds its sessions for the purpose of appointing the district attorney for the 201st Judicial District. The judge of the 201st District Court presides at meetings of the board until the board elects a presiding officer.

(C) The board shall appoint the district attorney for the 201st Judicial District. To be appointed district attorney, a person must be board-certified in criminal law by the Texas Board of Legal Specialization and may not have served as a public or private attorney for any public officer nominated for election by a political party during the preceding 10 years.

(D) The board's appointment shall be entered in the minutes of the 201st District Court. The person appointed district attorney qualifies by taking the oath required of state officials. The district attorney serves without bond. The oath shall be filed in the district clerk's office.

(E) The governor may not appoint a person to fill any vacancy in the office of district attorney of the 201st Judicial District pending the convening of the board of appointment.

(3) The district attorney for the 201st Judicial District is entitled to compensation equal to the compensation paid to a district judge in Travis County. The district attorney for the 201st Judicial District serves a term of four years.

(4) The district attorney for the 201st Judicial District may appoint assistant district attorneys. A person may not be appointed as an assistant district attorney under this subdivision if the person served as the employee of a public officer nominated for election by a political party during the preceding 10 years. Before beginning any duties, an assistant district attorney must take the official oath of office, which must be endorsed on his written appointment. An assistant district attorney serves without bond. The appointment and oath of an assistant district attorney shall be recorded and deposited in the district clerk's office.

(5) An investigator appointed by the district attorney for the 201st Judicial District has the same authority as the sheriff of a county to make arrests anywhere in any county of the state and to serve anywhere in the state warrants, capiases, subpoenas in criminal cases, and all other processes in criminal cases issued by a district court, county court, or justice court of this state. An investigator is under the exclusive authority and direction of the district attorney for the 201st Judicial District and is not under the authority and direction of the sheriff. The district attorney for the 201st Judicial District is responsible for the official acts of investigators appointed under this subsection and has the same remedies against the investigators and their sureties as any person has against a prosecuting attorney and the prosecuting attorney's sureties. An investigator may not draw a fee of any character for performing a duty prescribe by this subsection.

(6) The commission shall pay the salaries of the district attorney for the 201st Judicial District and any assistant district attorneys and investigators from money appropriated or otherwise available to the commission, except to the extent that money to pay the salary is specifically appropriated or made available through the budget execution process for that purpose.

(7) A limit provided by appropriation on the amount of reimbursement that state officers or members of state boards and commissions may generally receive does not apply to reimbursement of the reasonable and necessary expenses incurred by the district attorney for the 201st Judicial District in the course of performing duties under this section.

(8) The reasonable and necessary expenses incurred by the district attorney for the 201st Judicial District in the course of performing duties under this section shall be paid from funds appropriated or otherwise available to the commission, except to the extent that money to pay those expenses is specifically appropriated or made available through the budget execution process for that purpose.

(9) The department shall provide the district attorney for the 201st Judicial District with administrative services and investigative support. The administrative services and investigative support shall be paid from funds appropriated or otherwise available to the department or commission, except to the extent that money to pay those expenses is specifically appropriated or made available through the budget execution process for that purpose.

(10) Notwithstanding any other provision of law, the district attorney for the 201st Judicial District:

(A) may conduct any investigation concerning illegal or improper conduct by commission officers or employees jeopardizing the health, safety, and welfare of children in the commission's custody and related conduct if any conduct investigated by the district attorney is or reasonably could involve an element of an offense under Article 104.003(a), Code of Criminal Procedure; and

(B) may appear in any court in the state as necessary to enforce Article 104.003(a), Code of Criminal Procedure to ensure the health, safety, and welfare of children in the commission's custody or the protection of any whistleblower providing information about the commission's inability to ensure the health, safety and welfare of children in the commission's custody reasonably related to conduct constituting an element of an offense under Article 104.003(a), Code of Criminal Procedure.

(11) As used in this section:

(A) "Commission" means the Texas Youth Commission.

(B) "Department" means the Department of Public Safety.

(12) The section expires September 1, 2011, and the office of district attorney for the 201st Judicial District is abolished on that date."

Representative Madden moved to table Amendment No. 2.

A record vote was requested.

The vote of the house was taken on the motion to table Amendment No. 2 and the vote was announced yeas 74, nays 73.

### LEAVES OF ABSENCE GRANTED

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

Geren on motion of Hamilton.

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

Talton on motion of Riddle.

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

Woolley on motion of Delisi.

### CSHB 427 - (consideration continued)

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 147): 69 Yeas, 70 Nays, 1 Present, not voting.

Yeas — Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Driver; Dutton; Eissler; Flynn; Gattis; Goolsby; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; Kolkhorst; Krusee; Latham; Laubenberg; Macias; Madden; Miller; Mowery; Murphy; O'Day; Orr; Otto; Parker; Paxton; Peña; Phillips; Riddle; Smith, W.; Smithee; Solomons; Straus; Swinford; Taylor; Truitt; Van Arsdale; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bailey; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Deshotel; Dunnam; Eiland; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Heflin; Hernandez; Herrero; Hochberg; Hodge; Hopson; Howard, D.; King, T.; Kuempel; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miles; Moreno; Naishtat; Noriega; Olivo; Ortiz; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rose; Smith, T.; Strama; Thompson; Turner; Vaught; Veasey; Villarreal; Vo; West.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Talton; Woolley.

Absent — Dukes; Homer; Menendez; Morrison; Oliveira; Patrick; Rodriguez.

The speaker stated that the motion to table Amendment No. 2 was lost by the above vote.



**STATEMENT OF VOTE**

I was shown voting yes on Record No. 147. I intended to vote no.

Peña

**LEAVES OF ABSENCE GRANTED**

The following members were granted leave of absence temporarily for today because of important business:

Menendez on motion of Pickett.

Oliveira on motion of Hartnett

Rodriguez on motion of Burnam.

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

Morrison on motion of P. King.

Patrick on motion of Harless.

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

Homer on motion of Frost.

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

Dukes on motion of McClendon.

**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. 13).

**CSHB 427 - (consideration continued)**

(Oliveira and Rodriguez now present)

**Amendment No. 3**

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

Amend the Dunnam amendment to **CSHB 427** on page 1, line 5 of the amendment, between "District" and "shall", by inserting "in cooperation with and in support of the attorney representing the state in that county in the prosecution of felony offenses,".

(Woolley now present)

Amendment No. 3 was adopted.

**Amendment No. 4**

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

Amend the Dunnam amendment to **CSHB 427** as follows:

(1) On page 1, strike lines 4 though 6 and substitute the following:

"(2) On page 2, line 19, following "as appropriate," insert "including the district attorney for the 201st Judicial District".

(2) On page 1, between lines 8 and 9, insert the following:

"(a-1) The district attorney for the 201st Judicial District in cooperation and in support of the attorney representing the state in a county described by Subsection (a) in the prosecution of felony offenses shall prosecute an offense described under Article 104.003(a), Code of Criminal Procedure, that is committed on property described by that subsection.

(3) On page 1 line 28 after the word "Specialization" strike the remainder of the sentence before the period.

Amendment No. 4 was adopted.

A record vote was requested.

Amendment No. 2, as amended, was adopted by (Record 148): 75 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bailey; Bonnen; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Crownover; Davis, Y.; Deshotel; Dunnam; Eiland; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Heflin; Hernandez; Herrero; Hochberg; Hodge; Hopson; Hughes; King, P.; King, T.; Leibowitz; Lucio; Martinez; Martinez Fischer; McCall; McReynolds; Merritt; Miles; Moreno; Naishtat; Noriega; O'Day; Oliveira; Olivo; Ortiz; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Strama; Taylor; Thompson; Turner; Vaught; Veasey; Villarreal; Vo; West.

Nays — Anderson; Aycock; Berman; Bohac; Bolton; Branch; Brown, B.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Darby; Davis, J.; Delisi; Driver; Eissler; Elkins; England; Flynn; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Howard, D.; Isett; Jackson; Jones; Keffer; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; Mallory Caraway; McClendon; Miller; Mowery; Murphy; Orr; Otto; Parker; Paxton; Peña; Phillips; Riddle; Smithee; Solomons; Straus; Swinford; Truitt; Van Arsdale; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Geren; Homer; Menendez; Morrison; Patrick; Talton.

Absent — Dutton; Howard, C.; King, S.; Smith, W.

#### STATEMENTS OF VOTE

I was shown voting no on Record No. 148. I intended to vote yes.

Bolton

I was shown voting yes on Record No. 148. I intended to vote no.

F. Brown

I was shown voting yes on Record No. 148. I intended to vote no.

Crownover

When Record No. 148 was taken, I was in the house but away from my desk. I would have voted yes.

Dutton

I was shown voting yes on Record No. 148. I intended to vote no.

P. King

When Record No. 148 was taken, my vote failed to register. I would have voted no.

S. King

I was shown voting yes on Record No. 148. I intended to vote no.

O'Day

I was shown voting no on Record No. 148. I intended to vote yes.

Peña

I was shown voting yes on Record No. 148. I intended to vote no.

Taylor

### CSHB 427 - POINT OF ORDER

Representative Phillips raised a point of order against further consideration of **CSHB 427** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The speaker sustained the point of order.

**CSHB 427** was returned to the Committee on Corrections.

### CONSTITUTIONAL AMENDMENTS CALENDAR HOUSE JOINT RESOLUTIONS SECOND READING

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

#### HJR 36 ON SECOND READING

(by McReynolds, Deshotel, Hartnett, Gattis, and Dutton)

**HJR 36**, A joint resolution proposing a constitutional amendment to permit a state justice or judge who reaches the mandatory age of retirement while in office to complete the justice's or judge's current term.

A record vote was requested.

**HJR 36** was adopted by (Record 149): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver;

Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Hilderbran; Hill; Hochberg; Hodge; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Merritt; Miles; Miller; Moreno; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Truitt; Turner; Van Arsdale; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes; Geren; Homer; Menendez; Morrison; Patrick; Talton.

Absent — Cohen; Gonzalez Toureilles; Herrero; McClendon; Vaught.

### STATEMENT OF VOTE

When Record No. 149 was taken, I was in the house but away from my desk. I would have voted yes.

Herrero

### HJR 59 ON SECOND READING

(by Elkins, Bailey, Bonnen, Leibowitz, Callegari, et al.)

**HJR 59**, A joint resolution proposing a constitutional amendment to allow the legislature to override a veto of the governor following a legislative session.

#### Amendment No. 1

Representative Hartnett offered the following amendment to **HJR 59**:

Amend **HJR 59** as follows:

(1) On page 2, line 20, strike "shall" and substitute "may".

(2) On page 3, line 4, between "on the" and "day", insert "eightth".

(Isett in the chair)

Representative Leibowitz moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 150): 100 Yeas, 37 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bailey; Bolton; Bonnen; Branch; Burnam; Callegari; Castro; Chisum; Cohen; Coleman; Cook, R.; Corte; Creighton; Davis, Y.; Deshotel; Dunnam; Eiland; Elkins; England; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Harless; Harper-Brown; Heflin;

Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Hopson; Howard, C.; Howard, D.; Hughes; Keffer; King, P.; King, T.; Kuempel; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miles; Moreno; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Ortiz; Otto; Peña; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Solomons; Straus; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; West; Zedler; Zerwas.

Nays — Anderson; Aycock; Berman; Bohac; Brown, B.; Brown, F.; Christian; Cook, B.; Crabb; Crownover; Darby; Davis, J.; Delisi; Driver; Eissler; Farias; Hardcastle; Hartnett; Hill; Jackson; Jones; Kolkhorst; Krusee; Latham; Laubenberg; Macias; Miller; Mowery; Orr; Parker; Paxton; Phillips; Riddle; Smithee; Strama; Swinford; Woolley.

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

Absent, Excused — Dukes; Geren; Homer; Menendez; Morrison; Patrick; Talton.

Absent — Chavez; King, S.; Vo.

### STATEMENT OF VOTE

When Record No. 150 was taken, my vote failed to register. I would have voted yes.

S. King

### Amendment No. 2

Representative Leibowitz offered the following amendment to **HJR 59**:

Amend **HJR 59** on page 3, line 6, by striking "three" and substituting "five".

Amendment No. 2 was adopted.

(Dukes now present)

A record vote was requested.

**HJR 59**, as amended, was adopted by (Record 151): 109 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bailey; Bohac; Bolton; Bonnen; Branch; Brown, F.; Burnam; Callegari; Castro; Cohen; Coleman; Cook, R.; Davis, J.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Eiland; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Harper-Brown; Heflin; Herrero; Hilderbran; Hochberg; Hodge; Hopson; Howard, C.; Howard, D.; Hughes; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Latham; Leibowitz; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miles; Moreno; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Peña; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter;

Rodriguez; Rose; Smith, T.; Smith, W.; Solomons; Strama; Straus; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Zedler; Zerwas.

Nays — Anderson; Aycock; Berman; Brown, B.; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Delisi; Driver; Eissler; Flynn; Hardcastle; Harless; Hartnett; Hill; Krusee; Laubenberg; Miller; Mowery; Paxton; Phillips; Riddle; Smithee; Swinford; Woolley.

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

Absent, Excused — Geren; Homer; Menendez; Morrison; Patrick; Talton.

Absent — Chavez; Darby; Hernandez; Lucio.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 151. I intended to vote yes.

Crabb

When Record No. 151 was taken, my vote failed to register. I would have voted yes.

Darby

I was shown voting no on Record No. 151. I intended to vote yes.

Harless

I was shown voting yes on Record No. 151. I intended to vote no.

C. Howard

I was shown voting yes on Record No. 151. I intended to vote no.

Zedler

(Speaker in the chair)

### GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

#### HB 92 ON SECOND READING (by Branch)

**HB 92**, A bill to be entitled An Act relating to the acquisition of certain automated external defibrillators.

**HB 92** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 823 ON SECOND READING**  
(by Ritter, W. Smith, J. Davis, Callegari, et al.)

**CSHB 823**, A bill to be entitled An Act relating to the liability of certain licensed or registered professionals for damages arising from certain services provided during an emergency.

**CSHB 823** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 362 ON SECOND READING**  
(by Eissler)

**CSHB 362**, A bill to be entitled An Act relating to the ability of public school employees to communicate with members of a school district board of trustees.

Representative Eissler moved to postpone consideration of **CSHB 362** until 10 a.m. Wednesday, April 4.

The motion prevailed.

**HB 863 ON SECOND READING**  
(by B. Cook)

**HB 863**, A bill to be entitled An Act relating to the exemption of certain persons from the requirement that a person who requires disclosure of a social security number adopt a privacy policy.

**HB 863** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 125 ON SECOND READING**  
(by Delisi, Corte, Escobar, Garcia, Haggerty, et al.)

**HB 125**, A bill to be entitled An Act relating to tuition and fee exemptions for the children of certain military personnel.

**Amendment No. 1**

Representative Veasey offered the following amendment to **HB 125**:

Amend **HB 125** by striking page 1, line 8, through page 2, line 8, and substituting the following:

(b) The exemptions provided for in Subsection (a) of this section also apply and inure to the benefit of:

(1) a child of a member ~~[the children of members]~~ of the armed forces of the United States:

(A) who is or was ~~[are or were]~~ killed in action;

(B) [;] who dies ~~[die]~~ or died while in service;

(C) [;] who is are missing in action;

(D) [~~;-or~~] whose death is documented to be directly caused by illness or injury connected with service in the armed forces of the United States;

(E) who became totally disabled for purposes of employability according to the disability ratings of the Department of Veterans Affairs as a result of a service-related injury; or

(F) who at any time during the semester or other term for which the child claims the exemption, is deployed on active duty by the armed forces of the United States for the purpose of engaging in a combative military operation outside of the United States; [;] and

(2) a child of a member [~~to the benefit of orphans of members~~] of the Texas National Guard and the Texas Air National Guard who:

(A) was killed since January 1, 1946, while on active duty either in the service of their state or the United States;

(B) is totally disabled for purposes of employability according to the disability ratings of the Department of Veterans Affairs, regardless of whether the member is eligible to receive disability benefits from the department, as a result of a service-related injury suffered since January 1, 1946, while on active duty either in the service of this state or the United States; or

(C) at any time during the semester or other term for which the child claims the exemption, is deployed on active duty either in the service of this state or the United States for the purpose of engaging in a combative military operation outside of the United States."

Amendment No. 1 was withdrawn.

**HB 125** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

### **HB 119 ON SECOND READING** **(by F. Brown)**

**HB 119**, A bill to be entitled An Act relating to the exemption from competitive bidding for certain purchases.

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

Representative F. Brown offered the following amendment to **HB 119**:

Amend **HB 119** as follows:

(1) On page 1, strike lines 9-11 and substitute the following:

(1) does not exceed \$5,000; and

(2) is not made under a written contract [~~\$2,000, or a greater amount prescribed by commission rule~~].

(2) On page 1, line 15, strike "\$2,000" and substitute "\$5,000 [~~\$2,000~~]".

Amendment No. 1 was adopted.



**HB 119**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 188 ON SECOND READING**  
**(by Hochberg, et al.)**

**CSHB 188**, A bill to be entitled An Act relating to the adoption of textbooks and the use of credits for textbooks or other instructional materials in a school district or open-enrollment charter school.

**CSHB 188** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 261 ON SECOND READING**  
**(by Pickett and Homer)**

**HB 261**, A bill to be entitled An Act relating to the computation of the motor vehicle sales and use tax on the sale of certain motor vehicles.

**HB 261** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 590 ON SECOND READING**  
**(by Delisi)**

**HB 590**, A bill to be entitled An Act relating to standards of conduct for and conflicts of interest of state officers and employees.

**Amendment No. 1**

Representative Heflin offered the following amendment to **HB 590**:

Amend **HB 590** (House committee printing) as follows:

(1) On page 2, line 11, between "to" and "each", insert ";":

(A)".

(2) On page 2, between "agency" and the period, insert the following:

; and

(B) each new officer not later than the third business day after the date the person qualifies for office".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Burnam offered the following amendment to **HB 590**:

Amend **HB 590** (House committee printing) on page 2 by inserting the following appropriately-lettered Subsection to Section 571.051, Government Code:

"(\_\_\_\_\_) A state agency's ethics policy is consistent with the standards prescribed by Subsection (a) and other provisions of this subchapter only if the policy prohibits the acceptance of a cash gift of more than \$1,000 by its officers and employees other than a gift made by a person within the third degree of consanguinity."

**Amendment No. 2 - Point of Order**

Representative P. King raised a point of order against further consideration of Amendment No. 2 under Article III, Section 35a of the Texas Constitution on the grounds that it violates the one subject rule.

The speaker sustained the point of order.

The ruling precluded further consideration of Amendment No. 2.

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today because of urgent family business:

S. King on motion of Rose.

**HB 590 - (consideration continued)**

**Amendment No. 3**

Representative Martinez Fischer offered the following amendment to **HB 590**:

Amend **HB 590** on page 2 between lines 19 and 20 by inserting the following:

(d-1) Notwithstanding Subsection (d), a person with the knowledge of a violation of an agency ethics policy adopted under Subsection (b) that also constitutes an offense under another law of this state shall report the violation to the appropriate prosecuting attorney. Not later than the 30th day after the date a person notifies the prosecuting attorney under this subsection, the prosecuting attorney shall notify the state agency involved and the attorney general of the status of the prosecuting attorney's investigation of the alleged violation.

(Keffer in the chair)

Representative Delisi moved to postpone consideration of **HB 590** until the end of today's calendar.

The motion prevailed.

**HB 886 ON SECOND READING**

**(by Giddings)**

**HB 886**, A bill to be entitled An Act relating to an optional preauthorization plan for the workers' compensation return-to-work pilot program for small employers.

**HB 886** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Speaker in the chair)

**CSHB 887 ON SECOND READING**  
(by Giddings)

**CSHB 887**, A bill to be entitled An Act relating to the statute of limitations for the offenses of credit card or debit card abuse, false statement to obtain property or credit, and fraudulent use or possession of identifying information.

**CSHB 887** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 889 ON SECOND READING**  
(by Delisi)

**HB 889**, A bill to be entitled An Act relating to certain actions that constitute unlawful acts against the Medicaid program.

**HB 889** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 944 ON SECOND READING**  
(by Solomons and Leibowitz)

**CSHB 944**, A bill to be entitled An Act relating to location of certain financial institution branches.

**CSHB 944** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 1003 ON SECOND READING**  
(by Giddings)

**CSHB 1003**, A bill to be entitled An Act relating to professional licensing requirements for independent review of certain medical decisions regarding workers' compensation claims.

**CSHB 1003** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 1006 ON SECOND READING**  
**(by Giddings)**

**CSHB 1006**, A bill to be entitled An Act relating to doctor licensing requirements for peer review, utilization, and retrospective review of medical decisions regarding workers' compensation claims.

**CSHB 1006** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1125 ON SECOND READING**  
**(by Creighton and Eissler)**

**HB 1125**, A bill to be entitled An Act relating to the creation of an additional judicial district in Montgomery County.

**HB 1125** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1194 ON SECOND READING**  
**(by England and Madden)**

**HB 1194**, A bill to be entitled An Act relating to indemnification of phlebotomists performing services under contract with the Texas Department of Criminal Justice.

**HB 1194** was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 1497 ON SECOND READING**  
**(by Van Arsdale)**

**HB 1497**, A bill to be entitled An Act relating to the consequences of the failure by a person requesting information under the public information law to timely respond to certain written communications from a governmental body.

**Amendment No. 1**

Representative Burnam offered the following amendment to **HB 1497**:

Amend **HB 1497** (House committee printing) as follows:

(1) On page 1, line 8, strike "If before the 31st day" and substitute "If by the 61st day".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Burnam offered the following amendment to **HB 1497**:

Amend **HB 1497** as follows:

(1) On page 1, line 7, strike "Subsections (d) and (e)" and substitute "Subsections (d), (e), and (f)".

(2) On page 1, between lines 21 and 22, insert the following:

(f) If the requestor's request for public information included the requestor's physical or mailing address, the request may not be considered to have been withdrawn under Subsection (d) unless the governmental body, officer for public information, or agent, as applicable, sends the request for clarification or discussion under Subsection (b) or the written request for additional information under Subsection (c) to that address by certified mail.

(3) On page 1, line 22, strike "Sections 552.222(d) and (e)", and substitute "Sections 552.222(d), (e), and (f)".

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Bonnen offered the following amendment to **HB 1497**:

Amend **HB 1497** on page 1, line 13, by striking "or oral".

Amendment No. 3 was adopted.

**HB 1497**, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Menendez now present)

### **HB 459 ON SECOND READING** (by Miller)

**HB 459**, A bill to be entitled An Act relating to the removal, relocation, or alteration of certain monuments or memorials on state property.

### **Amendment No. 1**

Representative Thompson offered the following amendment to **HB 459**:

Amend **HB 459** on page 1, line 15 of the bill, between "States" and "~~this~~" by inserting ", unless that person engaged in an armed insurrection against the United States".

Representative Miller moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 152): 83 Yeas, 52 Nays, 2 Present, not voting.

Yeas — Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Eissler; Elkins; England; Escobar; Farabee; Flynn; Frost; Garcia; Gattis; Goolsby; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Hopson; Howard, C.; Hughes; Isett; Jackson; Jones; King, P.; Krusee;

Kuempel; Latham; Laubenberg; Macias; Madden; McCall; McReynolds; Merritt; Miller; Mowery; Murphy; O'Day; Orr; Otto; Parker; Paxton; Phillips; Pitts; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Taylor; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bailey; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Davis, Y.; Dukes; Dunnam; Dutton; Farias; Farrar; Flores; Gallego; Gonzales; Gonzalez Tourelles; Guillen; Heflin; Hernandez; Herrero; Hochberg; Hodge; Howard, D.; Keffer; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Pickett; Pierson; Puente; Raymond; Rodriguez; Strama; Thompson; Turner; Veasey; Villarreal; Vo.

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

Absent, Excused — Geren; Homer; King, S.; Morrison; Patrick; Talton.

Absent — Eiland; Giddings; King, T.; Kolkhorst; Moreno; Peña; Vaught.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 152. I intended to vote no.

Deshotel

I was shown voting no on Record No. 152. I intended to vote yes.

Heflin

I was shown voting no on Record No. 152. I intended to vote yes.

Keffer

### Amendment No. 2

Representative Veasey offered the following amendment to **HB 459**:

Amend **HB 459** (house committee printing) as follows:

(1) On page 1, line 6, strike "Subsection (a)" and insert "Subsections (a) and (b)".

(2) On page 1, between lines 16 and 17, insert the following:

"(b) Notwithstanding any other provision of this code, a monument or memorial may be removed, relocated, or altered only:

(1) by the legislature;

(2) by the Texas Historical Commission;

(3) by the State Preservation Board; ~~or~~

(4) by the governing board of a state institution of higher education if the monument or memorial is located on the property of the institution; and

(5) as provided by Subsection (c)."

Representative Miller moved to table Amendment No. 2.

A record vote was requested.

The motion to table prevailed by (Record 153): 72 Yeas, 64 Nays, 1 Present, not voting.

Yeas — Anderson; Aycocock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Eissler; Elkins; England; Flynn; Gattis; Goolsby; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hilderbran; Hill; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; McCall; Miller; Mowery; Murphy; O'Day; Otto; Parker; Paxton; Phillips; Pitts; Riddle; Smith, W.; Smithee; Straus; Swinford; Taylor; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bailey; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hernandez; Herrero; Hochberg; Hodge; Howard, D.; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miles; Moreno; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Peña; Pickett; Pierson; Puente; Quintanilla; Raymond; Rodriguez; Rose; Smith, T.; Strama; Thompson; Turner; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Homer; King, S.; Morrison; Patrick; Talton.

Absent — Driver; Eiland; Hopson; Orr; Ritter; Solomons; Vaught.

#### STATEMENTS OF VOTE

When Record No. 153 was taken, I was in the house but away from my desk. I would have voted yes.

Driver

When Record No. 153 was taken, my vote failed to register. I would have voted yes.

Hopson

When Record No. 153 was taken, I was in the house but away from my desk. I would have voted yes.

Ritter

#### Amendment No. 3

Representative Veasey offered the following amendment to **HB 459**:

Amend **HB 459** (house committee printing) as follows:

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

(2) On page 1, between lines 18 and 19, insert the following subsection:

(e) This section does not apply to a monument or memorial that honors a person who:

(1) owned a slave; or

(2) is or was a member of or affiliated with a terrorist organization, including the Ku Klux Klan.

**HB 459 - POINT OF ORDER**

Representative Y. Davis raised a point of order against further consideration of **HB 459** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Miller moved to table Amendment No. 3.

A record vote was requested.

The vote of the house was taken on the motion to table Amendment No. 3 and the vote was announced yeas 72, nays 67.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 154): 72 Yeas, 67 Nays, 1 Present, not voting.

Yeas — Anderson; Aycocock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Driver; Eissler; Elkins; England; Flynn; Gattis; Goolsby; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; Merritt; Miller; Murphy; O'Day; Orr; Otto; Parker; Paxton; Phillips; Pitts; Riddle; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Taylor; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bailey; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Eiland; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Heflin; Hernandez; Herrero; Hochberg; Hodge; Hopson; Howard, D.; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Naishtat; Noriega; Olivo; Ortiz; Peña; Pickett; Pierson; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Strama; Thompson; Turner; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Homer; King, S.; Morrison; Patrick; Talton.

Absent — Moreno; Mowery; Oliveira; Straus.

The speaker stated that the motion to table Amendment No. 3 prevailed by the above vote.

**Amendment No. 4**

Representative Coleman offered the following amendment to **HB 459**:

Amend **HB 459** as follows:



This section does not apply to a monument or memorial that honors a person who is or was a member of or affiliated with a terrorist organization or hate group.

### LEAVES OF ABSENCE GRANTED

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

Oliveira on motion of Olivo.

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

Moreno on motion of Gallego.

### HB 459 - (consideration continued)

Representative Miller moved to table Amendment No. 4.

A record vote was requested.

The vote of the house was taken on the motion to table Amendment No. 4 and the vote was announced yeas 70, nays 67.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 155): 70 Yeas, 67 Nays, 1 Present, not voting.

Yeas — Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Driver; Eissler; Elkins; Flynn; Gattis; Goolsby; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; Miller; Murphy; O'Day; Orr; Otto; Parker; Paxton; Phillips; Pitts; Riddle; Ritter; Smith, W.; Smithee; Solomons; Swinford; Taylor; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bailey; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Eiland; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Heflin; Hernandez; Herrero; Hochberg; Hodge; Hopson; Howard, D.; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Naishtat; Noriega; Olivo; Ortiz; Peña; Pickett; Pierson; Puente; Quintanilla; Raymond; Rodriguez; Rose; Smith, T.; Strama; Thompson; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Homer; King, S.; Moreno; Morrison; Oliveira; Patrick; Talton.

Absent — Merritt; Mowery; Straus; Turner.

The speaker stated that the motion to table Amendment No. 4 prevailed by the above vote.

**Amendment No. 5**

Representative Thompson offered the following amendment to **HB 459**:

Amend **HB 459** as follows:

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

(2) On page 1, between lines 18 and 19 insert the following:

(e) This section does not apply to a monument or memorial for a person who does not believe in "One Nation Under God."

**HB 459 - POINT OF ORDER**

Representative Dutton raised a point of order against further consideration of **HB 459** under Rule 4, Section 32 of the House Rules on the grounds that the committee report is incorrect.

The speaker overruled the point of order.

Representative Miller moved to table Amendment No. 5.

A record vote was requested.

The motion to table was lost by (Record 156): 34 Yeas, 85 Nays, 4 Present, not voting.

Yeas — Anderson; Aycock; Berman; Branch; Brown, B.; Brown, F.; Callegari; Corte; Crownover; Darby; Delisi; Driver; Eissler; Hardcastle; Hartnett; Hilderbran; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Krusee; Latham; Laubenberg; Macias; Miller; Murphy; O'Day; Paxton; Smith, W.; Smithee; Woolley; Zerwas.

Nays — Allen; Alonzo; Anchia; Bohac; Bolton; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Eiland; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Haggerty; Hamilton; Hancock; Heflin; Hernandez; Herrero; Hochberg; Hodge; Hopson; Keffer; King, T.; Kolkhorst; Kuempel; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Naishtat; Noriega; Olivo; Ortiz; Otto; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Solomons; Strama; Swinford; Taylor; Thompson; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West.

Present, not voting — Mr. Speaker(C); Burnam; Hill; Truitt.

Absent, Excused — Geren; Homer; King, S.; Moreno; Morrison; Oliveira; Patrick; Talton.

Absent — Bailey; Bonnen; Cook, B.; Cook, R.; Crabb; Creighton; Davis, J.; Goolsby; Harless; Harper-Brown; King, P.; Madden; Merritt; Mowery; Orr; Parker; Riddle; Straus; Zedler.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 156. I intended to vote no.

Anderson

When Record No. 156 was taken, I was temporarily out of the house chamber. I would have voted no.

Bonnen

When Record No. 156 was taken, my vote failed to register. I would have voted yes.

R. Cook

I was shown voting yes on Record No. 156. I intended to vote no.

Delisi

When Record No. 156 was taken, I was in the house but away from my desk. I would have voted no.

Harper-Brown

I was shown voting yes on Record No. 156. I intended to vote no.

C. Howard

When Record No. 156 was taken, I was in the house but away from my desk. I would have voted no.

Parker

I was shown voting yes on Record No. 156. I intended to vote no.

Woolley

Amendment No. 5 was adopted.

**Amendment No. 6**

Representative Martinez Fischer offered the following amendment to **HB 459**:

Amend **HB 459** (house committee printing) as follows:

(1) On line 14, strike "or".

(2) On line 15, between "States" and "[this]", insert ", or a historical religious figure who has had a significant effect on Texas".

Amendment No. 6 was adopted.

Representative Miller moved to postpone consideration of **HB 459** until 10 a.m. Wednesday, July 4.

The motion prevailed.

**POSTPONED BUSINESS**

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

**HB 590 ON SECOND READING**  
**(by Delisi)**

**HB 590**, A bill to be entitled An Act relating to standards of conduct for and conflicts of interest of state officers and employees.

**HB 590** was read second time earlier today, amendments were offered and disposed of, and **HB 590** was postponed until this time. Amendment No. 3 was pending at the time of postponement.

Amendment No. 3 was withdrawn.

**Amendment No. 4**

Representative Martinez Fischer offered the following amendment to **HB 590**:

Amend **HB 590** on page 2 between lines 19 and 20 by inserting the following:

(d-1) Notwithstanding Subsection (d), if a person with knowledge of a violation of an agency ethics policy adopted under Subsection (b) that also constitutes a criminal offense under another law of this state reports the violation to an appropriate prosecuting attorney, then, not later than the 30th day after the date a person notifies the prosecuting attorney under this subsection, the prosecuting attorney shall notify the state agency involved and the attorney general of the status of the prosecuting attorney's investigation of the alleged violation.

Amendment No. 4 was adopted.

**Amendment No. 5**

Representative Gallego offered the following amendment to **HB 590**:

Amend **HB 590** as follows:

(1) On page 2, line 13, strike "office of the attorney general" and substitute "commission".

(2) On page 2, line 14, strike "commission" and substitute "office of the attorney general".

(3) On page 2, lines 20-21, strike "Not later than November 1, 2007, the office of the attorney general" and substitute "The commission".

(4) On page 2, line 26, strike "Not later than January 1, 2008, each" and substitute "Each".

(5) On page 3, strike lines 4-5.

(6) On page 3, line 6, between the period and "Section", insert "(a)".

(7) On page 3, between lines 11 and 12, insert the following:

"(b) The Texas Ethics Commission shall develop and distribute the model ethics policy required by Section 572.051(c), Government Code, as added by this Act, not later than November 1, 2007. Each state agency shall adopt and distribute the ethics policy required by Section 572.051(b), Government Code, as added by this Act, not later than January 1, 2008."

Representative Delisi moved to table Amendment No. 5.

A record vote was requested.

The motion to table prevailed by (Record 157): 88 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Crownover; Darby; Davis, J.; Delisi; Deshotel; Dukes; Dutton; Eiland; Eissler; Elkins; England; Flores; Flynn; Gattis; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harper-Brown; Hartnett; Hilderbran; Hill; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Keffer; King, P.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; McCall; McClendon; McReynolds; Merritt; Miller; Mowery; Murphy; O'Day; Orr; Otto; Parker; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Riddle; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Dunnam; Escobar; Farabee; Farias; Farrar; Frost; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Heflin; Hernandez; Herrero; Hochberg; Hodge; Hopson; Jones; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; Menendez; Miles; Naishtat; Noriega; Olivo; Ortiz; Raymond; Ritter; Rodriguez; Turner; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Homer; King, S.; Moreno; Morrison; Oliveira; Patrick; Talton.

Absent — Creighton; Driver; Harless; Pierson; Thompson.

### STATEMENT OF VOTE

When Record No. 157 was taken, I was in the house but away from my desk. I would have voted yes.

Creighton

### Amendment No. 6

Representative Gallego offered the following amendment to **HB 590**:

Amend **HB 590** on page 2, between lines 12 and 13, by inserting the following:

(b-1) A state agency's ethics policy adopted under Subsection (b) must prohibit a former officer or employee of the agency who has previously left state office or state employment, engaged in activities that require registration under Chapter 305, and subsequently returned to an office with or employment by the agency from engaging in activities before that agency that require registration under Chapter 305 before, as applicable, the first anniversary of:

(1) the date the last term for which the state officer was elected or appointed ends; or

(2) the date the person's last service as a state employee ends.

**Amendment No. 6 - Point of Order**

Representative Delisi raised a point of order against further consideration of Amendment No. 6 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

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

**HB 590** requires state agencies to adopt policies to enforce the existing general standards of conduct applicable to state officers and employees. Amendment No. 6 would add new standards of conduct to those already existing in law. The new standards would prohibit certain activity that requires registration as a lobbyist under Chapter 305, Government Code. The creation of new standards of conduct for state officials is not germane to the bill.

The ruling precluded further consideration of Amendment No. 6.

**Amendment No. 7**

Representative Gallego offered the following amendment to **HB 590**:

Amend **HB 590** (house committee printing) on page 2, between lines 12 and 13, by inserting the following:

(b-1) A written ethics policy adopted by a state agency under Subsection (b) must:

(1) prohibit each state officer and employee of the agency from:

(A) accepting any monetary gift, regardless of form or amount; or

(B) making any communication to or appearance before an officer

or employee of any state agency before the second anniversary of the date the officer or employee ceased to be an officer of or employed by the agency if the communication or appearance is made:

(i) on behalf of any person in connection with any matter on which the person seeks official action; and

(ii) with the intent to influence that official action.

(2) require each state officer and employee of the agency to be informed of the offenses relating to abuse of office under Chapter 39, Penal Code; and

(3) require the state agency to maintain records of all complaints made against officers or employees of the agency in a form that is available to members of the public and does not disclose any information made confidential by law.

**Amendment No. 7 - Point of Order**

Representative Delisi raised a point of order against further consideration of Amendment No. 7 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

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

**HB 590** requires state agencies to adopt policies to enforce the existing general standards of conduct applicable to state officers and employees. Amendment No. 7 would add to those existing standards a prohibition on the acceptance of monetary gifts, and would also require a state agency to prohibit former officers and employees of the agency from representing others before the agency after leaving state service. The creation of new standards of conduct for state officials and the regulation of conduct of former state officials are not germane to the bill

The ruling precluded further consideration of Amendment No. 7.

### **Amendment No. 8**

Representative Dunnam offered the following amendment to **HB 590**:

Amend **HB 590** in Section 1 of the bill in amended Section 572.051, Government Code, by striking added Subsection (d) (page 2, lines 18-19) and relettering subsequent subsections and cross-references accordingly.

Representative Delisi moved to table Amendment No. 8.

A record vote was requested.

The motion to table prevailed by (Record 158): 77 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Branch; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Driver; Eissler; Elkins; England; Flynn; Gattis; Goolsby; Guillen; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; Kolkhorst; Krusee; Kuempel; Laubenberg; Macias; Madden; McCall; McReynolds; Merritt; Miller; Mowery; Murphy; O'Day; Orr; Otto; Parker; Paxton; Phillips; Pitts; Riddle; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Bolton; Bonnen; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Eiland; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Haggerty; Heflin; Hernandez; Herrero; Hochberg; Hodge; Hopson; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Naishtat; Noriega; Olivo; Ortiz; Peña; Pierson; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Thompson; Turner; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Homer; King, S.; Moreno; Morrison; Oliveira; Patrick; Talton.

Absent — Brown, B.; Latham; Pickett.

**STATEMENTS OF VOTE**

When Record No. 158 was taken, I was in the house but away from my desk. I would have voted yes.

B. Brown

I was shown voting yes on Record No. 158. I intended to vote no.

Guillen

I was shown voting no on Record No. 158. I intended to vote yes.

Rose

**HB 590 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE Y. DAVIS: Thank you. Ms. Delisi, I appreciate what you're doing and I think it's right, but what I have a question about is the issue that we were earlier discussing on an amendment regarding enforcement because some agencies tend to look at gifts differently and favors very differently. So without any kind of enforcement, what is your thought or mechanism that protects the inconsistencies with agencies in terms of how they will handle complaints and/or violations of this policy?

REPRESENTATIVE DELISI: I think the inconsistency of the agency, Representative Davis, may be even more troubling to me than the inconsistency of the ethics commission. And so when the code of conduct is signed by the state employee, and they do not adhere to that code of conduct which is set forth, then they are subject to losing their job. Losing their job is about the worst thing that can happen to anyone for not adhering to the ethical policy.

Y. DAVIS: So is it your intent then—

DELISI: I think it's a greater threat—

Y. DAVIS: But I guess I want to make sure that it's your intent that if someone signs this agreement, this code of conduct agreement, if they're found to be in violation, it is your expectation or your intent that their job would be in jeopardy and therefore that they would lose their job. I mean, is that what you're thinking? Because that's the one troubling thing about it. That's what people are trying to understand. Because there are several agencies and the larger agencies typically do much differently than some of the smaller agencies. So if there's some standard that we're going to put in place, we want to make sure that we're creating an apples and apples. So your thought is that these rules would include them, employees, signing an agreement, and therefore their job would be lost if they violated the policy.

DELISI: You're absolute correct, Representative Davis, and that's the reason that I have set forth a positive code of conduct and ethical standards for state employees to adhere to. Let's not concentrate on retribution on state employees, but let's concentrate on the positive, ethical standards, and then encourage state employees to adhere to those standards. That is what **HB 590** does.



Y. DAVIS: I appreciate the approaches to look at a positive way to put something in place.

DELISI: Thank you, but—

Y. DAVIS: What happens is, in practicality, though, the reason we're doing this, primarily, is because there are violations or things are occurring. We wouldn't need to do this if this wasn't something that was becoming a real issue for us, so I just want to make sure that if we are going to institute or have the thought that there is some punishment mechanism when you do violate it and it is in fact you lose your job, that that is the intent of this legislation. We'll put that in intent because right now there's nothing there. So the agencies are able to independently determine whether they're going to say it's a day off or it's you're losing your job or not. Inconsistencies is where we're getting the problems because employees will be treated differently at various agencies.

DELISI: It would be certainly my hope that state employees would adhere to this code of conduct, but it is also my realization to know that when they don't adhere to the code of conduct, then their job is in jeopardy.

### REMARKS ORDERED PRINTED

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

The motion prevailed.

(Talton now present)

A record vote was requested.

**HB 590**, as amended, was passed to engrossment by (Record 159): 124 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Castro; Chisum; Christian; Cohen; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Hilderbran; Hill; Hochberg; Hodge; Hopson; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Kolkhorst; Kuempel; Latham; Lucio; Macias; Madden; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Mowery; Murphy; Naishtat; Noriega; O'Day; Orr; Otto; Parker; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Burnam; Coleman; Dunnam; Dutton; Haggerty; Herrero; Leibowitz; Mallory Caraway; Olivo; Pierson; Talton; Thompson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Geren; Homer; King, S.; Moreno; Morrison; Oliveira; Patrick.

Absent — Chavez; Howard, D.; Krusee; Laubenberg; Ortiz; Rodriguez.

### STATEMENTS OF VOTE

When Record No. 159 was taken, I was in the house but away from my desk. I would have voted yes.

Chavez

I was shown voting no on Record No. 159. I intended to vote yes.

Herrero

When Record No. 159 was taken, I was in the house but away from my desk. I would have voted yes.

D. Howard

I was shown voting no on Record No. 159. I intended to vote yes.

Leibowitz

I was shown voting no on Record No. 159. I intended to vote yes.

Mallory Caraway

I was shown voting yes on Record No. 159. I intended to vote no.

Merritt

When Record No. 159 was taken, I was in the house but away from my desk. I would have voted yes.

Ortiz

I was shown voting no on Record No. 159. I intended to vote yes.

Pierson

When Record No. 159 was taken, I was in the house but away from my desk. I would have voted yes.

Rodriguez

### HR 983 - ADOPTED (by Raymond)

Representative Raymond moved to suspend all necessary rules to take up and consider at this time **HR 983**.

The motion prevailed.

The following resolution was laid before the house:

**HR 983**, Recognizing March 24, 2007, as World TB Day in Texas.

**HR 983** was adopted.

**SCR 35 - ADOPTED  
(Flores - House Sponsor)**

Representative Lucio moved to suspend all necessary rules to take up and consider at this time **SCR 35**.

The motion prevailed.

The following resolution was laid before the house:

**SCR 35**, Honoring the Chicano/Hispanic Law Students' Association for enhancing the educational experience of its membership.

**SCR 35** was adopted.

On motion of Representative Flores, the names of all the members of the house were added to **SCR 35** as signers thereof.

**COMMITTEES GRANTED PERMISSION TO MEET**

Pursuant to House Rule 4, Section 9, Representative Taylor requested permission for all committees and subcommittees to meet while the house is in session, during bill referral today, pursuant to their committee postings, and that for purposes of this motion, those house committees and subcommittees that are scheduled to meet upon adjournment today be considered to be scheduled to meet upon final recess today.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Corrections, 9:30 a.m. tomorrow, E2.018, for a work session, to consider legislation relating to the Texas Youth Commission.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Madden requested permission for the Committee on Corrections to meet at 9:30 a.m. tomorrow until the meeting's conclusion, in E2.018, for a work session, to consider legislation relating to the Texas Youth Commission.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Juvenile Justice and Family Issues, during bill referral today, at the posted location.

**PROVIDING FOR RECESS**

Representative Hilderbran moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house recess until 9 a.m. tomorrow in memory of Game Warden Justin Hurst of El Campo.

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.)

(Flynn in the chair)

**RECESS**

In accordance with a previous motion, the house, at 6:44 p.m., recessed until 9 a.m. tomorrow.

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**ADDENDUM**

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**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**

**HB 3304** (By Peña), Relating to certain correctional facilities that house only federal prisoners.

To County Affairs.

**HB 3327** (By T. Smith), Relating to the implementation of a project plan or financing plan for a reinvestment zone under the Tax Increment Financing Act and the granting of exemptions from ad valorem taxes imposed on real property in a reinvestment zone under that Act.

To Ways and Means.

**HB 3328** (By Leibowitz), Relating to land development in certain counties.

To Land and Resource Management.

**HB 3329** (By Leibowitz), Relating to dog attacks on persons.

To Criminal Jurisprudence.

**HB 3331** (By Hilderbran), Relating to the use of credit scoring in certain lines of personal insurance and to the contents of consumer credit reports.

To Insurance.

**HB 3332** (By Christian), Relating to certain interviews conducted in investigations of child abuse or neglect.

To Human Services.

**HB 3333** (By Corte), Relating to the designation of certain land as a reinvestment zone under the Tax Increment Financing Act.

To Ways and Means.

**HB 3334** (By Frost), Relating to the amount of hazardous duty pay for certain state employees.

To Appropriations.

**HB 3335** (By Flores), Relating to the operation of video lottery games for this state to provide additional money to fund governmental programs; the creation, powers, and duties of the Texas Gaming and Boxing Commission; the powers and duties of the Texas Lottery Commission, the Texas Racing Commission, and the Texas Commission of Licensing and Regulation, and the regulation of gaming and other gambling activities authorized by law in this state; making an appropriation; providing penalties.

To Licensing and Administrative Procedures.

**HB 3336** (By Burnam), Relating to restitution payments ordered by juvenile courts.

To Juvenile Justice and Family Issues.

**HB 3337** (By Burnam), Relating to the development and use of a comprehensive energy plan and to a corresponding temporary moratorium on authorizations for certain coal-fired electric generating facilities.

To Energy Resources.

**HB 3338** (By Burnam), Relating to building code standards for energy efficiency performance.

To Energy Resources.

**HB 3339** (By Burnam), Relating to use of the money from the Texas enterprise fund to promote renewable energy technology.

To Economic Development.

**HB 3340** (By Burnam), Relating to protection and assistance for victims of trafficking.

To Criminal Jurisprudence.

**HB 3341** (By Burnam), Relating to continuing education and training for peace officers relating to the trafficking of persons.

To Law Enforcement.

**HB 3342** (By Burnam), Relating to the prosecution of the offense of trafficking of persons.

To Criminal Jurisprudence.

**HB 3343** (By Burnam), Relating to publicizing a list of voters' rights.

To Elections.

**HB 3344** (By Vo), Relating to the authority of the Public Utility Commission of Texas in relation to the regulation of the electric power market.

To Regulated Industries.

**HB 3345** (By Vo), Relating to the use of headlights and windshield wipers when driving in unfavorable conditions.

To Transportation.

**HB 3346** (By Deshotel), Relating to the ownership or operation of a health spa by a municipality.

To Urban Affairs.

**HB 3347** (By Deshotel), Relating to the waste tire recycling program; providing for civil penalties and injunctive relief.

To Environmental Regulation.

**HB 3348** (By Christian), Relating to the mechanism by which prices are established in the competitive wholesale electric energy and capacity markets in Texas.

To Regulated Industries.

**HB 3349** (By Christian), Relating to the availability of baseload generation at a price reflective of its cost in this state's competitive wholesale market.

To Regulated Industries.

**HB 3427** (By Delisi), Relating to the issuance of bonds by a municipality for certain improvements on the state highway system; providing authority to impose a tax.

To Transportation.

**HB 3428** (By Martinez Fischer), Relating to the payment of court costs required in connection with the suspension of sentence and deferral of final disposition in certain misdemeanor traffic cases.

To Criminal Jurisprudence.

**HB 3429** (By Anchia), Relating to the application of state school accountability standards to a public school campus that has met adequate yearly progress standards under the No Child Left Behind Act of 2001.

To Public Education.

**HB 3430** (By Strama), Relating to creating a single searchable central database on Texas Online containing information on all state expenditures.

To Government Reform.

**HB 3431** (By Strama), Relating to the capture, use, and geologic sequestration of anthropogenic carbon dioxide.

To Ways and Means.

**HB 3432** (By Herrero), Relating to appointment of the commissioner of education.

To Public Education.

**HB 3433** (By Herrero), Relating to limits on the size of public school classes in kindergarten and grades one through four.

To Public Education.

**HB 3434** (By Herrero), Relating to the dates on which certain political subdivisions hold elections.

To Elections.

**HB 3435** (By Herrero), Relating to peace officers of navigation districts.

To Law Enforcement.

**HB 3436** (By Flynn), Relating to the regulation of prepaid funeral benefits.

To Financial Institutions.

**HB 3437** (By Flores), Relating to the authority of certain counties to impose vehicle registration fees to address county mobility needs.

To Border and International Affairs.

**HB 3438** (By Flores), Relating to the powers and duties of the Rio Grande Regional Water Authority and the establishment of a member conference.

To Natural Resources.

**HB 3439** (By Parker), Relating to county fiscal matters.

To County Affairs.

**HB 3440** (By Parker), Relating to projects that may be undertaken by development corporations for the development, retention, or expansion of certain airport facilities.

To Economic Development.

**HB 3441** (By Phillips), Relating to the erection and maintenance of tourist-oriented directional signs on eligible highways.

To Transportation.

**HB 3442** (By Anchia), Relating to the creation of the law enforcement integrity unit in the office of the attorney general.

To Judiciary.

**HB 3443** (By D. Howard), Relating to the creation of the Texas Hospital-Based Nursing Education Partnership Grant Program.

To Higher Education.

**HB 3444** (By D. Howard), Relating to eligibility of Emergency Service Districts to receive federal grants.

To County Affairs.

**HB 3445** (By Isett), Relating to long-term funding of benefits for certain retired governmental employees.

To Pensions and Investments.

**HB 3446** (By Rose), Relating to the promotion by the comptroller of Texas manufactured products; providing civil and administrative penalties.

To Economic Development.

**HB 3447** (By Rose), Relating to the authority of certain counties to regulate land development.

To County Affairs.

**HB 3448** (By Rose), Relating to limiting the amount of designated tuition that a public institution of higher education may charge if legislative appropriations are sufficient to pay certain costs of the institution.

To Higher Education.

**HB 3449** (By Rose), Relating to the imposition of an intercollegiate athletics fee at Texas State University–San Marcos.

To Higher Education.

**HB 3450** (By Rose), Relating to coordination of postsecondary curricula and to an academic planning Internet website to support academic progress by students enrolled at public institutions of higher education.

To Higher Education.

**HB 3451** (By T. Smith), Relating to the eligibility requirements for the renewal of a license to carry a concealed handgun.

To Law Enforcement.

**HB 3452** (By Macias), Relating to the protection and preservation of all caves in the State of Texas increasing penalty.

To Natural Resources.

**HB 3453** (By Macias), Relating to permissible inquiries by a public information officer of an educational institution to a requestor requesting information about a student under the public information law.

To State Affairs.

**HB 3454** (By Callegari), Relating to contracts between governmental entities and pharmacy benefit managers.

To Government Reform.

**HB 3455** (By Dutton), Relating to investigations and other procedures with respect to allegations of child abuse and neglect.

To Human Services.

**HB 3456** (By Hochberg), Relating to public school finance.

To Public Education.

**HB 3457** (By Hochberg), Relating to a school bus idling near a public school or school event.

To Public Education.

**HB 3458** (By Paxton), Relating to the authority of the comptroller of public accounts to sue an appraisal district to compel compliance with the Tax Code, rules of the comptroller, or other applicable law.

To Ways and Means.

**HB 3459** (By Paxton), Relating to procedures relating to placement of a public school student in a disciplinary alternative education program.

To Public Education.

**HB 3460** (By Paxton), Relating to the statutory probate court of Collin County.

To Judiciary.



**HB 3461** (By Paxton), Relating to the collection of motor vehicle sales taxes on seller-financed sales by dealers.

To Ways and Means.

**HB 3462** (By Paxton), Relating to excepting certain information from required disclosure under Chapter 552, Government Code.

To State Affairs.

**HB 3463** (By Paxton), Relating to the application of the franchise tax to a combined group.

To Ways and Means.

**HB 3464** (By Guillen), Relating to establishing an office of state statistician.

To Higher Education.

**HB 3465** (By Delisi), Relating to the creation of a low-income pool using certain federal funds.

To Public Health.

**HB 3466** (By Delisi), Relating to implementing incentives to encourage Medicaid recipients to engage in healthy behaviors.

To Public Health.

**HB 3467** (By Delisi), Relating to a three-party integrated model of care for certain Medicaid recipients.

To Public Health.

**HB 3468** (By Delisi), Relating to standing for receipt of certain damages based on a death caused by a compensable injury.

To Business and Industry.

**HB 3469** (By Delisi), Relating to notice regarding the availability of deferred disposition for a Class C misdemeanor.

To Criminal Jurisprudence.

**HB 3470** (By Delisi), Relating to the program of supplemental health coverage for individuals eligible under the TRICARE military health system offered through the Employees Retirement System of Texas.

To Insurance.

**HB 3471** (By Delisi), Relating to creation of a pilot program for use of health information technology concerning certain Medicaid recipients.

To Public Health.

**HB 3472** (By Delisi), Relating to the promotion of an electronic health record system for health care programs or health insurance plans administered by the State of Texas.

To Public Health.

**HB 3473** (By Delisi), Relating to consent for medical treatment.

To Public Health.

**HB 3474** (By Delisi), Relating to advance directives.

To Public Health.

**HB 3475** (By Gallego), Relating to the authority of certain counties to acquire, construct, or operate a water supply system or sewage system and own or operate a utility.

To Natural Resources.

**HB 3476** (By Gallego), Relating to the construction of communication facility structures in certain counties.

To Border and International Affairs.

**HB 3477** (By Gallego), Relating to the creation of a strategic mapping program to be administered by the Texas Water Development Board.

To Natural Resources.

**HB 3478** (By Gallego), Relating to the employment of physicians by certain hospitals.

To Public Health.

**HB 3479** (By Harper-Brown), Relating to the administration of, procedures related to, and other reform measures for the Texas Department of Transportation.

To Transportation.

**HB 3480** (By Coleman), Relating to the authority of certain municipalities to impose term limits on the members of their governing bodies.

To Elections.

**HB 3481** (By Puente), Relating to disclosure and availability of certain information concerning certain officers of regional water planning groups.

To Natural Resources.

**HB 3482** (By Kolkhorst), Relating to a museum and visitor's center at Stephen F. Austin State Park.

To Culture, Recreation, and Tourism.

**HB 3483** (By S. King), Relating to the provision of forms for personal financial statements filed with the Texas Ethics Commission.

To Elections.

**HB 3484** (By Kolkhorst), Relating to the programs and functions of The Texas A&M University System and Sam Houston State University.

To Higher Education.

**HB 3485** (By S. King), Relating to career and technology education.

To Public Education.

**HB 3486** (By Kolkhorst), Relating to the authority of the asset management division of the General Land Office to sell real property to an economic development corporation.

To Land and Resource Management.

**HB 3487** (By S. King), Relating to staff development requirements concerning the instruction of students with disabilities in public schools.

To Public Education.

**HB 3488** (By Kolkhorst), Relating to a study of the effect on this state's economy of replacing all state and school district ad valorem tax revenue with revenue from a transaction tax.

To Ways and Means.

**HB 3489** (By S. King), Relating to the registration requirements for sex offenders residing in certain health care facilities.

To Criminal Jurisprudence.

**HB 3490** (By Otto), Relating to the authority of a chief appraiser to appeal from an order of an appraisal review board determining a taxpayer protest.

To Local Government Ways and Means.

**HB 3491** (By Otto), Relating to the qualifications and selection of the board of directors of an appraisal district.

To Local Government Ways and Means.

**HB 3492** (By Otto), Relating to determining taxable value in the Comptroller's property value study.

To Local Government Ways and Means.

**HB 3493** (By Otto), Relating to the regulation of property tax professionals and appraisal review boards.

To Local Government Ways and Means.

**HB 3494** (By Otto), Relating to the appeal through binding arbitration of a protest of an appraisal review board order, and to related complaints filed by a property owner and disciplinary action by the Board of Tax Professional Examiners; providing penalties.

To Local Government Ways and Means.

**HB 3495** (By Otto), Relating to the contents of the notice of the meeting at which the governing body of a taxing unit will vote on a proposed ad valorem tax rate that will result in a tax revenue increase.

To Local Government Ways and Means.

**HB 3496** (By Otto), Relating to the deadlines for the delivery or filing of certain ad valorem tax notices.

To Local Government Ways and Means.

**HB 3497** (By Keffer), Relating to economic impact studies and other financial issues affecting municipalities and counties that attempt to recruit or retain special events.

To Economic Development.

**HB 3498** (By Keffer), Relating to energy aggregation by political subdivisions.

To Urban Affairs.

**HB 3499** (By Keffer), Relating to the definition of a dangerous drug in the Texas Dangerous Drug Act.

To Criminal Jurisprudence.

**HB 3500** (By Noriega), Relating to the position of director of homeland security.

To Defense Affairs and State-Federal Relations.

**HB 3501** (By Noriega), Relating to the position of director of homeland security.

To Defense Affairs and State-Federal Relations.

**HB 3502** (By Hilderbran), Relating to the protection and preservation of caves in the State of Texas; providing penalties.

To Culture, Recreation, and Tourism.

**HB 3503** (By Farabee), Relating to limitations on the compensation of county auditors for certain counties.

To County Affairs.

**HB 3504** (By Farabee), Relating to the penalty for driving a motor vehicle on a highway without a valid driver's license.

To Transportation.

**HB 3505** (By Hartnett), Relating to requirements for judicial training on issues regarding family violence, sexual assault, and child abuse and neglect.

To Judiciary.

**HB 3506** (By Martinez Fischer), Relating to the authority of a municipality to enter into contracts without competitive bidding; making conforming changes.

To Urban Affairs.

**HB 3507** (By Hernandez), Relating to the powers of peace officers.

To Law Enforcement.

**HB 3508** (By Hilderbran), Relating to the immunity from individual liability of directors of soil and water conservation districts.

To Natural Resources.

**HB 3509** (By Patrick), Relating to the creation of a task force to evaluate redistribution of surplus textbooks owned by the State of Texas.

To Public Education.

**HB 3510** (By Patrick), Relating to reforms to the system by which the state procures, purchases, and distributes textbooks.

To Public Education.

**HB 3511** (By Coleman), Relating to the authority of the Texas Commission on Environmental Quality to adjust a fee or administrative penalty assessed.

To Environmental Regulation.

**HB 3512** (By J. Davis), Relating to local school district policies regarding student eligibility to participate in extracurricular activities.

To Public Education.

**HB 3513** (By J. Davis), Relating to temporary change of ownership licenses for nursing home facilities.

To Human Services.

**HB 3514** (By Rodriguez), Relating to the disclosure by the Texas Department of Public Safety to appraisal districts of name, date of birth, and address information for use in determining a person's eligibility for a residence homestead exemption for the elderly.

To Local Government Ways and Means.

**HB 3515** (By Rodriguez), Relating to the forced sale of certain inherited interests in real property.

To Business and Industry.

**HB 3516** (By Creighton), Relating to publication of notice for certain transactions involving local governmental entities.

To County Affairs.

**HB 3517** (By Creighton), Relating to competitive purchasing requirements for local governments.

To Government Reform.

**HB 3518** (By Creighton), Relating to the powers of a property owners' association relating to restrictive covenants in certain subdivisions.

To Business and Industry.

**HB 3519** (By Strama), Relating to conditions of employment for law enforcement officers and corrections officers employed by certain counties.

To County Affairs.

**HB 3520** (By Bolton), Relating to the regulation of the subdivision of land under the jurisdiction of certain counties.

To Land and Resource Management.

**HB 3522** (By Oliveira), Relating to authorizing the issuance of revenue bonds for the University of Texas at Brownsville Institute for Homeland Security and Emergency Management Integration Studies.

To Higher Education.

**HB 3523** (By Homer), Relating to hunting licenses for nonresidents who own real property in this state.

To Culture, Recreation, and Tourism.

**HB 3524** (By Homer), Relating to the designation of a portion of State Highway 37 in Franklin County as the Tom Ramsey Highway.

To Transportation.

**HB 3525** (By Homer), Relating to the divorce of parents with children under 18 years of age.

To Juvenile Justice and Family Issues.

**HB 3526** (By Homer), Relating to certain discretionary grants made to community supervisions and corrections departments from the community justice assistance division of the Texas Department of Criminal Justice.

To Corrections.

**HB 3527** (By Darby), Relating to the eligibility of certain teachers to serve on the State Board of Education and the board of directors of a regional education service center.

To Public Education.

**HB 3528** (By Anchia), Relating to clarification of the definition of best available control technology.

To Environmental Regulation.

**HB 3529** (By Isett), Relating to certain rights of owners of outdoor advertising.

To Transportation.

**HB 3530** (By Isett), Relating to consumer access to health care information and consumer protection for services provided by or through health benefit plans, hospitals, ambulatory surgical centers, and birthing centers; providing penalties.

To Public Health.

**HB 3531** (By Isett), Relating to the composition and use of the coastal protection fund.

To Natural Resources.

**HB 3532** (By Isett), Relating to the funding structure for state and local parks.

To Culture, Recreation, and Tourism.

**HB 3533** (By Isett), Relating to the limit on the rate of growth in appropriations and to the authority of the comptroller to reduce the state sales tax rate for designated periods.

To Appropriations.

**HB 3534** (By Isett), Relating to certain limitations on the ad valorem tax rates of certain taxing units.

To Ways and Means.

**HB 3535** (By Garcia), Relating to creating a recognition day in honor of Dr. Hector P. Garcia.

To Culture, Recreation, and Tourism.

**HB 3536** (By Garcia), Relating to a pension increase for retired teachers.

To Pensions and Investments.

**HB 3537** (By Garcia), Relating to the adoption of a child by a person serving in the military.

To Juvenile Justice and Family Issues.

**HB 3538** (By Garcia), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

**HB 3539** (By Branch), Relating to interest rate management agreements related to financing certain public improvements.

To Financial Institutions.

**HB 3540** (By Garcia), Relating to health benefit plan coverage for enrollees with autism spectrum disorder.

To Insurance.

**HB 3541** (By Christian), Relating to designating July 21 as First Lady Frances Cox Henderson Remembrance Day.

To Culture, Recreation, and Tourism.

**HB 3542** (By Garcia), Relating to the authority of the state or a county to designate the location in the right-of-way where certain telephone facilities may be placed.

To Regulated Industries.

**HB 3543** (By Garcia), Relating to the name of the Calhoun County Navigation District.

To Transportation.

**HB 3544** (By Garcia), Relating to the dissolution of the Aransas County Conservation and Reclamation District.

To Natural Resources.

**HB 3545** (By T. King), Relating to the surcharge under the driver responsibility program for a conviction of driving while license invalid or without financial responsibility.

To Transportation.

**HB 3546** (By Truitt), Relating to the authority of a taxing unit to make a loan to the board of directors of a tax increment financing reinvestment zone for deposit in the tax increment fund for the zone.

To Ways and Means.

**HB 3547** (By Kuempel), Relating to the authority of a private entity to provide hazardous materials services.

To Environmental Regulation.

**HB 3548** (By Haggerty), Relating to court reporter service fees.

To Judiciary.

**HB 3549** (By Haggerty), Relating to court costs imposed on conviction and deposited to the courthouse security fund for a county.

To County Affairs.

**HB 3550** (By Haggerty), Relating to false claims against the state and school districts and actions by private persons to prosecute those claims; providing a civil penalty.

To Civil Practices.

**HB 3551** (By Callegari), Relating to the management of the state vehicle fleet.

To Government Reform.

**HB 3552** (By Orr), Relating to the issuance of private activity bonds.

To Financial Institutions.

**HB 3553** (By Dutton), Relating to lease-option contracts.

To Business and Industry.

**HB 3554** (By Isett), Relating to the reimbursement from the Petroleum Storage Tank Remediation Account and relating to the fee on delivery of certain petroleum products.

To Environmental Regulation.

**HB 3555** (By Ortiz), Relating to the procedures for awarding certain contracts financed by certificates of obligation.

To Government Reform.

**HB 3556** (By Ortiz), Relating to the establishment of a school of engineering at Texas A&M University–Corpus Christi.

To Higher Education.

**HB 3557** (By Zedler), Relating to rules adopted by the State Board of Education regarding the required curriculum of public schools.

To Public Education.

**HB 3558** (By Zedler), Relating to the issuance of warrants to certain persons for fire, health, and code inspections.

To Criminal Jurisprudence.

**HB 3559** (By Swinford), Relating to the administration and powers of the Canadian River Municipal Water Authority.

To Natural Resources.

**HB 3560** (By Swinford), Relating to the transfer of the primary duties of the Texas Building and Procurement Commission to the comptroller and the General Land Office.

To State Affairs.

**HB 3561** (By Puente), Relating to the jurisdiction of certain courts to dispose of separate felony and misdemeanor charges pending against the same defendant.

To Criminal Jurisprudence.

**HB 3562** (By Puente), Relating to eligibility of certain judges to be named on a list of retired and former judges.

To Judiciary.

**HB 3563** (By Goolsby), Relating to the setting and collecting of fees for the public's use of certain images and documents protected by copyright owned by the State Preservation Board.

To House Administration.

**HB 3564** (By Darby), Relating to the transfer of Angelo State University to the Texas Tech University System.

To Higher Education.

**HB 3565** (By Rose), Relating to the use of credit scoring in certain lines of personal insurance and to the contents of consumer credit reports.

To Insurance.



**HB 3566** (By Rose), Relating to the adoption of the Agreement Among the States to Elect the President by National Popular Vote.

To Elections.

**HB 3567** (By Rose), Relating to the appraisal for ad valorem tax purposes of certain open-space land devoted principally to ecological research.

To Local Government Ways and Means.

**HB 3568** (By Rose), Relating to the operation of certain health benefit plans.

To Insurance.

**HB 3569** (By Rose), Relating to appeals in cases arising under the Federal Arbitration Act.

To Civil Practices.

**HB 3570** (By Rose), Relating to the regulation of quarries; providing penalties.

To Natural Resources.

**HB 3571** (By Rose), Relating to partnerships between the Health and Human Services Commission and private entities to conduct health and human services program outreach efforts.

To Human Services.

**HB 3572** (By Rose), Relating to the authority of the Barton Springs-Edwards Aquifer Conservation District to charge certain fees and limit groundwater production during a drought.

To Natural Resources.

**HB 3573** (By Rose), Relating to the implementation of animal identification programs and the identification and tracking of exotic livestock and exotic fowl.

To Agriculture and Livestock.

**HB 3574** (By Rose), Relating to the redesigned integrated eligibility and benefits determination system for health and human services.

To Human Services.

**HB 3575** (By Rose), Relating to an audit of health and human services information technology systems.

To Human Services.

**HB 3576** (By Rose), Relating to the child health plan program.

To Human Services.

**HB 3577** (By Rose), Relating to the requirement that certain applicants for a vehicle dealer general distinguishing number complete a basic dealer education course.

To Transportation.

**HB 3578** (By Rose), Relating to the confidentiality of certain communications involving an ombudsman program established by an employer as an alternative dispute resolution service.

To Civil Practices.

**HB 3579** (By Rose), Relating to the office of inspector general.  
To Human Services.

**HB 3580** (By C. Howard), Relating to the rights of owners of land located in a groundwater conservation district and their lessees and assigns in groundwater.  
To Natural Resources.

**HB 3581** (By C. Howard), Relating to county authority to abate nuisances.  
To County Affairs.

**HB 3582** (By Veasey), Relating to the method of calling a local option election to legalize or prohibit the sale of alcoholic beverages in certain municipalities.

To Licensing and Administrative Procedures.

**HB 3583** (By Hill), Relating to the appointment of the county assessor-collector to the appraisal district board of directors and the appointment of additional members to appraisal district boards of directors.

To Local Government Ways and Means.

**HB 3584** (By Peña), Relating to the creation of the offense of organized retail theft.

To Criminal Jurisprudence.

**HB 3585** (By Peña), Relating to the provision of a computerized victim notification system to certain state agencies and to counties.

To Criminal Jurisprudence.

**HB 3586** (By Bailey), Relating to the sheriff's department civil service system in certain counties; imposing a criminal penalty.

To Urban Affairs.

**HB 3587** (By Bailey), Relating to conditions of employment for deputy sheriffs employed by sheriff's departments in certain counties.

To Urban Affairs.

**HB 3588** (By Bailey), Relating to sheriff's department civil service systems in certain counties; providing a criminal penalty.

To Urban Affairs.

**HB 3589** (By Lucio), Relating to the use of electronic communication by a conservator of a child to facilitate communication with the child.

To Juvenile Justice and Family Issues.

**HB 3590** (By Leibowitz), Relating to the application of certain contract management laws to the Texas Department of Transportation.

To Transportation.

**HB 3591** (By Leibowitz), Relating to allowing certain identifiable communities in the extraterritorial jurisdiction of a municipality to incorporate.

To Land and Resource Management.

**HB 3592** (By W. Smith), Relating to prohibiting a municipality from enacting regulations on air pollution that apply outside its corporate limits.

To Urban Affairs.

**HB 3593** (By Raymond), Relating to the time by which certain persons found to have engaged in family violence must complete court-ordered counseling.

To Juvenile Justice and Family Issues.

**HB 3594** (By Raymond), Relating to motor vehicle inspection facilities near the border of this state and Mexico.

To Border and International Affairs.

**HB 3595** (By Raymond), Relating to the amount charged by the comptroller for export stamps.

To Ways and Means.

**HB 3596** (By Raymond), Relating to the establishment of a program for detecting and giving notice of an unauthorized discharge of industrial, municipal, or other waste into any water in the state.

To Natural Resources.

**HB 3597** (By Raymond), Relating to registration and regulation of certain discount health plans; providing penalties.

To Insurance.

**HB 3598** (By Lucio), Relating to excepting certain real or personal property information from required disclosure under the public information law.

To State Affairs.

**HB 3599** (By Lucio), Relating to the procedures for acting on applications for certain permits under the Solid Waste Disposal Act.

To Environmental Regulation.

**HB 3600** (By Aycock), Relating to the determination of damages in connection with the condemnation of certain land for state highway purposes.

To Land and Resource Management.

**HB 3601** (By Swinford), Relating to contested cases involving the regulation of, and enforcement of certain laws concerning the sale or lease of motor vehicles.

To Licensing and Administrative Procedures.

**HB 3602** (By Veasey), Relating to community homes for disabled persons.

To Human Services.

**HB 3603** (By Kuempel), Relating to municipal power agencies.

To Regulated Industries.

**HB 3604** (By Kuempel), Relating to the notice of the project given with the filing of certain permit applications with local regulatory agencies.

To Land and Resource Management.

**HB 3605** (By Kuempel), Relating to facilities subject to the Texas Racing Act.

To Licensing and Administrative Procedures.

**HB 3606** (By Kuempel), Relating to the sunset review of certain river authorities.

To Government Reform.

**HB 3607** (By Guillen), Relating to the financing of school district instructional facilities and assistance with the payment of a school district's existing debt.

To Public Education.

**HB 3608** (By Hopson), Relating to persons placed on community supervision and drivers license revocation requiring electronic monitoring of driving activity.

To Transportation.

**HB 3609** (By Talton), Relating to membership and service credit in the Employees Retirement System of Texas for certain retired employees.

To Pensions and Investments.

**HB 3610** (By Raymond), Relating to ethics training for governmental officers and governmental financial advisors.

To Elections.

**HB 3611** (By Raymond), Relating to the survival of actions brought under the Deceptive Trade Practices–Consumer Protection Act.

To Business and Industry.

**HB 3612** (By Alonzo), Relating to the authority of issuers to enter into contracts for services in connection with the issuance of public securities.

To Financial Institutions.

**HB 3613** (By Latham), Relating to identification cards issued to peace officers, reserve law enforcement officers, and honorably retired peace officers by a law enforcement agency or other governmental entity.

To Law Enforcement.

**HB 3614** (By Swinford), Relating to the election, powers, and duties of the members of the board of directors of the Midland County Hospital District.

To Local Government Ways and Means.

**HB 3615** (By Goolsby), Relating to the regulation, operation, and taxation of certain coin-operated machines; providing a penalty.

To Licensing and Administrative Procedures.

**HB 3616** (By Alonzo), Relating to the selection of financial advisors by governmental entities.

To Financial Institutions.

**HB 3617** (By Zedler), Relating to bilingual and special language programs in public schools.

To Public Education.

**HB 3618** (By Raymond), Relating to a coordinated health program for school districts located in the border region.

To Border and International Affairs.

**HB 3619** (By Raymond), Relating to the authority of a political subdivision other than a county to change the date of its general election.

To Elections.

**HB 3620** (By Raymond), Relating to revenue collected from certain traffic penalties by municipalities.

To Urban Affairs.

**HB 3621** (By Noriega), Relating to dropout rates in public schools.

To Public Education.

**HB 3622** (By B. Brown), Relating to accessibility of services under Medicaid waiver programs.

To Human Services.

**HB 3623** (By Goolsby), Relating to requiring certain barbers and cosmetologists to have a product available to reverse certain hair damage.

To Licensing and Administrative Procedures.

**HB 3624** (By Ritter), Relating to the protection of coastal resources; providing for administrative penalties.

To Land and Resource Management.

**HB 3625** (By Bolton), Relating to background and criminal history checks and for certain state employees who interact with children or supervise persons who interact with children.

To Law Enforcement.

**HB 3626** (By Lucio), Relating to the date on which eligibility for benefits begins under certain programs for governmental employees and retirees.

To Insurance.

**HB 3627** (By Rodriguez), Relating to housing funds for certain disabled persons and the creation of the person with permanent disability home loan program.

To Urban Affairs.

**HB 3628** (By Rodriguez), Relating to restrictions on the disclosure of certain criminal history records and to the duty of law enforcement agencies regarding records associated with certain defendants.

To Law Enforcement.

**HB 3889** (By Gattis), Relating to the creation of the office of inspector general; providing penalties.

To Government Reform.

**HCR 1** (By Garcia), Memorializing Congress to support legislation for veterans' health care budget reform.

To Defense Affairs and State-Federal Relations.

**HCR 9** (By Homer), In memory of Cecil B. "Poss" Long of Paris, Texas.

To Rules and Resolutions.

**HCR 10** (By Homer), In memory of Mattie Katherine Bills of Paris, Texas.

To Rules and Resolutions.

**HCR 145** (By Merritt), Celebrating the 60th anniversary of LeTourneau University.

To Rules and Resolutions.

**HCR 146** (By Merritt), Honoring Dr. Alvin O. Austin on his retirement as president of LeTourneau University.

To Rules and Resolutions.

**HCR 154** (By Burnam), Submitting charges to the United States House of Representatives constituting proof that the president of the United States has violated his oath of office.

To State Affairs.

**HCR 155** (By Burnam), Granting the Chishty family permission to sue the State of Texas, the Department of Aging and Disability Services, and the Denton State School.

To Civil Practices.

**HCR 156** (By Homer), Recognizing March 28, 2007, as Paris/Lamar County Day at the State Capitol.

To Rules and Resolutions.

**HCR 158** (By Dunnam), Congratulating the Mart Panthers football team on winning the 2006 2A State Championship.

To Rules and Resolutions.

**HCR 159** (By Morrison), Requesting that the governor, lieutenant governor, and speaker appoint a select commission on higher education and global competitiveness.

To Higher Education.

**HCR 160** (By Homer), In memory of Robert Bruce Staples, Jr., of Paris, Texas.

To Rules and Resolutions.

**HJR 2** (By Isett), Proposing a constitutional amendment to limit the rate of growth of appropriations from all sources of revenue except the federal government; to establish a disaster fund, managed by the governor, for use to prepare for or respond to a natural disaster or emergency; to fund the property tax relief fund; to require a gubernatorial declaration before money may be appropriated from the economic stabilization fund; and to authorize the legislature to appropriate money for tax rebates; making a constitutional appropriation.

To Appropriations.

**HJR 7** (By Krusee), Proposing a constitutional amendment authorizing the legislature to dedicate certain motor fuel taxes to the Texas mobility fund.

To Ways and Means.

**HJR 91** (By Bohac), Proposing a constitutional amendment to change the length of the unexpired term that causes the automatic resignation of certain elected county or district officeholders if they become candidates for another office.

To Elections.

**HJR 98** (By Flores), Proposing a constitutional amendment authorizing the operation of video lottery games by licensed racetrack operators and certain Indian tribes.

To Licensing and Administrative Procedures.

**HJR 99** (By Flores), Proposing a constitutional amendment authorizing video lottery games at certain racetracks and on Indian lands, authorizing the regulation of gaming to provide additional money to fund governmental programs, and regulating the locations at which gambling may be conducted in this state.

To Licensing and Administrative Procedures.

**HJR 102** (By Hilderbran), Proposing a constitutional amendment creating a trust fund for providing financial support to students attending private or independent institutions of higher education in this state.

To Higher Education.

**HJR 103** (By Darby), Proposing a constitutional amendment providing for the continuation of the constitutional appropriation for facilities and other capital items at Angelo State University on a change in the governance of the university.

To Higher Education.

**HJR 104** (By Hilderbran), Proposing a constitutional amendment authorizing the issuance of state general obligation bonds to provide funding for the creation, improvement, and preservation of state parks and other recreational, cultural, and historical sites and facilities.

To Culture, Recreation, and Tourism.

**HJR 105** (By Pitts), Proposing a constitutional amendment relating to the manner in which the lieutenant governor's compensation and reimbursement for expenses are determined.

To Government Reform.

**HJR 106** (By Herrero), Proposing a constitutional amendment providing for open meetings of each House of the Legislature, and its committees and subcommittees.

To State Affairs.

**HR 746** (By Merritt), Requesting that the Legislative Audit Committee reexamine specified conduct and resubmit the single recommendation that the governor appoint a conservator for the Texas Youth Commission.

To Corrections.

**SB 482** to Regulated Industries.

**SB 483** to Regulated Industries.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

**HB 1570** (By Murphy), Relating to the deposit of revenue collected from certain traffic penalties in the designated trauma facility and emergency medical services account.

To Urban Affairs.

**HB 3057** (By Callegari), Relating to the acquisition of real property for public use.

To Land and Resource Management.

**HB 3127** (By Harless), Relating to the immunization requirements for admission to schools and during certain declared disasters; providing a penalty.

To Public Health.

**HB 3297** (By Callegari), Relating to unfunded mandates imposed on school districts.

To Government Reform.

**HB 3378** (By Truitt), Relating to the requirements governing municipal consent to the creation or expansion of certain water districts.

To Land and Resource Management.

#### **SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

**House List No. 14**

**HB 2061**

**Senate List No. 13**

**SB 378**

#### **MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

**Message No. 1**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, March 21, 2007

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

**THE SENATE HAS PASSED THE FOLLOWING MEASURES:**



**HCR 7** Homer SPONSOR: Deuell  
Recognizing March 20, 2007, as Sulphur Springs/Hopkins County Day at the State Capitol.

**SB 213** Fraser  
Relating to the authority of certain counties to impose a county hotel occupancy tax and to the rate of the tax.

**SB 247** Ellis  
Relating to prohibiting the investment of state funds in certain private business entities doing business in Sudan.

**SB 495** Van de Putte  
Relating to allowing a municipal electric utility to enter into hedging contracts for certain commodities.

**SCR 44** Janek  
Designating September 2007 as Leukemia and Lymphoma Awareness Month.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**March 20**

Border and International Affairs - **HB 1166**

Criminal Jurisprudence - **HB 495, HB 959**

Defense Affairs and State-Federal Relations - **HB 1416**

Elections - **HB 158, HB 1044, HB 1290**

Financial Institutions - **HB 716**

Human Services - **HB 109**

Judiciary - **HB 2507**

Local Government Ways and Means - **SB 190**

**ENGROSSED**

**March 20 - HB 143, HB 385, HB 386, HB 735, HB 963**

