

HOUSE JOURNAL

EIGHTIETH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-SECOND DAY — WEDNESDAY, MAY 9, 2007

The house met at 10:55 a.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 1082).

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.; 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; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; 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; Zerwas.

Absent, Excused — Cook, R.; Moreno.

Absent — Zedler.

LEAVES OF ABSENCE GRANTED

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

RULES SUSPENDED

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

The motion prevailed.

MOTION FOR ONE RECORD VOTE

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

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

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

(Record 1083): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; 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; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; 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; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

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

Absent, Excused — Cook, R.; Moreno.

Absent — Burnam; Zedler.

STATEMENT OF VOTE

When Record No. 1083 was taken, my vote failed to register. I would have voted yes.

Zedler

HB 1358

SB 1542

HB 160

HB 614

HB 781 (Harper-Brown - no) (143 - 1 - 2)

HB 828

HB 976

HB 1222

HB 1330

SB 168 (Harper-Brown - no) (143 - 1 - 2)

HB 1415

HB 1427

HB 1493

SB 1660

HB 2030 (Harper-Brown - no) (143 - 1 - 2)

HB 2101

HB 2103

HB 2210

HB 2225

HB 2291

HB 2323

SB 1306

HB 2389

HB 2422

HB 2523

HB 2702

HB 2782

HB 2926

HB 2940

HB 3024

HB 3100 (Aycock, Harper-Brown, and T. King - no) (141 - 3 - 2)

HB 3154 (Harper-Brown - no) (143 - 1 - 2)

HB 3182

HB 3435

HB 3481

HB 3559

SB 1430

SB 1084

HB 3770 (Aycock - no) (143 - 1 - 2)

HB 3834

HB 3842

HB 3849

HB 3871

SB 1372

HB 3979

HB 3980

HB 3981

HB 3987

HB 3988

HB 3989

HB 3995

HB 3997

HB 3998

HB 4006

HB 4009

SB 1977

HB 4016

HB 4017

HB 4018

HB 4029

HB 4038 (W. Smith - present, not voting) (143 - 0 - 3)

HB 4039

HB 4041

HB 4042

HB 4043

HB 4046

HB 4047

HB 4056

HB 4061

HB 4070

HB 4073

HB 4075

HB 4079

HB 4080

HB 4081

HB 4083

HB 4084

HB 4099

HB 4102

HB 4104

HB 4111

HB 4113

HB 4115

HB 4116

HB 4118

HB 4119

HB 4120

HB 4121

SB 1836

HB 4071

HB 779 (Harper-Brown - no) (143 - 1 - 2)

HB 2268

HB 3994

LEAVE OF ABSENCE GRANTED

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

Mowery on motion of Hilderbran.

POSTPONED BUSINESS

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

(Speaker in the chair)

SB 625 ON THIRD READING

(J. Davis - House Sponsor)

SB 625, A bill to be entitled An Act relating to restrictions on the interchange of transplant immunosuppressant drugs.

SB 625 was read third time on May 1, postponed until May 3, postponed until May 7, and was again postponed until 7 a.m. today.

Representative J. Davis moved to postpone consideration of **SB 625** until 9 a.m. tomorrow.

The motion prevailed.

**MAJOR STATE CALENDAR
SENATE BILLS
THIRD READING**

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

**SB 1886 ON THIRD READING
(Keffer - House Sponsor)**

SB 1886, A bill to be entitled An Act relating to motor fuel taxes.

(Zedler now present)

A record vote was requested.

SB 1886 was passed by (Record 1084): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; 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; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; 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; Morrison; Murphy; Naishtat; Noriega; O'Day; 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; Talton; Taylor; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cook, R.; Moreno; Mowery.

Absent — Anderson; Branch; Davis, J.; Haggerty; Hughes; Isett; Oliveira; Swinford; Thompson.

STATEMENTS OF VOTE

When Record No. 1084 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

When Record No. 1084 was taken, I was in the house but away from my desk. I would have voted yes.

Swinford

When Record No. 1084 was taken, I was in the house but away from my desk. I would have voted yes.

Thompson

**SB 377 ON THIRD READING
(Chisum - House Sponsor)**

SB 377, A bill to be entitled An Act relating to the electronic payment of certain taxes and the electronic filing of certain reports.

A record vote was requested.

SB 377 was passed by (Record 1085): 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycok; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; 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; Hopson; Howard, C.; Howard, D.; Hughes; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Olivo; Orr; Ortiz; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Riddle; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cook, R.; Moreno; Mowery.

Absent — Davis, Y.; Flores; Frost; Homer; Isett; Kuempel; Latham; Martinez Fischer; Oliveira; Otto; Raymond; Ritter.

STATEMENT OF VOTE

When Record No. 1085 was taken, I was in the house but away from my desk. I would have voted yes.

Frost

**SB 242 ON THIRD READING
(Chisum - House Sponsor)**

SB 242, A bill to be entitled An Act relating to the transfer to the State Office of Administrative Hearings of contested cases involving the collection, receipt, administration, and enforcement of state taxes and fees by the comptroller.

A record vote was requested.

SB 242 was passed by (Record 1086): 141 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.; 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; 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.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; 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; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cook, R.; Moreno; Mowery.

Absent — Giddings; King, T.; Noriega; O'Day; Talton.

STATEMENT OF VOTE

When Record No. 1086 was taken, my vote failed to register. I would have voted yes.

T. King

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

SB 1104 ON THIRD READING
(Naishtat - House Sponsor)

SB 1104, A bill to be entitled An Act relating to the conditions of employment for emergency medical services personnel employed by certain municipalities.

A record vote was requested.

SB 1104 was passed by (Record 1087): 143 Yeas, 1 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; Cook, B.; 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; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; 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; Morrison; 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.

Nays — Harper-Brown.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cook, R.; Moreno; Mowery.

Absent — Coleman; Jackson.

SB 1266 ON THIRD READING
(Krusee - House Sponsor)

SB 1266, A bill to be entitled An Act relating to pass-through financing and the creation and operation of the transportation reinvestment fund.

Representative Krusee moved to postpone consideration of **SB 1266** until 10 a.m. Monday, May 14.

The motion prevailed.

SB 1867 ON THIRD READING
(Guillen - House Sponsor)

SB 1867, A bill to be entitled An Act relating to the filing of an amended subdivision plat with a county to correct certain errors or omissions.

Amendment No. 1

Representative Hilderbran offered the following amendment to **SB 1867**:

Amend **SB 1867** by adding the following appropriately numbered SECTION to read as follows and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter E, Chapter 232, Local Government Code, is amended by adding Sections 232.108 and 232.109 to read as follows:

Sec. 232.108. PLAT REQUIREMENTS. (a) The commissioners court, in addition to having the authority to adopt rules under Section 232.101 and other authority granted by this chapter, may impose the plat requirements prescribed by Section 232.023. If the commissioners court imposes the plat requirements prescribed by Section 232.023, any rules adopted under Section 232.101 must be consistent with those requirements.

(b) If a county imposing the plat requirements prescribed by Section 232.023 is not described by Section 232.022(a):

(1) the document required by Section 232.023(b)(6) is not required to be in Spanish; and

(2) the plat requirements related to drainage shall be those authorized by Section 232.003(8) rather than those authorized by Section 232.023(b)(8).

Sec. 232.109. FIRE SUPPRESSION SYSTEM. In a subdivision that is not served by fire hydrants as part of a centralized water system certified by the Texas Commission on Environmental Quality as meeting minimum standards for water utility service, the commissioners court may require a limited fire suppression system that requires a developer to construct:

(1) for a subdivision of fewer than 50 houses, 2,500 gallons of storage;
or

(2) for a subdivision of 50 or more houses, 2,500 gallons of storage with a centralized water system or 5,000 gallons of storage.

SECTION _____. Section 232.100, Local Government Code, is repealed.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Hilderbran offered the following amendment to **SB 1867**:

Amend **SB 1867** by adding the following appropriately numbered SECTION to read as follows and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 232.101(b), Local Government Code, is amended to read as follows:

(b) Unless otherwise authorized by state law, a commissioners court shall not regulate under this section:

(1) the use of any building or property for business, industrial, residential, or other purposes;

(2) the bulk, height, or number of buildings constructed on a particular tract of land;

(3) the size of a building that can be constructed on a particular tract of land, including without limitation and restriction on the ratio of building floor space to the land square footage; ~~[or]~~

(4) the number of residential units that can be built per acre of land;

(5) a plat or subdivision in an adjoining county; or

(6) road access to a plat or subdivision in an adjoining county.

Amendment No. 2 was adopted.

A record vote was requested.

SB 1867, as amended, was passed by (Record 1088): 143 Yeas, 0 Nays, 2 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.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Gonzales; Gonzalez Tourelles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; 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; Morrison; 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.

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

Absent, Excused — Cook, R.; Moreno; Mowery.

Absent — Eiland; Giddings.

SB 947 ON THIRD READING (Chisum - House Sponsor)

SB 947, A bill to be entitled An Act relating to delivery of certain unclaimed money to a rural scholarship fund.

A record vote was requested.

SB 947 was passed by (Record 1089): 144 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.; 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; 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; Miller; Morrison; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cook, R.; Moreno; Mowery.

Absent — Hilderbran; Miles.

**GENERAL STATE CALENDAR
SENATE BILLS
SECOND READING**

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

**SB 1253 ON SECOND READING
(Hancock - House Sponsor)**

SB 1253, A bill to be entitled An Act relating to the frequency and expenses of certain examinations conducted by the Texas Department of Insurance.

SB 1253 was passed to third reading. (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.)

**SB 484 ON SECOND READING
(P. King - House Sponsor)**

SB 484, A bill to be entitled An Act relating to the powers, duties, and composition of the electric utility restructuring legislative oversight committee.

SB 484 was passed to third reading. (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.)

POSTPONED BUSINESS

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

SB 993 ON SECOND READING
(McReynolds - House Sponsor)

SB 993, A bill to be entitled An Act relating to nursing peer review and the regulation of the practice of nursing.

SB 993 was considered in lieu of **CSHB 2158**.

SB 993 was read second time.

Amendment No. 1

Representative D. Howard offered the following amendment to **SB 993**:

Amend **SB 993** (engrossed version) as follows:

(1) In the recital to SECTION 5 of the bill (page 3, line 17) strike "(b) and (e)" and substitute "(b), (e), and (f)".

(2) In SECTION 5 of the bill, following amended Subsection (e), Section 301.402, Occupations Code (page 4, between lines 7 and 8), insert the following:

(f) A person may not suspend or terminate the employment of, or otherwise discipline or discriminate against, a person who reports, without malice, under this section. A violation of this subsection is subject to Section 301.413 [nurse may report to the nurse's employer or another entity at which the nurse is authorized to practice any situation that the nurse has reasonable cause to believe exposes a patient to substantial risk of harm as a result of a failure to provide patient care that conforms to minimum standards of acceptable and prevailing professional practice or to statutory, regulatory, or accreditation standards. For purposes of this subsection, the employer or entity includes an employee or agent of the employer or entity].

(3) Strike SECTION 13 of the bill (page 8, line 23, through page 9, line 5) and substitute the following appropriately numbered SECTION:

SECTION _____. Section 303.005, Occupations Code, is amended by adding Subsections (a-1) and (i) and amending Subsections (b), (d), and (h) to read as follows:

(a-1) For purposes of this section, a nurse or nurse administrator does not act in good faith in connection with a request made or an action taken by the nurse or nurse administrator if there is not a reasonable factual or legal basis for the request or action.

(b) If a person who is required to establish a nursing peer review committee under Section 303.0015 [regularly employs, hires, or otherwise contracts for the services of at least 10 nurses] requests a nurse [one of those nurses] to engage in conduct that the nurse believes violates a nurse's duty to a patient, the nurse may request, on a form developed or approved by the board, a determination by a nursing peer review committee under this chapter of whether the conduct violates a nurse's duty to a patient.

(d) If a nurse requests a peer review determination under Subsection (b) and refuses to engage in the requested conduct pending the peer review, the determination [The determinations] of the peer review committee shall be considered in any [a] decision by the nurse's employer to discipline the nurse for the refusal to engage in the requested conduct, but the determination is

~~[determinations are]~~ not binding if a nurse administrator believes in good faith that the peer review committee has incorrectly determined a nurse's duty. This subsection does not affect the protections provided by Subsection (c)(1) or Section 301.352.

(h) A person may not suspend or terminate the employment of, or otherwise discipline or discriminate against, a nurse who in good faith requests a peer review determination under this section or a person who advises a nurse of the nurse's right to request a determination or of the procedures for requesting a determination. A violation of this subsection is subject to Section 301.413 [A person is not required to provide a peer review determination under this section for a request made by a registered nurse, unless the person regularly employs, hires, or otherwise contracts for the services of at least five registered nurses].

(i) A person who is required to provide, on request, a nursing peer review committee determination under Subsection (b) shall adopt and implement a policy to inform nurses of the right to request a nursing peer review committee determination and the procedure for making a request.

(4) In Subdivision (3), SECTION 16 of the bill (page 10, line 19), strike "Subsection (a)" and substitute "Subsections (a) and (c)".

(5) Strike SECTION 18 of the bill and substitute the following appropriately numbered SECTION:

SECTION _____. This Act takes effect September 1, 2007.

(6) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Section 301.352, Occupations Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (f) to read as follows:

(a) A person may not suspend, terminate, or otherwise discipline or discriminate against a nurse who refuses to engage in an act or omission as provided by Subsection (a-1).

(a-1) A nurse may refuse to engage in an act or omission relating to patient care that would constitute grounds for reporting the nurse to the board under Subchapter I, that constitutes a minor incident, or that violates this chapter or a board rule if the nurse notifies the person at the time of the refusal that the reason for refusing is that the act or omission:

(1) constitutes grounds for reporting the nurse to the board; or

(2) is a violation of this chapter or a rule of the board.

(f) A violation of this section is subject to Section 301.413.

SECTION _____. The heading to Section 301.402, Occupations Code, is amended to read as follows:

Sec. 301.402. MANDATORY REPORT BY NURSE ~~[DUTY OF NURSE TO REPORT]~~.

SECTION _____. Subchapter I, Chapter 301, Occupations Code, is amended by adding Section 301.4025 to read as follows:

Sec. 301.4025. OPTIONAL REPORT BY NURSE. (a) In a written, signed report to the appropriate licensing board or accrediting body, a nurse may report a licensed health care practitioner, agency, or facility that the nurse has reasonable cause to believe has exposed a patient to substantial risk of harm as a result of failing to provide patient care that conforms to:

(1) minimum standards of acceptable and prevailing professional practice, for a report made regarding a practitioner; or

(2) statutory, regulatory, or accreditation standards, for a report made regarding an agency or facility.

(b) A nurse may report to the nurse's employer or another entity at which the nurse is authorized to practice any situation that the nurse has reasonable cause to believe exposes a patient to substantial risk of harm as a result of a failure to provide patient care that conforms to minimum standards of acceptable and prevailing professional practice or to statutory, regulatory, or accreditation standards. For purposes of this subsection, an employer or entity includes an employee or agent of the employer or entity.

(c) A person may not suspend or terminate the employment of, or otherwise discipline or discriminate against, a person who reports, without malice, under this section. A violation of this subsection is subject to Section 301.413.

SECTION _____. Subsections (a), (b), (c), and (e), Section 301.413, Occupations Code, are amended to read as follows:

(a) A person named as a defendant in a civil action or subjected to other retaliatory action as a result of filing a report required, authorized, or reasonably believed to be required or authorized under this subchapter as a result of refusing to engage in conduct as authorized by Section 301.352, or as a result of requesting in good faith a nursing peer review determination under Section 303.005, may file a counterclaim in the pending action or prove a cause of action in a subsequent suit to recover defense costs, including reasonable attorney's fees and actual and punitive damages, if the suit or retaliatory action is determined to be frivolous, unreasonable, or taken in bad faith.

(b) A person may not suspend or terminate the employment of, or otherwise discipline or discriminate against, a person who:

(1) reports, without malice, under this subchapter; or

(2) requests, in good faith, a nursing peer review determination under Section 303.005.

(c) A person who reports under this subchapter, refuses to engage in conduct as authorized by Section 301.352, or requests a nursing peer review determination under Section 303.005 has a cause of action against a person who violates Subsection (b), and may recover:

(1) the greater of:

(A) actual damages, including damages for mental anguish even if no other injury is shown; or

(B) \$5,000 [~~\$1,000~~];

(2) exemplary damages;

(3) court costs; and

(4) reasonable attorney's fees.

(e) A person who brings an action under this section has the burden of proof. It is a rebuttable presumption that the person's employment was suspended or terminated for reporting under this subchapter, for refusing to engage in conduct as authorized by Section 301.352, or for requesting a peer review committee determination under Section 303.005 if:

(1) the person was suspended or terminated within 60 days after the date the report, refusal, or request was made; and

(2) the board or a court determines that:

(A) the report that is the subject of the cause of action was:

(i) [~~A~~] authorized or required under Section 301.402, 301.4025, 301.403, 301.405, 301.406, 301.407, 301.408, 301.409, or 301.410; and

(ii) [~~B~~] made without malice;

(B) the request for a peer review committee determination that is the subject of the cause of action was:

(i) authorized under Section 303.005; and

(ii) made in good faith; or

(C) the refusal to engage in conduct was authorized by Section 301.352.

(7) Renumber the SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

Amendment No. 2

Representative McReynolds offered the following amendment to **SB 993**:

Amend **SB 993** (engrossed version), in SECTION 4 of the bill, in amended Subdivision (3), Section 301.401, Occupations Code (page 2, line 26), between "program" and "approved", by inserting "that is considered".

Amendment No. 2 was adopted.

Amendment No. 3

Representative McReynolds offered the following amendment to **SB 993**:

Amend **SB 993** by adding the following appropriately numbered SECTION to the bill and renumbering existing SECTIONS appropriately:

SECTION _____. Subchapter H, Chapter 301, Occupations Code, is amended by adding Section 301.355 to read as follows:

Sec. 301.355. POLICIES APPLICABLE TO NURSES EMPLOYED BY MEDICAL AND DENTAL UNITS. (a) The president of a medical and dental unit, as defined by Section 61.003, Education Code, shall determine whether a nurse who is employed by the unit for practice in patient care or in clinical activities is a full-time employee for purposes of:

(1) employees group benefits under Chapter 1551, Insurance Code;

(2) leave under Chapter 661, Government Code; and

(3) longevity pay under Section 659.043, Government Code.

(b) A determination under Subsection (a) does not entitle a nurse who works less than 40 hours a week to the full state contribution to the cost of any coverage or benefit. However, from money other than money appropriated from the general revenue fund, the medical and dental unit may contribute to the cost of any coverage or benefit an amount that exceeds the state contribution.

Amendment No. 3 was adopted.

SB 993, as amended, was passed to third reading. (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 2158 - LAID ON THE TABLE SUBJECT TO CALL

Representative McReynolds moved to lay **CSHB 2158** on the table subject to call.

The motion prevailed.

HB 1462 ON SECOND READING
(by Zedler)

HB 1462, A bill to be entitled An Act relating to the investigation of certain criminal conduct in election matters.

HB 1462 was read second time on May 8 and was postponed until 8 a.m. today.

Representative Hodge moved to extend speaking time on **HB 1462**.

A record vote was requested.

The motion to extend time prevailed by (Record 1090): 101 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bailey; Bolton; Bonnen; Branch; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Cook, B.; Corte; Davis, J.; Davis, Y.; Delisi; Deshotel; Dukes; Dunnam; Dutton; Eiland; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Jones; King, T.; Kolkhorst; Kuempel; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miles; Murphy; Naishtat; O'Day; Oliveira; Olivo; Orr; Ortiz; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Talton; Thompson; Truitt; Turner; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

Nays — Anderson; Aycok; Bohac; Brown, B.; Chisum; Christian; Crabb; Darby; Driver; Flynn; Harless; Keffer; King, P.; Krusee; Latham; Miller; Morrison; Parker; Patrick; Riddle; Swinford.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cook, R.; Moreno; Mowery.

Absent — Berman; Callegari; Creighton; Crownover; Eissler; Gattis; Geren; Hardcastle; Harper-Brown; Isett; Jackson; King, S.; Laubenberg; Macias; Menendez; Noriega; Otto; Paxton; Puente; Raymond; Straus; Taylor; Van Arsdale; Zedler.

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. 37).

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

State Affairs, upon lunch recess today, Desk 9, for a formal meeting, to consider **HCR 222, HCR 227, SB 920, SB 1299**, and pending business.

Corrections, upon lunch recess today, Desk 50, for a formal meeting, to consider pending business.

Public Health, upon lunch recess today, Desk 58, for a formal meeting, to consider pending business.

Criminal Jurisprudence, upon lunch recess today, Desk 118, for a formal meeting, to consider pending business.

Defense Affairs and State-Federal Relations, upon lunch recess today, Desk 76, for a formal meeting, to consider pending business.

Human Services, upon lunch recess today, Desk 120, for a formal meeting, to consider pending business.

RECESS

At 12:08 p.m., the speaker announced that the house would stand recessed until 12:50 p.m. today.

AFTERNOON SESSION

The house met at 12:50 p.m. and was called to order by the speaker.

HB 1462 - (pending business)**Amendment No. 1**

Representative Alonzo offered the following amendment to **HB 1462**:

Amend **HB 1462** as follows:

(1) On page 1, line 17, strike "Subsection (f)" and substitute "Subsections (f) and (g)".

(2) On page 2, between lines 15 and 16 insert a new Subsection (g):

(g) If two or more registered voters of the territory covered by an election present affidavits to the county or district attorney having jurisdiction in that territory or the attorney general alleging that the voting rights of the voters were illegally impaired, the officer who receives the affidavits shall promptly investigate the matter.

(Hill in the chair)

Amendment No. 1 was adopted.

Amendment No. 2

Representative Raymond offered the following amendment to **HB 1462**:

Amend **HB 1462** as follows:

(1) On page 1, line 17, strike "Subsection (f)" and substitute "Subsections (f) and (g)".

(2) On page 2, between lines 15 and 16, insert:

(g) A county or district attorney making an investigation under this section may request from the attorney general additional resources to conduct the investigation. The attorney general shall determine whether more resources are needed, and may provide the resources that the attorney general considers necessary.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Farrar offered the following amendment to **HB 1462**:

Amend **HB 1462** by inserting between lines 15 and 16 on page 2 an appropriately-designated subsection of SECTION 2:

"() In conducting this investigation, the attorney general shall not violate Article 2.131, Code of Criminal Procedure."

Amendment No. 3 was adopted.

Amendment No. 4

Representative Coleman offered the following amendment to **HB 1462**:

Amend **HB 1462** by adding a new Section 3 to read as follows and by renumbering any subsequent sections accordingly:

"(g) Notwithstanding any other law, none of the funds received by the state under the federal Edward Byrne Memorial Justice Assistance Grants (Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711 et seq., Section 501) may be expended by the attorney general for the purpose of performing any duties authorized under this Chapter."

Amendment No. 4 was adopted.

Amendment No. 5

Representative Burnam offered the following amendment to **HB 1462**:

Amend **HB 1462** by inserting between lines 15 and 16 on page 2 an appropriately-designated subsection of SECTION 2:

"() The attorney general or the county or district attorney conducting an investigation shall ensure that any group of investigators shall be composed of an equal number of persons identifying with both political parties."

Representative Zedler moved to table Amendment No. 5.

A record vote was requested.

The motion to table prevailed by (Record 1091): 82 Yeas, 57 Nays, 3 Present, not voting.

Yeas — Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Delisi; Driver; Eissler; Elkins; England; Farabee; Flynn; Frost; Gattis; Geren; Goolsby; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hilderbran; Homer; Hopson; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; McCall; Miller; Morrison; Murphy; O'Day; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pitts; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Talton; 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; Eiland; Escobar; Farias; Farrar; Flores; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hernandez; Herrero; Hochberg; Howard, D.; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miles; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Pickett; Pierson; Puente; Quintanilla; Raymond; Rodriguez; Strama; Thompson; Turner; Veasey; Vo.

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

Absent, Excused — Cook, R.; Moreno; Mowery.

Absent — Davis, J.; King, S.; Straus; Vaught; Villarreal.

HB 1462 - POINT OF ORDER

Representative Martinez Fischer raised a point of order against further consideration of **HB 1462** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the conference committee on **HB 1**:

Kolkhorst on motion of Straus.

(R. Cook now present)

HB 1462 - (consideration continued)

The point of order was withdrawn.

Representative Zedler moved to postpone consideration of **HB 1462** until 2:30 p.m. today.

The motion prevailed.

CSHB 1927 ON SECOND READING (by Chisum)

CSHB 1927, A bill to be entitled An Act relating to the liability of manufacturers or sellers of fuel additives and components and fuels.

CSHB 1927 was read second time on April 25, postponed until April 30, postponed until May 7, and was again postponed until 9 a.m. today.

Representative Phillips moved to postpone consideration of **CSHB 1927** until 9 a.m. tomorrow.

The motion prevailed.

(Speaker in the chair)

CSHB 3071 ON SECOND READING
(by Strama)

CSHB 3071, A bill to be entitled An Act relating to recovery of attorney's fees for certain claims arising from the abandonment of hazardous wastes on the claimant's property.

CSHB 3071 was read second time on May 8 and was postponed until 9 a.m. today.

CSHB 3071 - RECOMMITTED

Representative Strama moved to recommit **CSHB 3071** to the Committee on Civil Practices.

The motion prevailed.

HB 3924 ON SECOND READING
(by Rose, Patrick, Alonzo, and Naishtat)

HB 3924, A bill to be entitled An Act relating to student members of the board of regents of a state university or state university system.

HB 3924 was read second time on April 30 and was postponed until 10 a.m. today.

Representative Rose moved to postpone consideration of **HB 3924** until 7 p.m. today.

The motion prevailed.

CSHJR 90 ON SECOND READING
(by Keffer, Rose, Delisi, Morrison, Thompson, et al.)

CSHJR 90, A joint resolution proposing a constitutional amendment providing for the establishment of the Cancer Prevention and Research Institute of Texas and authorizing the issuance of general obligation bonds for the purpose of scientific research of all forms of human cancer.

CSHJR 90 was read second time on May 8 and was postponed until 10 a.m. today.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the conference committee on **HB 1**:

F. Brown on motion of Hancock.

CSHJR 90 - (consideration continued)**Amendment No. 1**

Representatives Hochberg and Kolkhorst offered the following amendment to **CSHJR 90**:

Amend **CSHJR 90** as follows:

(1) On page 2, strike lines 10 through 27, and substitute the following:

(c) Beginning on September 1, 2010, the first \$300 million that comes to the state at the beginning of each state fiscal year and that is not otherwise dedicated by this constitution or other law, is appropriated by this constitution for the purpose of cancer prevention and research described by this section. The comptroller shall deposit the money to the credit of the cancer prevention and research fund, a separate fund in the state treasury, to be used by the Cancer Prevention and Research Institute of Texas for the purposes of this section.

(d) Notwithstanding any other provision of this constitution, the Cancer Prevention and Research Institute of Texas may use the money described by Subsection (c) and any federal or private grants and gifts available to the institute to pay for:

(2) On page 3, strike lines 10 through 24, and substitute the following:

(e) This section expires August 31, 2020.

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

"The constitutional amendment requiring the creation of the Cancer Prevention and Research Institute of Texas and appropriating \$300 million each fiscal year for 20 years to be used for research in Texas into the causes of, cures for, and treatment of cancer."

Representative Riddle moved to extend speaking time on **CSHJR 90**.

The motion to extend time prevailed.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the conference committee on **HB 1**:

Crownover on motion of Taylor.

Gattis on motion of Speaker Craddick.

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).

CSHJR 90 - (consideration continued)

Representative Keffer moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 1092): 81 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Callegari; Chisum; Cook, B.; Cook, R.; Crabb; Creighton; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dutton; Eissler; England; Farabee; Farias; Flores; Flynn; Geren; Giddings; Gonzales; Goolsby; Guillen; Hardcastle; Hartnett; Hill; Homer; Hopson; Howard, D.; Isett; Jackson; Keffer; King, P.; King, S.; Krusee; Latham; Lucio; Madden; McCall; McClendon; McReynolds; Menendez; Miller; Morrison; O'Day; Orr; Ortiz; Otto; Patrick; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rose; Smith, T.; Smith, W.; Solomons; Strama; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Brown, B.; Burnam; Castro; Chavez; Cohen; Coleman; Corte; Davis, Y.; Dunnam; Eiland; Elkins; Escobar; Farrar; Frost; Gallego; Garcia; Gonzalez Toureilles; Haggerty; Hamilton; Hancock; Harless; Harper-Brown; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Howard, C.; Hughes; Jones; King, T.; Kuempel; Laubenberg; Leibowitz; Macias; Mallory Caraway; Martinez; Martinez Fischer; Merritt; Miles; Murphy; Naishtat; Noriega; Oliveira; Olivo; Parker; Paxton; Riddle; Rodriguez; Smithee; Straus; Swinford; Talton; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Brown, F.; Crownover; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Christian; Pierson.

STATEMENT OF VOTE

I was shown voting no on Record No. 1092. I intended to vote yes.

Cohen

Amendment No. 2

Representative Coleman offered the following amendment to **CSHJR 90**:

Amend **CSHJR 90** as follows:

(1) Amend Section 67, Subsection (e) by inserting the following subsection and renumbering the subsequent subsections as follows:

"(1) grants for cancer research, for research facilities, and for research opportunities in this state to develop therapies, protocols, medical pharmaceuticals, or procedures for the cure or substantial mitigation of all types of cancer in humans;

(2) grants for cancer prevention and control programs in this state to mitigate the incidence of all types of cancer in humans;

~~(2)~~ (3) the purchase, subject to approval by the Cancer Prevention and Research Institute, of laboratory facilities by or on behalf of a state agency or grant recipient; and

~~(3)~~ (4) the operation of the Cancer Prevention and Research Institute of Texas."

Amendment No. 2 was adopted.

Amendment No. 3

Representative Swinford offered the following amendment to **CSHJR 90**:

Amend **CSHJR 90**, on page 3, between lines 24 and 25, by inserting the following:

(i) Before the Cancer Prevention and Research Institute of Texas may make a grant of any proceeds of the bonds issued under this section, the recipient of the grant must have an amount of funds equal to the amount of the grant dedicated to the research that is the subject of the grant request.

Amendment No. 3 was withdrawn.

Amendment No. 4

Representative Swinford offered the following amendment to **CSHJR 90**:

Amend **CSHJR 90**, on page 3, between lines 24 and 25, by inserting the following:

(i) Before the Cancer Prevention and Research Institute of Texas may make a grant of any proceeds of the bonds issued under this section, the recipient of the grant must have an amount of funds equal to 1/2 the amount of the grant dedicated to the research that is the subject of the grant request.

Amendment No. 4 was adopted.

Amendment No. 5

Representative Alonzo offered the following amendment to **CSHJR 90**:

Amend **CSHJR 90** on page 3, between lines 24 and 25, by inserting the following:

(i) The Texas Public Finance Authority shall consider using a business whose principal place of business is located in the state to issue the bonds authorized by this section and shall include using a historically underutilized business as defined by general law.

Amendment No. 5 was adopted.

CSHJR 90 - REMARKS

REPRESENTATIVE THOMPSON: Mr. Speaker and members, I'm really happy today to support this amendment because I know that cancer is a silent killer, and it touches every life. Two hundred members of your district died last year of cancer, that's every district in here. And cancer really is a silent killer.

There's not a person on this floor that hasn't been personally affected by cancer. And I want to personally tell you that the last thing that you ever want to talk about to your doctor is for your doctor to sit down and consult with you and tell you that you have cancer. I had that conversation with my doctor in 2004. I went to see my doctor, and he told me, "you have breast cancer." And I said okay. And he began to tell me my options, and I selected an option that I thought was good for me. And that option worked.

You see, I'm a survivor. And there are so many people in my district, and your district, and in this state who have a right not only to be a survivor, but the right to have the cure. And the power lies within each and every one of us in this

room, in your hand, in my hand. And I would like one day to sit back and talk to my grandchildren and my great-grandchildren and tell them, Mr. McCall, that I had something to do with the rights to the cure. Mr. Speaker, I would like for you to have that privilege as well. I would like for every one of you on this floor to have that opportunity and that privilege. And it can happen.

We know that the only thing that stands between us and real cures for cancer is money. And I know, in your hearts, that you know it is the right thing to do to get this research on its way and to get it done. There may not be many persons with that kind of information that I received, but had the opportunity to be a survivor, but I want to give everybody in this state the opportunity to not only be a survivor but to really get the cure. Please vote for **CSHJR 90**.

A record vote was requested.

CSHJR 90, as amended, was adopted by (Record 1093): 109 Yeas, 26 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Bohac; Bolton; Bonnen; Branch; Callegari; Castro; Chavez; Chisum; Coleman; Cook, B.; Cook, R.; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Eiland; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Jackson; Jones; Keffer; King, P.; King, S.; Krusee; Kuempel; Latham; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Morrison; Naishtat; Noriega; O'Day; Oliveira; Olivo; Ortiz; Otto; Patrick; Peña; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smithee; Solomons; Strama; Straus; Swinford; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

Nays — Berman; Brown, B.; Corte; Crabb; Creighton; Eissler; Elkins; Flynn; Harper-Brown; Hartnett; Hilderbran; Hill; Howard, C.; Hughes; King, T.; Laubenberg; Merritt; Miller; Murphy; Orr; Parker; Paxton; Riddle; Smith, W.; Talton; Zedler.

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

Absent, Excused — Brown, F.; Crownover; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Christian; Cohen; Dutton; Isett; Macias; Phillips; Taylor.

STATEMENTS OF VOTE

When Record No. 1093 was taken, my vote failed to register. I would have voted yes.

Cohen

I was shown voting no on Record No. 1093. I intended to vote yes.

Eissler

I was shown voting no on Record No. 1093. I intended to vote yes.

T. King

When Record No. 1093 was taken, I was in the house but away from my desk. I would have voted yes.

Taylor

**ADDRESS BY REPRESENTATIVE FARRAR
ON A MATTER OF PERSONAL PRIVILEGE**

The chair recognized Representative Farrar who addressed the house on a matter of personal privilege, speaking as follows:

Mr. Speaker and members, I come before you today to deliver the first personal privilege speech of my 13 year career with the house. I have always said that the day I got up here to speak, it would be on an issue that I felt was worthy. That issue is saving women's lives.

I knew in November of last year when I pre-filed **HB 215** to require the HPV vaccine for girls entering the sixth grade that I was going to have an uphill battle. However, I had no idea that a medical breakthrough that prevents a form of cancer in women would be so unwelcomed by this legislative body.

We all know that Governor Perry issued his Executive Order on February 2 requiring the HPV vaccine for girls entering the sixth grade. **HB 1098** by Representative Bonnen followed and has effectively insured that Governor Perry's Executive Order will never be implemented. Yesterday, Governor Perry decided he would not veto **HB 1098** due to the fact that he knows the legislature has the power to override his veto. Perhaps he also decided to not veto the bill for other reasons. I cannot speak on Governor Perry's behalf nor do I want to. Instead, I am here today to speak for myself and the many girls and women affected by the fact that we as a legislative body have essentially blocked access to this life-saving vaccine for so many of our Texas girls.

When **HB 1098** was debated on the floor, we heard Representative Bonnen and others repeatedly say they had nothing against Texas families having access to the HPV vaccine for their daughters. I'm here to tell you that in blocking the school-based requirement for the vaccine, these people did indeed deny many of our girls access to the HPV vaccine. After all, we live in Texas. Since this legislature is very much responsible for the fact that we do not have more and better healthcare programs for the children of our state, we should know that many Texas children do not have medical homes. They do not have the regular check-ups with their pediatricians that allow parents to hear about the newest medical advances. They are victims of a broken system that is made up of the haves and the have nots, and they are on the losing end.

Even the middle class that has access to some kind of health coverage has to limit when they see their doctors because they can't afford the insurance or the co-pays. For too many of our children, their interaction with the medical community comes in the form of emergency care, and that's it. They see medical professionals when their coughs have turned into pneumonia and hopefully when it is time for their routine vaccinations. So you see, those conversations between a

parent and a pediatrician that Representative Bonnen would have you believe are so available are the reality of a privileged few in our state. We had the chance to level the field a little bit, and we decided to not take it. That will be something we as a legislative body will have to answer to in the future.

In about a decade we will have to look into the faces of the girls, by then young women, that would have been subject to the school-based HPV vaccine requirement in our state. By then, I regret to say, some will have developed pre-cancerous cervical cells that require invasive and expensive medical treatment in an effort to stave off cervical cancer. I also regret to say that at least some of them will have developed cervical cancer, as this disease can hit a woman when she is 20 or 40. I know this because I met such women, the ones fortunate enough to have survived, and I also met the loved ones of the women that were not quite so fortunate during the course of my research into this subject. I also know this because I am one of those very fortunate women that had access to medical care to treat pre-cancerous cells caused by HPV.

Those young women that were denied access to the vaccine will deserve an answer, and I invite every member of this house that voted against a school-based HPV vaccine requirement to start thinking of one because it will be on you to provide it to them. I also invite the members that authored and supported amendments to our state budget that prohibit the use of state money for a school-based HPV vaccine requirement to think about this. Think of how you will explain to those young women why you saw it fit to spend money on everything under the sun minus their cancer-free futures. And for those of you that in any way voted against making this life-saving vaccine available to all of the girls in our state, I invite you to also explain to these young women why you saw it fit to get your own daughters and granddaughters vaccinated against HPV through the physicians your private health insurance plan pays for. If they are worth protecting, why aren't all of the girls of Texas worthy of the same?

But this isn't just about the HPV vaccine. It's about the fact that our priorities in this legislature are focused on everything but what the residents of our state truly need. We've allowed fear and misguided ideology to determine our course, and that is reprehensible. The debate on the HPV vaccine has just been a sad commentary on the state of this legislative body. From the beginning, the debate on HPV and the vaccine to prevent its infection in this house has been about everything but saving women's lives. It has been about misinformation on the merits of the vaccine, misinformation on the effect it would have on teen sexuality, and it has most certainly been on everything but the scientific and medical facts that tell us the vaccine prevents both suffering and death. It has been about the governor overreaching his authority. This is especially disturbing given the events of the past few days. **HB 13**, which gives the governor massive amounts of power, was just passed with almost no hesitation or debate from the vast majority of this house. Yet those same members that voted for **HB 13** condemned what they saw as an overreach of power by the governor when he actually tried to prevent cancer in women. If that's not hypocrisy on the part of the members of this house, I don't know what is.

The debate has also been about the false belief that vaccine requirements intrude on parental rights. Requiring the HPV vaccine for school admission would not force anyone to get the vaccine. What it would do is require parents to make an informed decision whether or not to vaccinate their daughters against HPV. It would also provide access to the vaccine to the huge portions of our population that would otherwise never know about it or be offered it.

And finally, the debate has been about judgment. Judgment of the poor and uninformed. Apparently they don't deserve to have access to this vaccine. Judgment of the women that contract HPV—apparently having sex, even if it's with your only lifetime sexual partner, is enough for you to deserve the virus and its potential consequences.

But, again, this isn't just about the HPV vaccine. It's about the fact that our priorities in this legislature are focused on everything but healthcare, education, children, families, counseling, violence prevention programs, consumer protection, protecting the environment, and generally helping those that most need help. It's about the fact that I believe we have lost our way, and refusing to help save women's lives is a particularly glaring example of this.

So today when **HB 1098** becomes law and effectively denies a life-saving cancer vaccine to so many of our Texas girls, I ask you to think about what we have done. I ask that you think of the girls, boys, women, and men our decisions and actions affect on a daily basis. And I ask you to put yourself in their shoes the next time you have to decide how to vote on something as important as a cancer vaccine.

This is especially relevant today given that we just passed a cancer research bill. Obviously, we realize that this is an important topic. I just wonder if this legislature will react the same way the next time we have a vaccine that prevents cancer available to us and the people of Texas.

POSTPONED BUSINESS

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

HB 1462 ON SECOND READING (by Zedler)

HB 1462, A bill to be entitled An Act relating to the investigation of certain criminal conduct in election matters.

HB 1462 was read second time on May 8, postponed until 8 a.m. today, amendments were offered and disposed of, and **HB 1462** was again postponed until this time.

HB 1462 - POINT OF ORDER

Representative Martinez Fischer raised a point of order against further consideration of **HB 1462** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The speaker sustained the point of order.

HB 1462 was returned to the Committee on Elections.

REMARKS ORDERED PRINTED

Representative Coleman moved to print the personal privilege address by Representative Farrar.

The motion prevailed.

(Hamilton in the chair)

**HB 2160 ON SECOND READING
(by Flores)**

HB 2160, A bill to be entitled An Act relating to eliminating the limitation on lottery advertising expenses based on the lottery prize payout percentage.

HB 2160 was read second time on May 8 and was postponed until 12 p.m. today.

Amendment No. 1

Representative Villarreal offered the following amendment to **HB 2160**:

Amend **HB 2160** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 466.110, Government Code, is amended to read as follows:

Sec. 466.110. PROHIBITED ADVERTISEMENTS. (a) The legislature intends that advertisements or promotions sponsored by the commission or the division for the lottery not be of a nature that unduly influences any person to purchase a lottery ticket or number.

(b) The commission may not advertise in a manner that is misleading, including by creating the impression that the sale of additional lottery tickets will result in increased funding for public education.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Dunnam offered the following amendment to **HB 2160**:

Amend **HB 2160** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter C, Chapter 466, Government Code, is amended by adding Section 466.111 to read as follows:

Sec. 466.111. ADVERTISING CAMPAIGN. Notwithstanding any other law, the commission may use "Scratchman" in advertising for the lottery.

Amendment No. 2 was adopted.

Amendment No. 2 - Vote Reconsidered

Representative Raymond moved to reconsider the vote by which Amendment No. 2 was adopted.

A record vote was requested.

The motion to reconsider prevailed by (Record 1094): 105 Yeas, 13 Nays, 7 Present, not voting.

Yeas — Alonzo; Anchia; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Castro; Chavez; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Dukes; Dutton; Eissler; England; Escobar; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Macias; Madden; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Miles; Miller; Murphy; Naishtat; Noriega; O'Day; Olivo; Orr; Otto; Parker; Patrick; Paxton; Pitts; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor; Thompson; Truitt; Van Arsdale; Veasey; Vo; West; Woolley; Zedler; Zerwas.

Nays — Allen; Crabb; Elkins; Farabee; Haggerty; Lucio; Mallory Caraway; McCall; Pierson; Quintanilla; Straus; Vaught; Villarreal.

Present, not voting — Mr. Speaker; Driver; Dunnam; Hamilton(C); Hodge; Oliveira; Ortiz.

Absent, Excused — Brown, F.; Crownover; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Anderson; Callegari; Chisum; Christian; Deshotel; Eiland; Keffer; King, P.; King, S.; Merritt; Morrison; Peña; Phillips; Pickett; Puente; Riddle; Swinford; Talton; Turner.

MESSAGE FROM THE SENATE

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

HB 2160 - (consideration continued)

Representative Flores moved to postpone consideration of **HB 2160** until 4:30 p.m. today.

The motion prevailed.

MAJOR STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 2217 ON THIRD READING

(by Eissler, Bonnen, Madden, S. King, Giddings, et al.)

HB 2217, A bill to be entitled An Act relating to grants for higher education and workforce readiness programs in public schools.

Amendment No. 1

Representative McClendon offered the following amendment to **HB 2217**:

Amend **HB 2217** on third reading by adding an appropriately numbered new SECTION to the bill to read as follows and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 130, Education Code, is amended by adding Section 130.0105 to read as follows:

Sec. 130.0105. STUDENT ACADEMIC PERFORMANCE PILOT PROGRAM AT ALAMO COMMUNITY COLLEGE DISTRICT. (a) Alamo Community College District shall establish a pilot program to collect and analyze statistical data regarding the academic performance of district students to:

(1) facilitate the accountability of the district based on:

(A) the efficacy of district instruction; and

(B) the transition of district students to four-year institutions of higher education; and

(2) further district education excellence initiatives.

(b) This section expires September 1, 2017.

Amendment No. 1 was adopted.

A record vote was requested.

HB 2217, as amended, was passed by (Record 1095): 135 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, R.; Crabb; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hancock; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; 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.

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

Absent, Excused — Brown, F.; Crownover; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Cook, B.; Corte; Hardcastle; Hilderbran; Jones; Morrison; Peña.

STATEMENTS OF VOTE

When Record No. 1095 was taken, I was in the house but away from my desk. I would have voted yes.

B. Cook

When Record No. 1095 was taken, I was in the house but away from my desk. I would have voted yes.

Corte

When Record No. 1095 was taken, I was in the house but away from my desk. I would have voted yes.

Hilderbran

HB 3319 ON THIRD READING (by Keffer)

HB 3319, A bill to be entitled An Act relating to the sales and use tax.

Amendment No. 1

Representative Paxton offered the following amendment to **HB 3319**:

Amend **HB 3319** to add new Section ____ as follows:

Section 151.326, Tax Code, is amended as follows:

Section 151.326. Clothing and Footwear for Limited Period. (a) The sale of an article of clothing or footwear designed to be worn on or about the human body is exempted from the taxes imposed by this chapter if:

(1) the sales price of the article is less than \$100, and

(2) the sale takes place during a period beginning at 12:01 a.m. on the ~~first~~ third Friday in August and ending at 12 midnight on the following Sunday.

(b) This section does not apply to:

(1) Any special clothing or footwear that is primarily designed for athletic activity or protective use and that is not normally worn except when used for the athletic activity or protective use for which it is designed;

(2) accessories, including jewelry, handbags, luggage, umbrellas, wallets, watches, and similar items carried on or about the human body, without regard to whether worn on the body in a manner characteristic of clothing; and

(3) the rental of clothing or footwear.

Amendment No. 1 was adopted.

A record vote was requested.

HB 3319, as amended, was passed by (Record 1096): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycok; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles;

Goolsby; Guillen; Haggerty; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

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

Absent, Excused — Brown, F.; Crownover; Gattis; Kolkhorst; Moreno; Mowery.

HB 428 ON THIRD READING **(by Madden)**

HB 428, A bill to be entitled An Act relating to the authority of the inspector general of the Texas Department of Criminal Justice to issue administrative subpoenas for certain communication records.

A record vote was requested.

HB 428 was passed by (Record 1097): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; 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, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

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

Absent, Excused — Brown, F.; Crownover; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Howard, C.

HB 3315 ON THIRD READING
(by Keffer)

HB 3315, A bill to be entitled An Act relating to the imposition and collection of certain insurance taxes and the adoption of certain reciprocal or multistate agreements relating to those taxes.

Amendment No. 1

Representative Y. Davis offered the following amendment to **HB 3315**:

Amend **HB 3315** as follows:

(1) On page 3, between lines 21 and 22, insert the following new SECTION, appropriately numbered:

SECTION _____. Chapter 225, Insurance Code, is amended by adding Section 225.014 to read as follows:

Sec. 225.014. LIMITATION ON RULEMAKING. In adopting rules under this chapter, the comptroller may not adopt a rule that exceeds the requirements of this chapter.

(2) On page 4, between lines 4 and 5, insert the following new SECTION, appropriately numbered:

SECTION _____. Subchapter A, Chapter 226, Insurance Code, is amended by adding Section 226.006 to read as follows:

Sec. 226.006. LIMITATION ON RULEMAKING. In adopting rules under this subchapter, the comptroller may not adopt a rule that exceeds the requirements of this chapter.

(3) On page 4, between lines 14 and 15, insert the following new SECTION, appropriately numbered:

SECTION _____. Subchapter B, Chapter 226, Insurance Code, is amended by adding Section 226.057 to read as follows:

Sec. 226.057. LIMITATION ON RULEMAKING. In adopting rules under this subchapter, the comptroller may not adopt a rule that exceeds the requirements of this chapter.

(4) On page 9, line 9, after "chapter.", insert the following "In adopting rules under this chapter, the comptroller may not adopt a rule that does not specifically implement this section.".

(5) On page 12, line 6, after "obligations." insert the following "In adopting rules under this section, the comptroller may not adopt a rule that does not specifically implement this section.".

Amendment No. 1 was adopted.

(Speaker in the chair)

A record vote was requested.

HB 3315, as amended, was passed by (Record 1098): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Darby;

Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

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

Absent, Excused — Brown, F.; Crownover; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Coleman.

HB 3418 ON THIRD READING
(by Guillen, Chavez, Pickett, Leibowitz, and England)

HB 3418, A bill to be entitled An Act relating to state grants for student clubs in high schools that serve students at risk of dropping out of school.

A record vote was requested.

HB 3418 was passed by (Record 1099): 116 Yeas, 15 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Bailey; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Cook, B.; Cook, R.; Corte; Creighton; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Jackson; Jones; Keffer; King, S.; King, T.; Krusee; Latham; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Otto; Parker; Patrick; Peña; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Vaught; Veasey; Villarreal; Vo; West; Woolley.

Nays — Aycock; Berman; Crabb; Flynn; Harless; Harper-Brown; Hughes; Macias; Murphy; Paxton; Phillips; Riddle; Taylor; Van Arsdale; Zedler.

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

Absent, Excused — Brown, F.; Crownover; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Coleman; Davis, Y.; Gallego; Isett; King, P.; Kuempel; Martinez Fischer; Morrison; O'Day; Orr; Zerwas.

STATEMENT OF VOTE

When Record No. 1099 was taken, I was in the house but away from my desk. I would have voted yes.

Isett

HB 1066 ON THIRD READING

(by Delisi)

HB 1066, A bill to be entitled An Act relating to health information technology and the creation of the Texas Health Services Authority.

(Crownover now present)

A record vote was requested.

HB 1066 was passed by (Record 1100): 134 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Anderson; Aycok; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Hamilton; Hancock; Hardcastle; Harless; 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.; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; 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.

Nays — Harper-Brown.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Brown, F.; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Alonzo; Driver; Flores; Haggerty; Krusee; Macias; Madden; Oliveira; Rodriguez.

STATEMENT OF VOTE

I was shown voting yes on Record No. 1100. I intended to vote no.

Flynn

HB 2238 ON THIRD READING

(by Eissler, Murphy, Hochberg, Woolley, and Branch)

HB 2238, A bill to be entitled An Act relating to the establishment of the Texas Education Data System (TEDS).

Amendment No. 1

Representative Coleman offered the following amendment to **HB 2238**:

Amend **HB 2238** as follows:

(1) On page 7, line 17, strike "and".

(2) On page 8, strike line 23 and insert the following language:

"(viii) demographic data for the student; and

(6) data concerning any incidents of alleged discrimination or harassment of school district employees or students enrolled in the district on the basis of the actual or perceived ethnicity, color, gender, gender identity or expression, sexual orientation, disability, religion, or national origin that occurred in the district during the preceding year.

Amendment No. 1 was adopted.

A record vote was requested.

HB 2238, as amended, was passed by (Record 1101): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; 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; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.; 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, Excused — Brown, F.; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Smithee.

HB 438 ON THIRD READING

(by Hochberg, Crabb, et al.)

HB 438, A bill to be entitled An Act relating to the limitation on the maximum percentage increase in the appraised value of a residence homestead for ad valorem taxation.

(Taylor in the chair)

A record vote was requested.

HB 438 was passed by (Record 1102): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; 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; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Brown, F.; Gattis; Kolkhorst; Moreno; Mowery.

HB 1467 ON THIRD READING

(by Deshotel)

HB 1467, A bill to be entitled An Act relating to reservations of the state ceiling and priority carryforward classifications for certain projects under the private activity bond allocation program.

A record vote was requested.

HB 1467 was passed by (Record 1103): 137 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; 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; 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, T.; Krusee; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Brown, F.; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Coleman; King, S.; Kuempel; Menendez; Merritt; Paxton.

STATEMENT OF VOTE

When Record No. 1103 was taken, my vote failed to register. I would have voted yes.

S. King

HB 1287 ON THIRD READING

(by Chisum, Flynn, Zerwas, Berman, Eissler, et al.)

HB 1287, A bill to be entitled An Act relating to public school elective courses providing academic study of the Bible.

Amendment No. 1

Representative Hochberg offered the following amendment to **HB 1287**:

Amend **HB 1287** on page 3, between lines 23 and 24, by inserting the following:

(i) This section does not prohibit a school district from offering a course, other than the course authorized by this section, in the academic study of the Hebrew Scriptures, the New Testament, or both for local credit or for state elective credit towards high school graduation.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Hochberg offered the following amendment to **HB 1287**:

Amend **HB 1287** as follows:

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

(e) Before adopting rules identifying the essential knowledge and skills of a course offered under this section, the State Board of Education shall submit the proposed essential knowledge and skills to the attorney general. The attorney general shall review the proposed the essential knowledge and skills to ensure that the course complies with the First Amendment to the United States Constitution, and the board may not adopt rules identifying the essential knowledge and skills of a course offered under this section without the attorney general's approval under this subsection.

(2) Reletter the subsequent subsections of added Section 28.011, Education Code, accordingly.

Amendment No. 2 was adopted.

A record vote was requested.

HB 1287, as amended, was passed by (Record 1104): 139 Yeas, 1 Nays, 3 Present, not voting.

Yeas — Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; 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.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Allen.

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

Absent, Excused — Brown, F.; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Davis, Y.; Pitts.

HB 3314 ON THIRD READING (by Keffer)

HB 3314, A bill to be entitled An Act relating to administration, collection, and enforcement of state taxes; providing penalties.

Amendment No. 1

Representative Keffer offered the following amendment to **HB 3314**:

Amend **HB 3314**, second reading engrossment, by striking SECTIONS 10 and 11 of the bill (page 8, line 13, through page 9, line 14), that amend Sections 201.203(a) and 201.2035(a), Tax Code.

Amendment No. 1 was adopted.

A record vote was requested.

HB 3314, as amended, was passed by (Record 1105): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; 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; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Brown, F.; Gattis; Kolkhorst; Moreno; Mowery.

(Speaker in the chair)

HB 3485 ON THIRD READING

(by **S. King, Anchia, Kolkhorst, Eissler, et al.**)

HB 3485, A bill to be entitled An Act relating to career and technical education provided by school districts and certain postsecondary institutions.

A record vote was requested.

HB 3485 was passed by (Record 1106): 138 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; 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; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Flynn; Frost; Gallego; Garcia; 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, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

Nays — King, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Brown, F.; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Dutton; Farrar; Flores; Mallory Caraway; McClendon.

STATEMENT OF VOTE

I was shown voting no on Record No. 1106. I intended to vote yes.

S. King

HB 928 ON THIRD READING (by J. Davis and Dunnam)

HB 928, A bill to be entitled An Act relating to the deadline for submitting a federal postcard application to the early voting clerk.

A record vote was requested.

HB 928 was passed by (Record 1107): 131 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Dukes; Dunnam; Eiland; Eissler; Elkins; Farabee; Farias; Flores; Flynn; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Isett; Jackson; Jones; Keffer; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Morrison; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Brown, F.; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Callegari; Deshotel; Driver; Dutton; England; Escobar; Farrar; Garcia; Guillen; Hughes; King, P.; McClendon; Miller.

STATEMENT OF VOTE

When Record No. 1107 was taken, I was in the house but away from my desk. I would have voted yes.

England

HB 3826 ON THIRD READING (by Morrison)

HB 3826, A bill to be entitled An Act relating to high school curriculum requirements for admission to public institutions of higher education.

A record vote was requested.

HB 3826 was passed by (Record 1108): 140 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bolton; Bonnen; Branch; Brown, B.; 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; 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.; Krusee; Kuempel; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; Woolley; Zedler; Zerwas.

Nays — Latham.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Brown, F.; Gattis; Kolkhorst; Moreno; Mowery.

Absent — Bohac; Taylor; West.

STATEMENT OF VOTE

I was shown voting no on Record No. 1108. I intended to vote yes.

Latham

HB 3281 ON THIRD READING**(by P. King, Gattis, Phillips, Smithee, and Hughes)**

HB 3281, A bill to be entitled An Act relating to the recovery of medical or health care expenses in civil actions.

Representative P. King moved to postpone consideration of **HB 3281** until the end of the second reading bills on the Major State Calendar.

The motion prevailed.

(F. Brown now present)

HB 2656 ON THIRD READING**(by Parker, Homer, P. King, Hartnett, Rose, et al.)**

HB 2656, A bill to be entitled An Act relating to requiring that a driver's license, personal identification certificate, commercial driver's license, and commercial driver learner's permit issued by the Department of Public Safety state that the holder is a registered sex offender.

A record vote was requested.

HB 2656 was passed by (Record 1109): 144 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; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Oliveira.

HB 2990 ON THIRD READING
(by Madden)

HB 2990, A bill to be entitled An Act relating to use of certain electronic monitoring technology in certain correctional facilities by the Texas Department of Criminal Justice.

A record vote was requested.

HB 2990 was passed by (Record 1110): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Anderson; Aycock; Bailey; Berman; 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; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Alonzo; Bohac; Geren; Straus.

HB 1433 ON THIRD READING
(by Laubenberg and Madden)

HB 1433, A bill to be entitled An Act relating to audits, investigations, and reviews conducted by the Health and Human Services Commission's office of inspector general.

A record vote was requested.

HB 1433 was passed by (Record 1111): 141 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.; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias;

Farrar; Flores; Flynn; Frost; Gallego; Garcia; 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.; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Delisi; Hughes; Merritt; Phillips.

HB 3851 ON THIRD READING
(by Morrison)

HB 3851, A bill to be entitled An Act relating to the admission of high school graduates and undergraduate transfer students to certain institutions of higher education, the computation of a student's high school grade point average for purposes of determining eligibility for admission, and policies to promote the admission of undergraduate transfer students.

A record vote was requested.

HB 3851 was passed by (Record 1112): 141 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; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; 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.; Krusee; Kuempel; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; 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, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Harless; Latham; Pierson; Smithee.

HB 2828 ON THIRD READING
(by Taylor)

HB 2828, A bill to be entitled An Act relating to the release of a motor vehicle accident report or certain information in a motor vehicle accident report; providing penalties.

Amendment No. 1

Representative Taylor offered the following amendment to **HB 2828**:

Amend **HB 2828** as follows:

1. On page 6, line 5 and 6, strike "An offense under Subsection (i) or (j) is a felony of the third degree."

2. On page 6, line 5, after "(1)", insert the following:

"An offense under Subsection (i) or (j) is:

(1) a Class B misdemeanor if the person convicted under this Section has not previously been convicted of an offense under this Section,

(2) a Class A misdemeanor if the person convicted under this Section has previously been convicted of one offense under this Section,

(3) a State Jail Felony if the person convicted under this Section has previously been convicted of two offenses under this Section,

(4) a Felony of the third degree if the person convicted under this Section has been convicted of three or more offenses under this Section."

Amendment No. 1 was adopted.

A record vote was requested.

HB 2828, as amended, was passed by (Record 1113): 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; 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; 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.; Krusee; Kuempel; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Latham; Paxton.

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 2892 ON THIRD READING
(by Guillen)**

HB 2892, A bill to be entitled An Act relating to consolidated billing and collection of fees and payments of certain sewer service corporations and water supply corporations.

A record vote was requested.

HB 2892 was passed by (Record 1114): 141 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; 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; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Jackson; McClendon; Ortiz; Ritter.

HB 191 ON THIRD READING
(by Miller, Pickett, and Leibowitz)

HB 191, A bill to be entitled An Act relating to fees for issuance of specialty license plates to members and former members of the United States armed forces and their surviving spouses.

A record vote was requested.

HB 191 was passed by (Record 1115): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; 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; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; Frost; Gallego; Garcia; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClelland; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Alonzo; Dunnam; Flores.

HB 199 ON THIRD READING
(by Madden, Noriega, and Leibowitz)

HB 199, A bill to be entitled An Act relating to a residential infant care program for mothers confined in Texas Department of Criminal Justice facilities.

A record vote was requested.

HB 199 was passed by (Record 1116): 133 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby;

Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Morrison; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Vo; West; Woolley; Zedler; Zerwas.

Nays — Crabb; Harper-Brown; Riddle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Aycock; Chavez; Flores; King, P.; McClendon; Miller; O'Day; Taylor; Villarreal.

STATEMENT OF VOTE

When Record No. 1116 was taken, my vote failed to register. I would have voted no.

Aycock

HB 3064 ON THIRD READING (by Delisi)

HB 3064, A bill to be entitled An Act relating to registration and regulation of certain discount health plans; providing penalties.

A record vote was requested.

HB 3064 was passed by (Record 1117): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; 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; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; Frost; Gallego; Garcia; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Bonnen; Driver; Flores; McClendon; Murphy.

HB 888 ON THIRD READING
(by Giddings, Solomons, and Leibowitz)

HB 888, A bill to be entitled An Act relating to the cost of obtaining copies of an injured employee's medical records for use by an ombudsman under the office of injured employee counsel's ombudsman program; providing an administrative violation.

A record vote was requested.

HB 888 was passed by (Record 1118): 141 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; Flynn; Frost; Gallego; Garcia; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Flores; Lucio; McClendon; Noriega.

MESSAGE FROM THE SENATE

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

HB 1609 ON THIRD READING**(by Crownover, Naishtat, Villarreal, Delisi, Eissler, et al.)**

HB 1609, A bill to be entitled An Act relating to the Communities In Schools program.

HB 1609 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HERRERO: Representative Crownover, once again I want to thank you for your work on funding the Communities In Schools program. I voted for the bill yesterday and I plan to vote for it again. The questions I want to ask you pertain to the intent in changing the state director position, in changing the responsibilities of the Communities In Schools state director to that of the commissioner of TEA. In passing **HB 1609** and in moving the responsibilities of the state director to the commissioner of TEA, is there any intent in eliminating the state director position in the passing of this bill?

REPRESENTATIVE CROWNOVER: No, there is not.

HERRERO: In passing **HB 1609**, is there any authority created or given to TEA to eliminate the state director position?

CROWNOVER: No, there is not.

HERRERO: In removing the position of state director from the statute, is there any intent in eliminating the state office of Communities In Schools?

CROWNOVER: No, there is not, but the director and the office play a valuable role in providing technical assistance and leadership to Communities In Schools. The Communities In Schools are very supportive of this.

HERRERO: Right, but there's nothing in **HB 1609** that is somehow going to eliminate the state office of Communities In Schools, is that correct?

CROWNOVER: Correct.

HERRERO: In that being the case, TEA then, under **HB 1609** is not given the authority then to eliminate the Communities In Schools state office, is that correct as well?

CROWNOVER: Correct.

HERRERO: Is it your intent as the author of the bill to eliminate the Communities In Schools state office?

CROWNOVER: No, that is not my intent.

HERRERO: In passing **HB 1609**, is there any intent in outsourcing those responsibilities that are being transferred to the commissioner?

CROWNOVER: No, that is not my intent.

HERRERO: Is there any intent in passing **HB 1609** to outsource the responsibilities that are within the state office for Communities In Schools?

CROWNOVER: That is not my intent.

HERRERO: In passing **HB 1609** and as the author of the bill, do you foresee any additional changes that will be made with respect to the Communities In Schools, either the state director position or the Communities In Schools state office?

CROWNOVER: No, I think this is a win-win situation, and Communities In Schools is quite happy with it. I look forward to more great things from Communities In Schools.

REMARKS ORDERED PRINTED

Representative Herrero moved to print remarks between Representative Crownover and Representative Herrero.

The motion prevailed.

A record vote was requested.

HB 1609 was passed by (Record 1119): 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; 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; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — McCall; Vaught.

COMMITTEE GRANTED PERMISSION TO MEET

Representative P. King requested permission for the Committee on Regulated Industries to meet while the house is in session, 4:40 p.m. today, in 3W.9, for a formal meeting, to consider **SB 225**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Regulated Industries, 4:40 p.m. today, 3W.9, for a formal meeting, to consider **SB 225**.

POSTPONED BUSINESS

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

(Eiland in the chair)

HB 2160 ON SECOND READING

(by Flores)

HB 2160, A bill to be entitled An Act relating to eliminating the limitation on lottery advertising expenses based on the lottery prize payout percentage.

HB 2160 was read second time on May 8, postponed until 12 p.m. today, amendments were offered and disposed of, and **HB 2160** was again postponed until this time. Amendment No. 2 was pending at the time of postponement.

Amendment No. 3

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

Amend the Dunnam Amendment to **HB 2160** by striking the text of the amendment and substituting the following:

Amend **HB 2160** (House Committee Printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Subchapter C, Chapter 466, Government Code, is amended by adding Section 466.111 to read as follows:

Sec. 466.111. ADVERTISING TO PERSONS UNDER 18 PROHIBITED. Notwithstanding any other law, the commission may not advertise the lottery in a specific manner or method unless the commission first determines that specific manner or method of advertisement does not appeal to persons under 18 years of age.

Amendment No. 3 was adopted.

A record vote was requested.

Amendment No. 2, as amended, was adopted by (Record 1120): 140 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycok; 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; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez;

Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — King, S.; Orr; Straus.

Representative Flores moved to postpone consideration of **HB 2160** until 10 a.m. Friday, June 15.

The motion prevailed.

GENERAL STATE CALENDAR
(consideration continued)

HB 3135 ON THIRD READING

(by Hughes, Gonzalez Tourelles, Gattis, Leibowitz, and Alonzo)

HB 3135, A bill to be entitled An Act relating to the compensation paid to retired and former judges or justices while assigned as visiting judges in certain courts.

A record vote was requested.

HB 3135 was passed by (Record 1121): 141 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Aycock; Bailey; Berman; Bohac; 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; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

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

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Anderson; Bolton.

STATEMENT OF VOTE

When Record No. 1121 was taken, I was in the house but away from my desk. I would have voted yes.

Bolton

(Speaker in the chair)

HB 426 ON THIRD READING

(by Madden and Strama)

HB 426, A bill to be entitled An Act relating to standards for the operation of school district disciplinary alternative education programs.

A record vote was requested.

HB 426 was passed by (Record 1122): 139 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kruse; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

Nays — Harper-Brown.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Burnam; Callegari; Davis, Y.; Eiland; Hopson.

HB 1751 ON THIRD READING

(by Cohen, Dukes, Delisi, Hartnett, Taylor, Van Arsdale, et al.)

HB 1751, A bill to be entitled An Act relating to the imposition and use of a fee on certain sexually oriented businesses.

Amendment No. 1

Representative Coleman offered the following amendment to **HB 1751**:

Amend on third reading **HB 1751** as follows:

(1) On page 2, strike lines 7 and 8 and substitute the following:

(2) "Sexually oriented business" means a nightclub, bar, restaurant, or similar commercial enterprise that:

(A) provides live nude entertainment or performances for an audience of two or more individuals; and

(B) authorizes on-premises consumption of alcoholic beverages, regardless of whether the consumption of alcoholic beverages is under a license or permit issued under the Alcoholic Beverage Code.

(2) On page 2, lines 10-11, strike "that provides live nude entertainment or performances".

(3) On page 5, line 10, strike "September 1, 2007" and substitute "January 1, 2008".

Representative Cohen moved to postpone consideration of **HB 1751** until the end of third reading bills on today's General State Calendar.

The motion prevailed.

HB 2002 ON THIRD READING
(by Giddings, et al.)

HB 2002, A bill to be entitled An Act relating to notification to check verification entities that a customer is a victim of identity theft and the consequences of the notice.

A record vote was requested.

HB 2002 was passed by (Record 1123): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; 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; Keffler; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Burnam; Coleman; Creighton; Dunnam; Goolsby; Jones; Veasey.

HB 494 ON THIRD READING
(by Madden, et al.)

HB 494, A bill to be entitled An Act relating to assessment of the academic growth of students attending a disciplinary alternative education program and evaluation of disciplinary alternative education programs.

A record vote was requested.

HB 494 was passed by (Record 1124): 141 Yeas, 1 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; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffe; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

Nays — Harper-Brown.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Flores; Mallory Caraway; Martinez Fischer.

HB 983 ON THIRD READING
(by Corte)

HB 983, A bill to be entitled An Act relating to the application of certain disability payments to a child who is the subject of a child support order.

A record vote was requested.

HB 983 was passed by (Record 1125): 136 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; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hefflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Phillips; Pickett; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Deshotel; Hamilton; Latham; Peña; Pierson; Puente; Rodriguez; Smith, T.; Thompson.

STATEMENTS OF VOTE

When Record No. 1125 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1125 was taken, I was in the house but away from my desk. I would have voted yes.

T. Smith

HB 2691 ON THIRD READING (by Truitt)

HB 2691, A bill to be entitled An Act relating to grants provided to local guardianship programs.

A record vote was requested.

HB 2691 was passed by (Record 1126): 134 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; 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; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; 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.; Krusee; Kuempel; Latham; Laubenberg; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McReynolds; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, T.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Anderson; Crownover; Dunnam; Hamilton; Leibowitz; Martinez Fischer; McClendon; Menendez; Rodriguez; Smith, W.; Taylor.

HB 1309 ON THIRD READING (by Hilderbran)

HB 1309, A bill to be entitled An Act relating to the possession or transportation of certain snakes that are not indigenous to this country; providing a penalty.

A record vote was requested.

HB 1309 was passed by (Record 1127): 132 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Darby; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Elkins; England; Escobar; Farabee; Farias; Farrar; Flynn; Frost; Gallego; Garcia; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; 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; Vo; West; Woolley; Zedler; Zerwas.

Nays — King, T.; Macias; Menendez; Phillips; Pickett.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Bailey; Berman; Crownover; Davis, J.; Eissler; Flores; King, S.; Villarreal.

STATEMENT OF VOTE

When Record No. 1127 was taken, my vote failed to register. I would have voted yes.

Berman

**HB 1324 ON THIRD READING
(by Madden and Strama)**

HB 1324, A bill to be entitled An Act relating to placement of public school students with certain disabilities in disciplinary alternative education programs and juvenile justice alternative education programs.

Amendment No. 1

Representative Menendez offered the following amendment to **HB 1324**:

Amend **HB 1324** on third reading by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION _____. (a) The Department of State Health Services shall establish a cross-system coordinated behavioral health intervention pilot project for children in Bexar County who may have a mental disability or participate in disciplinary alternative education programs.

(b) In implementing the pilot project, the department shall require a local mental health authority serving Bexar County to:

(1) enter into a memorandum of understanding or other agreement with state and local agencies that work directly with children, including the Department of State Health Services, the Department of Family and Protective Services, the Texas Youth Commission, and the Texas Education Agency, to:

(A) permit cross-system collaboration in the provision of uniform early intervention behavioral health assessments to children; and

(B) to the extent allowed by other law, identify children in the educational, juvenile justice, and child protective services systems who have or are at risk of developing mental health or substance abuse problems, divert the children to integrated systems of care services, and reduce cross-system gaps or inefficiencies in the provision of care;

(2) develop, in collaboration with the state and local agencies, a best practices plan regarding:

(A) cross-system informed consent and confidentiality practices;

(B) uniform behavioral health screening for children;

(C) uniform referral processes between systems and agencies related to behavioral health services;

(D) the delivery of early intervention and treatment services; and

(E) an information exchange process between agencies to facilitate faster identification and assessment of behavioral health problems and integrate service delivery;

(3) identify outcome measures that may be used to measure the efficiency of cross-system coordination; and

(4) ensure that an extensive listing of providers is available for children and their families, including information regarding the services offered and the behavioral health issues addressed by the provider.

(c) The department may use funds for crisis prevention programs in collaboration with funds from local authorities, including school districts and criminal justice agencies, to implement the pilot project.

(d) Not later than December 1, 2008, the local mental health authority involved in the pilot project shall submit a report to the department regarding the cross-system coordinated behavioral health intervention pilot project, including:

- (1) a comprehensive analysis of the efficacy of the project; and
- (2) the local authority's findings and recommendations.

(e) This section expires September 1, 2009.

Amendment No. 1 was adopted.

A record vote was requested.

HB 1324, as amended, was passed by (Record 1128): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycocock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; 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; Geren; 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, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Chisum; Giddings; King, S.; Martinez Fischer.

STATEMENT OF VOTE

When Record No. 1128 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

HB 1541 ON THIRD READING
(by Isett)

HB 1541, A bill to be entitled An Act relating to preannouncement of certain promotional events and purchases by certain alcoholic beverage permit holders.

A record vote was requested.

HB 1541 was passed by (Record 1129): 144 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; Flynn; Frost; Gallego; Garcia; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Flores.

HB 1632 ON THIRD READING
(by Eissler, et al.)

HB 1632, A bill to be entitled An Act relating to the use of technology by public schools.

Amendment No. 1

Representative Eissler offered the following amendment to **HB 1632**:

Amend **HB 1632** (second reading engrossment) as follows:

(1) Strike page 1, lines 4-24.

(2) On page 3, line 23, strike "and" and substitute "[~~and~~"]".

(3) On page 3, line 25, between "resources" and the period, insert the following:

; and

(6) to permit making comparisons under Section 32.155(e), the provision to schools that are not participating in the pilot project of additional learning materials and resources that are not technology-based

(4) On page 4, line 10, strike the colon.

(5) Strike page 4, lines 11-14.

(6) On page 4, line 15, strike "(2)".

(7) On page 4, line 17, strike "Except as provided by Subsection (a-1)(1), the [The]" and substitute "The".

(8) On page 5, between lines 19 and 20, insert the following new SECTION, appropriately numbered:

SECTION _____. Section 32.155, Education Code, as added by Chapter 834, Acts of the 78th Legislature, Regular Session, 2003, is amended by amending Subsection (e) and adding Subsection (f) to read as follows:

(e) The board of trustees of each district participating in the pilot project shall send an annual progress report to the agency not later than August 1 of each year that the district is participating in the pilot project. The report must state in detail the type of plan being used in the district or school and the effect of the pilot project on the district or school, including:

(1) the academic progress of students who are participating in a pilot project, as measured by performance on assessment instruments;

(2) if applicable and subject to Subsection (f), a comparison of student progress in a school or classroom that is participating in the pilot project as compared with student progress in the schools or classrooms in the district that are not participating in the pilot project;

(3) any elements of the pilot project that contribute to improved student performance on assessment instruments administered under Section 39.023 or any other assessment instrument required by the agency;

(4) any cost savings and improved efficiency relating to school personnel and the maintenance of facilities;

(5) any effect on student dropout and attendance rates;

(6) any effect on student enrollment in higher education;

(7) any effect on teacher performance and retention;

(8) any improvement in communications among students, teachers, parents, and administrators;

(9) any improvement in parent involvement in the education of the parent's child;

(10) any effect on community involvement and support for the district or school; and

(11) any increased student proficiency in technologies that will help prepare the student for becoming a member of the workforce.

(f) From funds available for use under the pilot project, the commissioner shall make grants to schools that are not participating in the pilot project to enable those districts and schools to:

(1) obtain additional learning materials and resources, other than technology-based learning materials and resources, or employ additional educational personnel; and

(2) serve as the standards for comparison with schools participating in the pilot project.

(9) Renumber the SECTIONS of the bill accordingly.

Amendment No. 2

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

Amend the Eissler amendment to **HB 1632** on third reading by striking the text on page 1, line 3, of the amendment.

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

A record vote was requested.

HB 1632, as amended, was passed by (Record 1130): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; 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; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Burnam.

HB 1950 ON THIRD READING **(by Anderson)**

HB 1950, A bill to be entitled An Act relating to an exemption from the sales tax for byproducts sold by electric generating facilities that use integrated gasification combined cycle technology.

A record vote was requested.

HB 1950 was passed by (Record 1131): 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; 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; 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; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Jackson; Jones.

HB 3571 ON THIRD READING
(by Rose, Naishtat, Ortiz, and Herrero)

HB 3571, A bill to be entitled An Act relating to a pilot program to facilitate food stamp program outreach efforts and eligibility determination processes.

A record vote was requested.

HB 3571 was passed by (Record 1132): 117 Yeas, 23 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Anderson; Bailey; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Castro; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Creighton; Crownover; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Isett; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Morrison; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Puente; Quintanilla; Raymond; Ritter;

Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Thompson; Truitt; Turner; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Aycock; Berman; Bohac; Callegari; Crabb; Darby; Eissler; Elkins; Flynn; Harper-Brown; Hilderbran; Hughes; Jackson; Kuempel; Latham; Laubenberg; Macias; Merritt; Miller; O'Day; Riddle; Taylor; Van Arsdale.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Alonzo; Chavez; Harless; Pitts; Talton.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 1132. I intended to vote no.

Christian

I was shown voting yes on Record No. 1132. I intended to vote no.

Phillips

HB 2093 ON THIRD READING (by Hill)

HB 2093, A bill to be entitled An Act relating to the enforcement of motor carrier registration and overweight and oversize permits.

A record vote was requested.

HB 2093 was passed by (Record 1133): 135 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Castro; Chavez; Chisum; Christian; Cohen; 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; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Hughes; Isett; Jackson; Jones; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; O'Day; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; 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, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Alonzo; Burnam; Dukes; Hill; Howard, D.; Keffer; Noriega; Oliveira; Pierson; Rose.

STATEMENTS OF VOTE

When Record No. 1133 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 1133 was taken, I was in the house but away from my desk. I would have voted yes.

Hill

When Record No. 1133 was taken, my vote failed to register. I would have voted yes.

Pierson

When Record No. 1133 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

HB 2112 ON THIRD READING (by Patrick, et al.)

HB 2112, A bill to be entitled An Act relating to the prosecution of an offense prohibiting the exhibition, use, or threatened exhibition or use of a firearm in or on school property or a school bus.

A record vote was requested.

HB 2112 was passed by (Record 1134): 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; Cohen; 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; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; 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.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Coleman; Pierson.

STATEMENT OF VOTE

When Record No. 1134 was taken, my vote failed to register. I would have voted yes.

Pierson

HB 47 ON THIRD READING (by Hodge, Miles, et al.)

HB 47, A bill to be entitled An Act relating to the provision of educational services to certain inmates imprisoned in the institutional division of the Texas Department of Criminal Justice.

A record vote was requested.

HB 47 was passed by (Record 1135): 137 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Crabb; Harper-Brown.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Burnam; Davis, Y.; O'Day; Pierson; Rose; Talton.

STATEMENT OF VOTE

When Record No. 1135 was taken, my vote failed to register. I would have voted yes.

Pierson

HB 2137 ON THIRD READING
(by Paxton and Orr)

HB 2137, A bill to be entitled An Act relating to ad valorem tax lien transfers.

Amendment No. 1

Representative Eiland offered the following amendment to **HB 2137**:

Amend **HB 2137** on third reading by striking the text of the second reading Floor Amendment No. 4, by Eiland, and substituting the following:

Amend Amendment No. ___ by Puentes to **HB 2137** as follows:

- (1) On page 1, line 4, between "(f)," and "(i),", insert "(g),".
- (2) On page 1, line 4, between "(i)," and "and", insert "(j),".
- (3) On page 1, line 5, strike "(f-1),".
- (4) On page 3, lines 20 and 21, strike "to any mortgage servicer and".
- (5) On page 3, line 21, between "a" and "first", insert "recorded".
- (6) On page 4, strike lines 11 through 29 and substitute the following:

(1) the application for the foreclosure must:

(A) allege that the lien is an ad valorem tax lien instead of a lien created under Section 50, Article XVI, Texas Constitution;

(B) state that the applicant does not seek a court order required by Section 50, Article XVI, Texas Constitution; and

(C) state that the transferee has provided notice to cure the default and notice of intent to accelerate to the property owner, and notice of acceleration of the maturity of the debt to the property owner, any recorded mortgage servicer, and each holder of a recorded lien on the property in the manner required for notice to a debtor under Section 51.002, Property Code; and

(2) the holder of a recorded preexisting lien must be provided at least 60 days' notice before the date of the proposed foreclosure, and notwithstanding any contractual agreement with the property owner is entitled to payoff information to the greatest extent permitted by 15 U.S.C. Section 6802 and 12 C.F.R. Part 216.

(7) Strike page 5, line 14, through page 6, line 15, and substitute the following:

mortgage servicer of a recorded preexisting lien on property encumbered by a tax lien transferred as provided by Subsection (b) may [is entitled, within six months after the date on which the tax lien is recorded in all counties in which the property is located, to] obtain a release of the transferred tax lien by paying the transferee of the tax lien the amount owed under the contract between the property owner and the transferee, if the tax lien has not been reinstated or foreclosed. This right does not affect a right of redemption in a foreclosure proceeding described by Subsection (k) or (k-1). A transferee may charge a reasonable fee for a payoff statement that is requested after an initial payoff statement is provided. To be valid, the payoff statement must meet the requirements of a payoff statement defined by Section 12.017, Property Code, and must be provided, upon request, to any holder of a recorded preexisting lien

on the property, notwithstanding any contractual agreement with the property owner, to the greatest extent permitted by 15 U.S.C. Section 6802 and 12 C.F.R. Part 216.

(8) On page 6, line 16, strike "(f-4)" and substitute "(g)".

(9) On page 6, line 16, between "(b-1)," and "(f)," insert "(c-1)(2),".

(10) On page 6, line 18, strike the period and substitute the following:

~~[At any time after the end of the six-month period specified by Subsection (f) and before a notice of foreclosure of the transferred tax lien is sent, the transferee of the tax lien or the holder of the tax lien may require the property owner to provide written authorization and pay a reasonable fee before providing information regarding the current balance owed by the property owner to the transferee or the holder of the tax lien].~~

(11) On page 6, between lines 28 and 29, insert the following:

(j) After one year from the date on which a tax lien transferred as provided by this section is recorded in all counties in which the property is located, the transferee of the lien may foreclose the lien in the manner provided by Subsection (c) unless a contract between the holder of the lien and the owner of the property encumbered by the lien provides otherwise. If a foreclosure suit under Subsection (c)(1) results in foreclosure of the lien, the transferee is entitled to recover attorney's fees in an amount not to exceed 10 percent of the judgment. The proceeds of a sale following a foreclosure suit under Subsection (c)(1) [~~judicial foreclosure as provided by this subsection~~] shall be applied first to the payment of court costs, then to payment of the judgment, including accrued interest, and then to the payment of any attorney's fees fixed in the judgment. Any remaining proceeds shall be paid to other holders of liens on the property in the order of their priority and then to the person whose property was sold at the tax sale.

(12) On page 8, strike lines 20 through 24 and substitute the following:

(6) requiring that notice under Section 32.06(c-1)(2) include, [~~at the time the foreclosure notices required by Subdivision (5) are served on the property owner, the transferee to serve a copy of the notice of sale in the same manner on the mortgage servicer or the holder of all recorded real property liens encumbering the property that includes~~] on

(13) On page 8, line 28, between "A" and "SUPERIOR", insert "FORECLOSURE OF A".

(14) Strike page 8, line 30, through page 9, line 1, and substitute "CONDITIONS. [~~THE FORECLOSURE IS SCHEDULED TO OCCUR ON THE (DATE).~~]"

(15) On page 9, insert the following appropriately numbered SECTION and renumber subsequent SECTIONS accordingly:

SECTION _____. Section 32.065(b-1), Tax Code, is repealed.

Amendment No. 1 was adopted.

A record vote was requested.

HB 2137, as amended, was passed by (Record 1136): 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; Cohen; Coleman; 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; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Cook, B.; Talton.

STATEMENT OF VOTE

When Record No. 1136 was taken, I was in the house but away from my desk. I would have voted yes.

B. Cook

HB 2151 ON THIRD READING

(by Bohac, Pickett, Bailey, Latham, and Leibowitz)

HB 2151, A bill to be entitled An Act relating to the prosecution and adjudication of the offense of graffiti and to the payment and use of a juvenile delinquency prevention fee.

Amendment No. 1

Representatives Bohac and Pickett offered the following amendment to **HB 2151**:

Amend **HB 2151** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. This Act may be cited as the Graffiti Accountability Act of 2007.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Martinez Fischer offered the following amendment to **HB 2151**:

Amend **HB 2151** (second reading engrossment) as follows:

(1) On page 1, line 16, between "that" and "erects", insert "owns public property or".

(2) On page 1, line 21, strike "street sign" and substitute "public property, street sign,".

(3) On page 3, line 22, strike "a street sign or" and substitute "public property, a street sign, or an".

(4) On page 3, line 26, before "erected", insert "owns the public property or".

(5) On page 4, line 1, strike "street sign" and substitute "public property, street sign,".

(6) On page 4, line 4, strike "street sign" and substitute "public property, street sign,".

(7) On page 4, line 6, strike "sign" and substitute "property, sign,".

(8) On page 5, line 9, strike "a street sign or" and substitute "public property, a street sign, or an".

(9) On page 5, line 14, before "erected", insert "owns the public property or".

(10) On page 5, line 16, strike "street sign" and substitute "public property, street sign,".

(11) On page 5, line 19, strike "street sign" and substitute "public property, street sign,".

(12) On page 5, line 21, strike "sign" and substitute "property, sign,".

Amendment No. 2 was adopted.

A record vote was requested.

HB 2151, as amended, was passed by (Record 1137): 142 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; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Hill; King, T.; Van Arsdale.

HB 4077 ON THIRD READING
(by McClendon)

HB 4077, A bill to be entitled An Act relating to the creation of an east San Antonio economic development district to be known as the Eastside Improvement District No. 1; providing authority to impose an assessment and issue bonds.

A record vote was requested.

HB 4077 was passed by (Record 1138): 141 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; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Geren; Hill; Puente; Talton.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Madden requested permission for the Committee on Corrections to meet while the house is in session, 6 p.m. today, in 3W.9, for a formal meeting, to consider **SB 909**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Corrections, 6 p.m. today, 3W.9, for a formal meeting, to consider **SB 909**.

POSTPONED BUSINESS

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

HB 1751 ON THIRD READING

(by **Cohen, Dukes, Delisi, Hartnett, Taylor, Van Arsdale, et al.**)

HB 1751, A bill to be entitled An Act relating to the imposition and use of a fee on certain sexually oriented businesses.

HB 1751 was read third time earlier today and was postponed until this time. Amendment No. 1 was pending at the time of postponement.

Amendment No. 1 was withdrawn.

HB 1751 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE GEREN: Ms. Cohen, would you tell me who you're trying to tax or get this, excuse me, get this user fee, who are you trying to get that from?

REPRESENTATIVE COHEN: Mr. Geren, I'm trying to put the fee on topless and totally nude bars.

REMARKS ORDERED PRINTED

Representative Geren moved to print remarks between Representative Cohen and Representative Geren.

The motion prevailed.

A record vote was requested.

HB 1751 was passed by (Record 1139): 110 Yeas, 28 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycok; Bolton; Bonnen; Burnam; Castro; Chavez; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hancock; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Hopson; Howard, C.; Howard, D.; Jackson; Jones; Keffer; King, S.; King, T.; Krusee; Kuempel; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Paxton; Peña; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Strama; Swinford; Talton; Thompson; Truitt; Turner; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

Nays — Bailey; Berman; Bohac; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Eissler; Elkins; Flynn; Hamilton; Hardcastle; Harless; Harper-Brown; Hughes; Isett; King, P.; Latham; Laubenberg; Macias; Miller; Morrison; O'Day; Parker; Phillips; Taylor; Van Arsdale.

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

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Homer; Madden; Solomons; Straus; Zedler.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 1139. I intended to vote no.

Aycock

I was shown voting no on Record No. 1139. I intended to vote yes.

Bailey

I was shown voting no on Record No. 1139. I intended to vote yes.

Bohac

I was shown voting no on Record No. 1139. I intended to vote yes.

Christian

I was shown voting yes on Record No. 1139. I intended to vote no.

Hancock

I was shown voting no on Record No. 1139. I intended to vote yes.

Harless

I was shown voting yes on Record No. 1139. I intended to vote no.

Heflin

I was shown voting present, not voting on Record No. 1139. I intended to vote yes.

Hilderbran

I was shown voting yes on Record No. 1139. I intended to vote no.

Jones

I was shown voting yes on Record No. 1139. I intended to vote no.

Kuempel

I was shown voting yes on Record No. 1139. I intended to vote no.

Merritt

I was shown voting no on Record No. 1139. I intended to vote yes.

O'Day

I was shown voting yes on Record No. 1139. I intended to vote no.

Paxton

I was shown voting yes on Record No. 1139. I intended to vote no.

Peña

I was shown voting no on Record No. 1139. I intended to vote yes.

Phillips

When Record No. 1139 was taken, I was in the house but away from my desk. I would have voted yes.

Straus

I was shown voting yes on Record No. 1139. I intended to vote no.

Talton

I was shown voting no on Record No. 1139. I intended to vote yes.

Van Arsdale

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 1269 ON SECOND READING
(by Crownover, Taylor, Eissler, Zerwas, et al.)**

HB 1269, A bill to be entitled An Act relating to the creation of a voluntary consumer-directed health plan for certain individuals eligible to participate in the insurance coverage provided under the Texas Employees Group Benefits Act and their qualified dependents.

Amendment No. 1

Representative Dunnam offered the following amendment to **HB 1269**:

Amend **HB 1269** as follows:

(1) On page 2, line 6, stike "shall" and substitute "may".

(2) On page 2, line 9, after "accounts;" insert "and".

(3) On page 2, line 18, strike "(3)" and substitute "(c) If the board establishes health savings accounts under Subsection (b)(1), the board shall".

(4) On page 2, line 22, strike "(c)" and substitute "(d)".

(5) On page 2, line 25, strike "(d)" and substitute "(e)".

(6) On page 3, line 8, strike "shall" and substitute "may".

(7) On page 8, line 15, strike "shall" and substitute "may".

(8) On page 8, line 21, before "Not" insert "If applicable,".

(9) On page 9, line 1, before "The" insert "If applicable,".

HB 1269 - POINT OF ORDER

Representative Deshotel raised a point of order against further consideration of **HB 1269** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

MESSAGE FROM THE SENATE

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

HB 1269 - (consideration continued)

The point of order was withdrawn.

Representative Crownover moved to postpone consideration of **HB 1269** until 5:30 p.m. today.

The motion prevailed.

**HB 3107 ON SECOND READING
(by Isett)**

HB 3107, A bill to be entitled An Act relating to the creation and re-creation of funds and accounts in the state treasury, the dedication and rededication of revenue, and the exemption of unappropriated money from use for general governmental purposes.

Amendment No. 1

Representative Dunnam offered the following amendment to **HB 3107**:

Amend **HB 3107** by inserting the following appropriately-numbered SECTION and renumbering any subsequent SECTIONS accordingly:

"SECTION ____ . (a) After certification of the General Appropriations Act for the 2008-2009 biennium, the comptroller must publish a report listing:

- (1) each dedicated fund or account;
- (2) the amount appropriated from the fund or account for the biennium;

and

(3) the estimated balance in each fund or account that remains unappropriated.

(b) The comptroller shall publish the report required by Subsection (a):

- (1) in the Texas Register; and
- (2) on the Internet.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Dunnam offered the following amendment to **HB 3107**:

Amend **HB 3107** (house committee printing) as follows:

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

(1) the homefront heroes account created by **HB 3426** or similar legislation;

(2) Renumber subsequent subdivisions of Section 4 of the bill accordingly.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Dunnam offered the following amendment to **HB 3107**:

Amend **HB 3107** by inserting the following appropriately-numbered SECTION and renumbering any subsequent SECTIONS accordingly:

"SECTION _____. (a) After certification of the General Appropriations Act for the 2008-2009 biennium, the comptroller must publish a report listing:

- (1) each dedicated fund or account;
- (2) the amount appropriated from the fund or account for the biennium;

and

(3) the estimated balance in each fund or account that remains unappropriated.

(b) The comptroller shall publish the report required by Subsection (a):

- (1) in the Texas Register; and
- (2) on the Internet.

Amendment No. 3 was adopted.

HB 3107, 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.)

HB 3549 ON SECOND READING

(by **Haggerty**)

HB 3549, A bill to be entitled An Act relating to court costs imposed on conviction and deposited to the courthouse security fund for a county.

HB 3549 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. Members registering votes are as follows: B. Brown recorded voting no.)

HB 159 ON SECOND READING

(by **Zedler, Riddle, et al.**)

HB 159, A bill to be entitled An Act relating to the determination of resident status of students by public institutions of higher education.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the conference committee on **HB 1**:

McClendon on motion of Dukes.

HB 159 - (consideration continued)

Amendment No. 1

Representative Noriega offered the following amendment to **HB 159**:

Amend **HB 159** by striking page 1, line 4.

Representative Zedler moved to table Amendment No. 1.

HB 159 - POINTS OF ORDER

Representative Villarreal raised a point of order against further consideration of **HB 159** 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 Merritt raised a point of order against further consideration of **HB 159** under Rule 4, Section 18 of the House Rules on the grounds that the committee minutes are inaccurate.

The point of order was withdrawn.

Representative Zedler moved to postpone consideration of **HB 159** until 7 p.m. today.

The motion prevailed.

POSTPONED BUSINESS

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

HB 1269 ON SECOND READING

(by Crownover, Taylor, Eissler, Zerwas, et al.)

HB 1269, A bill to be entitled An Act relating to the creation of a voluntary consumer-directed health plan for certain individuals eligible to participate in the insurance coverage provided under the Texas Employees Group Benefits Act and their qualified dependents.

HB 1269 was read second time earlier today and was postponed until this time. Amendment No. 1 was pending at the time of postponement.

HB 1269 - POINT OF ORDER

Representative Deshotel raised a point of order against further consideration of **HB 1269** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The speaker sustained the point of order.

HB 1269 was returned to the Committee on Insurance.

MAJOR STATE CALENDAR

(consideration continued)

CSHB 1613 ON SECOND READING

(by Gattis, Hopson, Taylor, Gonzalez Toureilles, B. Brown, et al.)

CSHB 1613, A bill to be entitled An Act relating to the delivery of prescription drugs for certain state health plans by mail order; providing an administrative penalty.

CSHB 1613 - POINT OF ORDER

Representative Burnam raised a point of order against further consideration of **CSHB 1613** 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 Hopson moved to postpone consideration of **CSHB 1613** until 7 p.m. today.

The motion prevailed.

**CSHB 2935 ON SECOND READING
(by P. King and Gallego)**

CSHB 2935, A bill to be entitled An Act relating to the regulation of cigarettes; providing a penalty.

Representative P. King moved to postpone consideration of **CSHB 2935** until 7 p.m. today.

The motion prevailed.

**CSHB 1985 ON SECOND READING
(by Thompson, Goolsby, and Christian)**

CSHB 1985, A bill to be entitled An Act relating to the regulation of interior designers; providing penalties.

CSHB 1985 - POINT OF ORDER

Representative Riddle raised a point of order against further consideration of **CSHB 1985** 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 Thompson moved to postpone consideration of **CSHB 1985** until 7 p.m. today.

The motion prevailed.

POSTPONED BUSINESS

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

**HB 3281 ON THIRD READING
(by P. King, Gattis, Phillips, Smithee, and Hughes)**

HB 3281, A bill to be entitled An Act relating to the recovery of medical or health care expenses in civil actions.

HB 3281 was read third time earlier today and was postponed until this time.

A record vote was requested.

HB 3281 was passed by (Record 1140): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; 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; 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.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; McCall; Menendez; Merritt; Miles; Miller; Morrison; 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; Vaughn; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; McClendon; Moreno; Mowery.

Absent — Bolton; King, T.; Martinez Fischer; McReynolds; Veasey.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

(McClendon now present)

**HB 2285 ON SECOND READING
(by Chisum)**

HB 2285, A bill to be entitled An Act relating to the renewal period for a license or registration related to radioactive materials and other sources of radiation issued by the Department of State Health Services.

HB 2285 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 2300 ON SECOND READING
(by Paxton, Lucio, et al.)**

CSHB 2300, A bill to be entitled An Act relating to the carrying of weapons by certain judges and justices and district and county attorneys.

Amendment No. 1

Representative Paxton offered the following amendment to **CSHB 2300**:

Amend **CSHB 2300** (House Committee Printing) as follows:

On page 2, line 13, strike "(c), and (d)" and insert "and (c)".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Hughes offered the following amendment to **CSHB 2300**:

Amend **CSHB 2300** by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 411.201(a)(1), Government Code, is amended to read as follows:

(1) "Active judicial officer" means:

(A) a person serving as a judge or justice of the supreme court, the court of criminal appeals, a court of appeals, a district court, a criminal district court, a constitutional county court, a statutory county court, a justice court, or a municipal court; or

(B) a federal judge who is a resident of this state.

Amendment No. 2 was adopted.

Amendment No. 3

Representatives Gallego and Paxton offered the following amendment to **CSHB 2300**:

Amend **CSHB 2300** (committee printing) on page 2, between lines 9 and 10, by inserting the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter H, Chapter 411, Government Code, is amended by adding Section 411.1882 to read as follows:

Sec. 411.1882. EXEMPTION FROM HANDGUN PROFICIENCY CERTIFICATE REQUIREMENT FOR CERTAIN PERSONS. (a) Notwithstanding any other provision of this subchapter, a person may not be required to submit to the department a handgun proficiency certificate to obtain or renew a concealed handgun license issued under this subchapter if:

(1) the person is currently serving in this state as:

(A) a judge or justice of a federal court;

(B) an active judicial officer, as defined by Section 411.201, Government Code; or

(C) a district attorney, assistant district attorney, criminal district attorney, assistant criminal district attorney, county attorney, or assistant county attorney; and

(2) a handgun proficiency instructor approved by the Commission on Law Enforcement Officer Standards and Education for purposes of Section 1702.1675, Occupations Code, makes a sworn statement indicating that the person demonstrated proficiency to the instructor in the use of handguns during the 12-month period preceding the date of the person's application to the department and designating the types of handguns with which the person demonstrated proficiency.

(b) The director by rule shall adopt a procedure by which a person who is exempt under Subsection (a) from the handgun proficiency certificate requirement may submit a form demonstrating the person's qualification for an exemption under that subsection. The form must provide sufficient information to allow the department to verify whether the person qualifies for the exemption.

(c) A license issued under this section automatically expires on the six-month anniversary of the date the person's status under Subsection (a) becomes inapplicable. A license that expires under this subsection may be renewed under Section 411.185.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Lucio offered the following amendment to **CSHB 2300**:

Amend **CSHB 2300** (House Committee Printing) on page 4 by striking lines 6 through 11 and substituting the following:

"agency; [~~or~~]

(6) a district attorney, criminal district attorney, or county attorney who is licensed to carry a concealed handgun under Subchapter H, Chapter 411, Government Code; or

(7) an assistant district attorney, assistant criminal district attorney, or assistant county attorney who is licensed to carry a concealed handgun under Subchapter H, Chapter 411, Government Code and:

(A) is a felony prosecutor; or

(B) has at least two years' experience as a prosecutor."

Amendment No. 4 was adopted.

A record vote was requested.

CSHB 2300, as amended, was passed to engrossment by (Record 1141): 139 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; 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; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Gonzales; Gonzalez Tourelles; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; 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; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Giddings; Goolsby; Hartnett.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gattis; Kolkhorst; Moreno; Mowery.

Absent — Anderson; Dutton; Thompson.

STATEMENT OF VOTE

I was shown voting yes on Record No. 1141. I intended to vote no.

Hodge

CSHB 2365 ON SECOND READING (by Truitt, Isett, Eiland, Keffer, and Villarreal)

CSHB 2365, A bill to be entitled An Act relating to financial accounting and reporting for this state and political subdivisions of this state.

CSHB 2365 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. Members registering votes are as follows: Latham recorded voting no.)

HB 2402 ON SECOND READING (by Truitt)

HB 2402, A bill to be entitled An Act relating to restrictive covenants that grant easements to certain property owners' associations.

Amendment No. 1

Representative Bailey offered the following amendment to **HB 2402**:

Amend **HB 2402** by deleting subsection (b)(2) of Section ONE.

Amendment No. 1 was adopted.

HB 2402, 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 2403 ON SECOND READING (by Darby)

CSHB 2403, A bill to be entitled An Act relating to prohibiting fees for future transfers of real property.

Amendment No. 1

Representative Darby offered the following amendment to **CSHB 2403**:

Amend **CSHB 2403** (House Committee Printing) as follows:

(1) On page 1, line 7, between "PROHIBITED." and "A deed", insert "(a)".

(2) On page 1, line 12, between "property" and "a fee", insert ", other than a properly created property owners' association or its agent,".

(3) On page 1, between lines 19 and 20, insert the following:

(b) This section does not apply to a fee associated with the transfer of property in a subdivision that is managed or regulated by a property owners' association and that contains more than one platted lot.

Amendment No. 1 was adopted.

CSHB 2403, 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.)

HB 2493 ON SECOND READING

(by Berman)

HB 2493, A bill to be entitled An Act relating to the applicability of restrictions on the representation of a person before a state regulatory agency by a former employee of the agency.

HB 2493 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 2529 ON SECOND READING

(by Patrick, et al.)

HB 2529, A bill to be entitled An Act relating to field testing of assessment instruments on public school campuses.

HB 2529 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 2558 ON SECOND READING

(by Otto)

CSHB 2558, A bill to be entitled An Act relating to managing the assets of the Texas preservation trust fund account.

CSHB 2558 - POINT OF ORDER

Representative Dunnam raised a point of order against further consideration of **CSHB 2558** under Rule 11, Section 2 of the House Rules on the grounds that the committee substitute is not germane to the introduced bill.

The point of order was withdrawn.

Representative Otto moved to postpone consideration of **CSHB 2558** until 7:30 p.m. today.

The motion prevailed.

CSHB 3624 ON SECOND READING
(by Ritter)

CSHB 3624, A bill to be entitled An Act relating to the protection of coastal resources; providing for administrative penalties.

CSHB 3624 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.)

POSTPONED BUSINESS

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

SB 276 ON SECOND READING
(Rose - House Sponsor)

SB 276, A bill to be entitled An Act relating to student members of the board of regents of a state university or state university system.

SB 276 was considered in lieu of **HB 3924**.

SB 276 was read second time and was passed to third reading. (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 3924 - LAID ON THE TABLE SUBJECT TO CALL

Representative Rose moved to lay **HB 3924** on the table subject to call.

The motion prevailed.

(Gattis now present)

GENERAL STATE CALENDAR
(consideration continued)

HB 2733 ON SECOND READING
(by Gattis)

HB 2733, A bill to be entitled An Act relating to the creation of an office of state contract management at the Texas Building and Procurement Commission.

Amendment No. 1

Representative Gattis offered the following amendment to **HB 2733**:

Amend **HB 2733** (House committee printing) as follows:

(1) On page 3, line 5, strike "commission" and substitute "attorney general".

(2) On page 3, line 27, strike "commission" and substitute "attorney general".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Gallego offered the following amendment to **HB 2733**:

Amend **HB 2733** (House committee printing) as follows:

(1) On page 2, line 12, strike "or".

(2) On page 2, line 14, between "the office" and the period, insert the following:

;

(C) is entered into with an entity that is incorporated outside the United States; or

(D) is entered into with an entity that, during the five-year period preceding the date of the award of the high-risk contract, has had a contract with a state agency or federal government terminated or cancelled for:

(i) a violation of, or non-compliance with, the terms of the contract;

(ii) delivery of an ineffective product or system;

(iii) significant delays or cost overruns;

(iv) fraud;

(v) misconduct; or

(vi) any other event that resulted in the termination or cancellation of the contract

Amendment No. 2 was adopted.

HB 2733, 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.)

HB 2866 ON SECOND READING

(by Swinford)

HB 2866, A bill to be entitled An Act relating to liability for obtaining improper unemployment compensation benefits.

HB 2866 - POINT OF ORDER

Representative Burnam raised a point of order against further consideration of **HB 2866** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Swinford moved to postpone consideration of **HB 2866** until 7:30 p.m. today.

The motion prevailed.

CSSB 1502 ON SECOND READING

(Bolton and Hill - House Sponsors)

CSSB 1502, A bill to be entitled An Act relating to the adoption, increase, or abolition of a sales and use tax by an emergency services district.

CSSB 1502 was considered in lieu of **HB 3870**.

CSSB 1502 was passed to third reading. (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 3870 - LAID ON THE TABLE SUBJECT TO CALL

Representative Raymond moved to lay **HB 3870** on the table subject to call. The motion prevailed.

HB 2982 ON SECOND READING
(by Hardcastle and Otto)

HB 2982, A bill to be entitled An Act relating to the ad valorem tax appraisal of oil or gas interests.

HB 2982 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.)

POSTPONED BUSINESS

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

HB 2866 ON SECOND READING
(by Swinford)

HB 2866, A bill to be entitled An Act relating to liability for obtaining improper unemployment compensation benefits.

HB 2866 was read second time earlier today and was postponed until this time.

HB 2866 - POINT OF ORDER

Representative Burnam raised a point of order against further consideration of **HB 2866** 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.

HB 2866 was returned to the Committee on Economic Development.

GENERAL STATE CALENDAR
(consideration continued)

SB 1896 ON SECOND READING
(Delisi - House Sponsor)

SB 1896, A bill to be entitled An Act relating to the distribution and redistribution of certain drugs.

SB 1896 was considered in lieu of **HB 3078**.

Amendment No. 1

Representative Delisi offered the following amendment to **SB 1896**:

Amend **SB 1896** in SECTION 1 of the bill by striking amended Subsection (e), Section 562.1085, Occupations Code (House Committee Printing, page 2, lines 15-19), and substituting the following:

(e) The board shall adopt the rules, policies, and procedures necessary to administer this section, including rules that require a health care facility to inform the Health and Human Services Commission and a penal institution to inform the Texas Department of Criminal Justice of medicines returned to a pharmacy under this section.

Amendment No. 1 was adopted.

SB 1896, as amended, was passed to third reading. (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 3078 - LAID ON THE TABLE SUBJECT TO CALL

Representative Delisi moved to lay **HB 3078** on the table subject to call.

The motion prevailed.

HB 3098 ON SECOND READING

(by Puente)

HB 3098, A bill to be entitled An Act relating to the fees imposed by the Texas Commission on Environmental Quality in connection with plans that are subject to review and approval under the commission's rules for the protection of the Edwards Aquifer.

HB 3098 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.)

CSSB 1659 ON SECOND READING

(B. Cook - House Sponsor)

CSSB 1659, A bill to be entitled An Act relating to the transfer of the Texas State Railroad to, and the creation of, the Texas State Railroad Authority.

CSSB 1659 was considered in lieu of **HB 3113**.

CSSB 1659 was passed to third reading. (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. Members registering votes are as follows: Herrero and Leibowitz recorded voting no.)

HB 3113 - LAID ON THE TABLE SUBJECT TO CALL

Representative B. Cook moved to lay **HB 3113** on the table subject to call.

The motion prevailed.

CSHB 3168 ON SECOND READING
(by Swinford)

CSHB 3168, A bill to be entitled An Act relating to incentives for and the regulation of biofuel production and distribution in this state.

CSHB 3168 - POINT OF ORDER

Representative Dunnam raised a point of order against further consideration of **CSHB 3168** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Swinford moved to postpone consideration of **CSHB 3168** until 7:30 p.m. today.

The motion prevailed.

CSHB 3148 ON SECOND READING
(by Bailey)

CSHB 3148, A bill to be entitled An Act relating to certain shipments by package stores and wine only package stores to customers.

Representative Bailey moved to postpone consideration of **CSHB 3148** until 4 a.m. tomorrow.

The motion prevailed.

CSHB 3197 ON SECOND READING
(by Hartnett)

CSHB 3197, A bill to be entitled An Act relating to expunction of a notice of lis pendens.

CSHB 3197 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 3202 ON SECOND READING
(by Madden, Strama, and Rodriguez)

HB 3202, A bill to be entitled An Act relating to the provision of a competitive grant program at the Texas Education Agency funding disciplinary programs for at-risk youth.

HB 3202 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 3358 ON SECOND READING
(by Smithee)

HB 3358, A bill to be entitled An Act relating to prior approval of property and casualty insurance rates under certain circumstances.

Amendment No. 1 (Committee Amendment No. 1)

Representative Smithee offered the following committee amendment to **HB 3358**:

Amend **HB 3358** as follows:

On page 1, line 11, between "for" and "insurance," insert:
the same line of

Amendment No. 1 was adopted.

Representative Smithee moved to postpone consideration of **HB 3358** until 7:30 p.m. today.

The motion prevailed.

**SB 1617 ON SECOND READING
(Paxton - House Sponsor)**

SB 1617, A bill to be entitled An Act relating to the collection of motor vehicle sales taxes on seller-financed sales by dealers.

SB 1617 was considered in lieu of **HB 3461**.

SB 1617 was passed to third reading. (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 3461 - LAID ON THE TABLE SUBJECT TO CALL

Representative Paxton moved to lay **HB 3461** on the table subject to call.

The motion prevailed.

**HB 3470 ON SECOND READING
(by Delisi)**

HB 3470, A bill to be entitled An Act 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.

HB 3470 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 3502 ON SECOND READING
(by Hilderbran, Gattis, Macias, and Gallego)**

CSHB 3502, A bill to be entitled An Act relating to the protection and preservation of caves; providing penalties.

CSHB 3502 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 3513 ON SECOND READING
(by J. Davis)

CSHB 3513, A bill to be entitled An Act relating to temporary change of ownership licenses for nursing home facilities.

CSHB 3513 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.)

SB 1264 ON SECOND READING
(Truitt - House Sponsor)

SB 1264, A bill to be entitled An Act 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.

SB 1264 was considered in lieu of **HB 3546**.

SB 1264 was passed to third reading. (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 3546 - LAID ON THE TABLE SUBJECT TO CALL

Representative Truitt moved to lay **HB 3546** on the table subject to call.

The motion prevailed.

CSHB 3860 ON SECOND READING
(by Orr)

CSHB 3860, A bill to be entitled An Act relating to the authority of emergency service districts to receive property from other political subdivisions without complying with notice and bidding requirements for the sale or exchange of land.

CSHB 3860 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 1849 ON SECOND READING
(by Hancock)

HB 1849, A bill to be entitled An Act relating to certain fees for valuing life insurance policies.

HB 1849 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 3618 ON SECOND READING
(by Raymond, Guillen, T. King, Pickett, Escobar, et al.)

CSHB 3618, A bill to be entitled An Act relating to a coordinated health program for school districts located in the border region.

Amendment No. 1

Representatives Anchia, Zerwas, and Lucio offered the following amendment to **CSHB 3618**:

Amend **CSHB 3618** on page 3, between lines 5 and 6, by inserting the following new SECTION, appropriately numbered, and renumbering the subsequent SECTIONS accordingly:

SECTION _____. Subchapter B, Chapter 38, Education Code, is amended by adding Section 38.0631 to read as follows:

Sec. 38.0631. GRANT-WRITING COORDINATION PROGRAM. (a) The Department of State Health Services shall employ one person as a grant writer to assist and coordinate with school districts located in the Texas-Mexico border region in obtaining grants and other funds for school-based health centers.

(b) A grant writer employed under this section may secure a grant or other funds on behalf of the state for a school-based health center.

(c) Funds obtained by the use of a grant writer employed under this section may be used only to:

(1) acquire, construct, or improve facilities for a school-based health center;

(2) purchase or lease equipment or materials for a school-based health center; or

(3) pay the salary or employment benefits of a person who is employed to work exclusively in a school-based health center.

Amendment No. 1 was adopted.

CSHB 3618, 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.)

HB 3252 ON SECOND READING
(by Woolley)

HB 3252, A bill to be entitled An Act relating to the Texas Health Reinsurance System.

HB 3252 - POINT OF ORDER

Representative Dunnam raised a point of order against further consideration of **HB 3252** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The speaker sustained the point of order.

HB 3252 was returned to the Committee on Insurance.

CSHB 1111 ON SECOND READING
(by Turner)

CSHB 1111, A bill to be entitled An Act relating to prohibitions on and reporting concerning medical, psychiatric, and other research on children committed to the Texas Youth Commission.

CSHB 1111 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 3220 ON SECOND READING
(by Elkins)

CSHB 3220, A bill to be entitled An Act relating to the environmental regulation and remediation of dry cleaning facilities.

Amendment No. 1

Representative Elkins offered the following amendment to **CSHB 3220**:

Amend **CSHB 3220** (House Committee Printing) as follows:

(1) On page 6, strike lines 20-26 and substitute the following:

(b-1) An owner of a dry cleaning facility or drop station who files an option not to participate in accordance with Subsection (b) is entitled to a refund of ~~[credit against future]~~ registration fees paid under Section 374.102[~~, Health and Safety Code,~~] to the extent that a registration fee paid under that section in 2004 or 2005 exceeded the amount due for a nonparticipating dry cleaning facility or drop station.

(2) On page 7, strike line 19 and substitute:

SECTION 6. Sections 374.154(b) and (c), Health and Safety Code, are

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

(c) If the applicant for ranking:

(1) is not an owner of the real property, the application must include proof that an owner of the real property has been notified of the application;

(2) is an owner of the real property and the dry cleaning facility or drop station is leased, the application must include proof that a lessee has been notified of the application; or

(3) is a person described by Section 374.1022(a)(2) [~~Subsection (b)(3)~~], the application must include proof that the owner of the real property and any lessee have been notified of the application.

(4) On page 8, line 23, after the period, insert the following:

The amount of a refund paid to a person under this section is the current credit balance for that person at the time the list is completed.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Elkins offered the following amendment to **CSHB 3220**:

Amend **CSHB 3220** (House Committee Printing) as follows:

- (1) On page 6, line 27, strike "facility or".
- (2) On page 7, line 3, strike "facility or".
- (3) On page 7, line 4, strike "facility or".

Amendment No. 2 was adopted.

CSHB 3220, 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 3739 ON SECOND READING
(by Crownover)

CSHB 3739, A bill to be entitled An Act relating to fees on the delivery of certain petroleum products.

CSHB 3739 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.)

(Hardcastle in the chair)

CSHB 2216 ON SECOND READING
(by Turner)

CSHB 2216, A bill to be entitled An Act relating to the regulation of the sale of certain mobility motor vehicles equipped to transport a person with a disability.

CSHB 2216 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 3407 ON SECOND READING
(by Hamilton)

HB 3407, A bill to be entitled An Act relating to the appointment of emergency services boards in districts located in more than one county.

HB 3407 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 89 ON SECOND READING
(by Branch and England)

CSHB 89, A bill to be entitled An Act relating to an exemption for certain political committees from the imposition of civil penalties for violating requirements for reporting political contributions and expenditures.

Amendment No. 1

Representatives Branch and Anchia offered the following amendment to **CSHB 89**:

Amend **CSHB 89** on page 1, line 10, between "if" and "the", by inserting "the report filed by the committee that is the subject of the violation discloses that".

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Anchia and Branch offered the following amendment to **CSHB 89**:

Amend **CSHB 89** on page 1, line 12, between "more" and "or make", by inserting ", accept political contributions from a single person totaling \$1,000 or more,".

Amendment No. 2 was adopted.

Representative Herrero moved to extend speaking time on **CSHB 89**.

A record vote was requested.

The motion to extend time prevailed by (Record 1142): 67 Yeas, 15 Nays, 3 Present, not voting.

Yeas — Aycock; Bolton; Branch; Castro; Chavez; Cohen; Cook, B.; Cook, R.; Crabb; Creighton; Darby; Davis, J.; Deshotel; Dukes; Eiland; Elkins; England; Farabee; Flores; Frost; Gallego; Garcia; Gonzales; Goolsby; Guillen; Harless; Hernandez; Herrero; Hill; Hochberg; Hodge; Hopson; Howard, D.; King, P.; King, S.; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miles; Naishtat; Noriega; O'Day; Oliveira; Olivo; Ortiz; Otto; Patrick; Pickett; Pierson; Raymond; Riddle; Rose; Solomons; Strama; Swinford; Talton; Vaught; Veasey; Villarreal; Vo.

Nays — Anderson; Berman; Bohac; Christian; Eissler; Flynn; Hartnett; Latham; Laubenberg; Orr; Parker; Quintanilla; Smith, T.; Taylor; Woolley.

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

Absent, Excused — Kolkhorst; Moreno; Mowery.

Absent — Allen; Alonzo; Anchia; Bailey; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Chisum; Coleman; Corte; Crownover; Davis, Y.; Delisi; Driver; Dunnam; Dutton; Escobar; Farias; Farrar; Gattis; Geren; Giddings; Gonzalez Toureilles; Haggerty; Hamilton; Hancock; Harper-Brown; Heflin; Hilderbran; Homer; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; Krusee; Kuempel; Macias; Madden; Menendez; Miller; Morrison; Murphy; Paxton; Phillips; Pitts; Puente; Ritter; Rodriguez; Smith, W.; Smithee; Straus; Thompson; Truitt; Turner; Van Arsdale; West; Zedler; Zerwas.

CSHB 89 - POINT OF ORDER

Representative Gallego raised a point of order against further consideration of **CSHB 89** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Branch moved to postpone consideration of **CSHB 89** until 9 p.m. today.

The motion prevailed.

HB 1978 ON SECOND READING
(by Taylor)

HB 1978, A bill to be entitled An Act relating to assessments for the Texas Health Insurance Risk Pool.

Amendment No. 1

Representative Taylor offered the following amendment to **HB 1978**:

Amend **HB 1978** (committee printing) on page 3 by striking lines 8 through 19 and substituting the following:

Sec. 1506.259. TAX CREDIT. (a) A health benefit plan issuer is entitled to a credit against its premium tax under Chapter 222 for the portion of the issuer's regular assessment, determined by the board during the preceding calendar year under Section 1506.253, for non-federally eligible individuals who qualify for pool coverage under Section 1506.152(a)(3), as determined by the pool as of December 31 of the preceding calendar year.

(b) The premium tax credit under this section applies to the premium tax due in the calendar year following the calendar year in which the regular assessment is determined by the pool.

(c) The premium tax credit under this section is limited to the premium tax liability due for the calendar year before the application of any available premium tax prepayments and guaranty association assessment credits. Any credit that exceeds the premium tax liability for a calendar year may not be carried forward to future years or applied to prior years.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Taylor offered the following amendment to **HB 1978**:

Amend **HB 1978** (committee printing) as follows:

(1) On page 1, between lines 3 and 4, insert the following new SECTION 1 of the bill:

SECTION 1. Section 1506.251, Insurance Code, is amended by adding Subsection (c) to read as follows:

(c) The regular assessment is the amount determined by the board under Section 1506.252 and recovered from health benefit plan issuers under Section 1506.253.

(2) Renumber SECTIONS of the bill appropriately.

Amendment No. 2 was adopted.

HB 1978, 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.)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the conference committee on **HB 1**:

Crownover on motion of Taylor.

SB 156 ON SECOND READING (Madden - House Sponsor)

SB 156, A bill to be entitled An Act relating to a competitive grant program to fund nurse-family partnership programs in certain communities in this state.

SB 156 was considered in lieu of **HB 424**.

Amendment No. 1

Representative Madden offered the following amendment to **SB 156**:

Amend **SB 156** (House Committee Printing) as follows:

(1) In SECTION 1 of the bill, in proposed Section 531.458, Government Code (page 5, line 27), between "shall" and "contract" insert "hire or".

(2) In SECTION 2(b) of the bill (page 8, line 6), strike "December 1, 2007" and substitute "September 1, 2008".

(3) In SECTION 2 of the bill (page 8, between lines 9 and 10) insert the following:

(c) Not later than December 1, 2008, the Health and Human Services Commission shall submit a report to the Senate Health and Human Services Committee, or its successor, and the House Human Services Committee, or its successor, regarding the implementation and status of the nurse-family partnership competitive grant program required by Subchapter M, Chapter 531, Government Code, as added by this Act.

(4) In SECTION 2(c) of the bill (page 8, line 10), strike:

"(c) Not later than December 1, 2008" and substitute "(d) Not later than December 1, 2009".

Amendment No. 1 was adopted.

SB 156, as amended, was passed to third reading. (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 424 - LAID ON THE TABLE SUBJECT TO CALL

Representative Madden moved to lay **HB 424** on the table subject to call.

The motion prevailed.

POSTPONED BUSINESS

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

HB 159 ON SECOND READING
(by Zedler, Riddle, et al.)

HB 159, A bill to be entitled An Act relating to the determination of resident status of students by public institutions of higher education.

HB 159 was read second time earlier today and was postponed until this time. Amendment No. 1 was pending at the time of postponement.

HB 159 - POINT OF ORDER

Representative Merritt raised a point of order against further consideration of **HB 159** under Rule 4, Section 18 of the House Rules on the grounds that the committee minutes are incomplete.

The speaker sustained the point of order.

HB 159 was returned to the Committee on State Affairs.

CSHB 1613 ON SECOND READING
(by Gattis, Hopson, Taylor, Gonzalez Toureilles, B. Brown, et al.)

CSHB 1613, A bill to be entitled An Act relating to the delivery of prescription drugs for certain state health plans by mail order; providing an administrative penalty.

CSHB 1613 was read second time earlier today and was postponed until this time.

CSHB 1613 - POINT OF ORDER

Representative Burnam raised a point of order against further consideration of **CSHB 1613** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The speaker overruled the point of order.

Amendment No. 1

Representative Taylor offered the following amendment to **CSHB 1613**:

Amend **CSHB 1613** (House Committee Printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. (a) Section 843.338, Insurance Code, is amended to read as follows:

Sec. 843.338. DEADLINE FOR ACTION ON CLEAN CLAIMS. Except as provided by Sections [Section] 843.3385 and 843.339, not later than the 45th day after the date on which a health maintenance organization receives a clean claim from a participating physician or provider in a nonelectronic format or the 30th day after the date the health maintenance organization receives a clean claim

from a participating physician or provider that is electronically submitted, the health maintenance organization shall make a determination of whether the claim is payable and:

(1) if the health maintenance organization determines the entire claim is payable, pay the total amount of the claim in accordance with the contract between the physician or provider and the health maintenance organization;

(2) if the health maintenance organization determines a portion of the claim is payable, pay the portion of the claim that is not in dispute and notify the physician or provider in writing why the remaining portion of the claim will not be paid; or

(3) if the health maintenance organization determines that the claim is not payable, notify the physician or provider in writing why the claim will not be paid.

(b) Section 843.339, Insurance Code, is amended to read as follows:

Sec. 843.339. DEADLINE FOR ACTION ON [~~CERTAIN~~] PRESCRIPTION CLAIMS; PAYMENT. (a) Not later than the 21st day after the date a health maintenance organization affirmatively adjudicates a pharmacy claim that is electronically submitted, the health maintenance organization shall pay the total amount of the claim. A health maintenance organization shall pay a pharmacy claim that is submitted in a nonelectronic format not later than the deadline provided under Section 843.338.

(b) Except as provided by Subsection (c), a pharmacy benefit manager that administers a pharmacy claim for a health maintenance organization shall pay the provider through electronic funds transfer not later than the 14th day after the date on which the claim is determined under this subchapter to be affirmatively adjudicated.

(c) If the provider is unable to receive payment of a claim described by Subsection (b) through electronic funds transfer, the pharmacy benefit manager shall pay the claim not later than the 21st day after the date on which the claim is determined under this subchapter to be affirmatively adjudicated.

(c) Section 843.340, Insurance Code, is amended by adding Subsection (f) to read as follows:

(f) A pharmacy benefit manager who performs an on-site audit under this chapter of a provider who is a pharmacist or pharmacy shall provide the provider written notice of the audit and it must be sent by certified mail not later than the 15th day before the date on which the audit is scheduled to occur.

(d) Section 1301.001(1), Insurance Code, is amended to read as follows:

(1) "Health care provider" means a practitioner, institutional provider, or other person or organization that furnishes health care services and that is licensed or otherwise authorized to practice in this state. The term includes a pharmacist and a pharmacy. The term does not include a physician.

(e) Section 1301.103, Insurance Code, is amended to read as follows:

Sec. 1301.103. DEADLINE FOR ACTION ON CLEAN CLAIMS. Except as provided by Sections 1301.104 and [Section] 1301.1054, not later than the 45th day after the date an insurer receives a clean claim from a preferred provider

in a nonelectronic format or the 30th day after the date an insurer receives a clean claim from a preferred provider that is electronically submitted, the insurer shall make a determination of whether the claim is payable and:

(1) if the insurer determines the entire claim is payable, pay the total amount of the claim in accordance with the contract between the preferred provider and the insurer;

(2) if the insurer determines a portion of the claim is payable, pay the portion of the claim that is not in dispute and notify the preferred provider in writing why the remaining portion of the claim will not be paid; or

(3) if the insurer determines that the claim is not payable, notify the preferred provider in writing why the claim will not be paid.

(f) Section 1301.104, Insurance Code, is amended to read as follows:

Sec. 1301.104. DEADLINE FOR ACTION ON [CERTAIN] PHARMACY CLAIMS; PAYMENT. (a) Not later than the 21st day after the date an insurer affirmatively adjudicates a pharmacy claim that is electronically submitted, the insurer shall pay the total amount of the claim. An insurer shall pay a pharmacy claim that is submitted in a nonelectronic format not later than the deadline provided under Section 1301.103.

(b) Except as provided by Subsection (c), a pharmacy benefit manager that administers a pharmacy claim for an insurer under a preferred provider benefit plan shall pay the provider through electronic funds transfer not later than the 14th day after the date on which the claim is determined under this subchapter to be affirmatively adjudicated.

(c) If the provider is unable to receive payment of a claim described by Subsection (b) through electronic funds transfer, the pharmacy benefit manager shall pay the claim not later than the 21st day after the date on which the claim is determined under this subchapter to be affirmatively adjudicated.

(g) Section 1301.105, Insurance Code, is amended by adding Subsection (e) to read as follows:

(e) A pharmacy benefit manager who performs an on-site audit under this chapter of a provider who is a pharmacist or pharmacy shall provide the provider reasonable written notice of the audit and it must be sent by certified mail not later than the 15th day before the date on which the audit is scheduled to occur.

(h) The change in law made by this section applies only to a claim submitted by a provider to a health maintenance organization or an insurer on or after the effective date of this Act. A claim submitted before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

Amendment No. 1 was adopted.

CSHB 1613, 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 2935 ON SECOND READING
(by P. King and Gallego)

CSHB 2935, A bill to be entitled An Act relating to the regulation of cigarettes; providing a penalty.

CSHB 2935 was read second time earlier today and was postponed until this time.

CSHB 2935 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.)

REMARKS ORDERED PRINTED

Representative Rose moved to print remarks by Representative Thompson on **CSHJR 90**.

The motion prevailed.

CSHB 1985 ON SECOND READING
(by Thompson, Goolsby, and Christian)

CSHB 1985, A bill to be entitled An Act relating to the regulation of interior designers; providing penalties.

CSHB 1985 was read second time earlier today and was postponed until this time.

CSHB 1985 - POINT OF ORDER

Representative Riddle raised a point of order against further consideration of **CSHB 1985** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The speaker sustained the point of order.

CSHB 1985 was returned to the Committee on Licensing and Administrative Procedures.

CSHB 2558 ON SECOND READING
(by Otto)

CSHB 2558, A bill to be entitled An Act relating to managing the assets of the Texas preservation trust fund account.

CSHB 2558 was read second time earlier today and was postponed until this time.

CSHB 2558 - POINT OF ORDER

Representative Dunnam raised a point of order against further consideration of **CSHB 2558** under Rule 11, Section 2 of the House Rules on the grounds that the committee substitute is not germane to the introduced bill.

The speaker sustained the point of order.

CSHB 2558 was returned to the Committee on Ways and Means.

CSHB 3168 ON SECOND READING
(by Swinford)

CSHB 3168, A bill to be entitled An Act relating to incentives for and the regulation of biofuel production and distribution in this state.

CSHB 3168 was read second time earlier today and was postponed until this time.

CSHB 3168 - POINT OF ORDER

Representative Dunnam raised a point of order against further consideration of **CSHB 3168** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Amendment No. 1

Representative Swinford offered the following amendment to **CSHB 3168**:

Amend **CSHB 3168** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS as appropriate:

SECTION _____. The heading to Chapter 16, Agriculture Code, is amended to read as follows:

CHAPTER 16. FUEL ETHANOL, RENEWABLE METHANE, AND
BIODIESEL PRODUCTION INCENTIVE PROGRAM

SECTION _____. Section 16.001, Agriculture Code, is amended by amending Subdivisions (1) and (6) and adding Subdivision (4-a) to read as follows:

(1) "Account" means the fuel ethanol, renewable methane, and biodiesel production account.

(4-a) "Renewable methane" means methane gas derived from animal waste or an agricultural by product, including creamery or fruit waste or corn silage.

(6) "Producer" means a person who operates a fuel ethanol, renewable methane, or biodiesel plant in this state.

SECTION _____. Sections 16.002(a) and (b), Agriculture Code, are amended to read as follows:

(a) To be eligible for a grant for fuel ethanol, renewable methane, or biodiesel produced in a plant, a producer must apply to the office for the registration of the plant. A producer may apply for the registration of more than one plant.

(b) An application for the registration of a plant must show to the satisfaction of the office that:

(1) the plant is capable of producing fuel ethanol, renewable methane, or biodiesel;

(2) the producer has made a substantial investment of resources in this state in connection with the plant; and

(3) the plant constitutes a permanent fixture in this state.

SECTION _____. Section 16.003(a), Agriculture Code, is amended to read as follows:

(a) On or before the fifth day of each month, a producer shall report to the office on:

(1) the number of gallons of fuel ethanol or biodiesel or MMBtu of renewable methane produced at each registered plant operated by the producer during the preceding month;

(2) the number of gallons of fuel ethanol or biodiesel imported into this state by the producer during the preceding month;

(3) the number of gallons of fuel ethanol or biodiesel sold or blended with motor fuels by the producer during the preceding month; and

(4) the total value of agricultural products consumed in each registered plant operated by the producer during the preceding month.

SECTION _____. The heading to Section 16.004, Agriculture Code, is amended to read as follows:

Sec. 16.004. FUEL ETHANOL, RENEWABLE METHANE, AND BIODIESEL PRODUCTION ACCOUNT.

SECTION _____. Section 16.004(a), Agriculture Code, is amended to read as follows:

(a) The fuel ethanol, renewable methane, and biodiesel production account is an account in the general revenue fund that may be appropriated only to the office for the purposes of this chapter, including the making of grants under this chapter.

SECTION _____. The heading to Section 16.005, Agriculture Code, is amended to read as follows:

Sec. 16.005. FEE ON FUEL ETHANOL, RENEWABLE METHANE, AND BIODIESEL PRODUCTION.

SECTION _____. Sections 16.005(a), (b), and (d), Agriculture Code, are amended to read as follows:

(a) The office shall impose a fee on each producer in an amount equal to 3.2 cents for each gallon of fuel ethanol or MMBtu of renewable methane and 1.6 cents for each gallon of biodiesel produced in each registered plant operated by the producer.

(b) For each fiscal year, the office may not impose fees on a producer for more than 18 million gallons of fuel ethanol or biodiesel or MMBtu of renewable methane produced at any one registered plant.

(d) The office may not impose fees on a producer for fuel ethanol, renewable methane, or biodiesel produced at a registered plant after the 10th anniversary of the date production from the plant begins.

SECTION _____. The heading to Section 16.006, Agriculture Code, is amended to read as follows:

Sec. 16.006. FUEL ETHANOL, RENEWABLE METHANE, AND BIODIESEL GRANTS.

SECTION _____. Sections 16.006(a), (b), (c), and (e), Agriculture Code, are amended to read as follows:

(a) The office, after consultation with the department, shall make grants to producers as an incentive for the development of the fuel ethanol, renewable methane, and biodiesel industry and agricultural production in this state.

(b) A producer is entitled to receive from the account 20 cents for each gallon of fuel ethanol or MMBtu of renewable methane and 10 cents for each gallon of biodiesel produced in each registered plant operated by the producer until the 10th anniversary of the date production from the plant begins.

(c) For each fiscal year a producer may not receive grants for more than 18 million gallons of fuel ethanol or biodiesel or MMBtu of renewable methane produced at any one registered plant.

(e) If the office determines that the amount of money credited to the account is not sufficient to distribute the full amount of grant funds to eligible producers as provided by this chapter for a fiscal year, the office shall proportionately reduce the amount of each grant for each gallon of fuel ethanol or biodiesel or each MMBtu of renewable methane produced as necessary to continue the incentive program during the remainder of the fiscal year.

SECTION _____. The changes in a fee charged or a payment made for the production of biodiesel under Sections 16.005 and 16.006, Agriculture Code, as amended by this Act, apply only to biodiesel produced on or after the effective date of this Act.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Anchia offered the following amendment to **CSHB 3168**:

Amend **CSHB 3168** by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION _____. (a) The State Energy Conservation Office shall prepare a report that provides a coherent strategy for and recommends mechanisms for increasing the availability of low-emission automatic fuels. The report must include:

(1) a list of recommended fuels;

(2) proposed mechanisms for increasing the availability of the fuels recommended under Subdivision (1) of this subsection to the majority of Texas drivers by 2010, including:

(A) rebates for retrofitting vehicles to make them compatible with the recommended fuels, if necessary;

(B) procurement agreements by municipalities and state agencies to purchase vehicles that are compatible with the recommended fuels; and

(C) market incentives to producers and distributors of the recommended fuels;

(3) an assessment of:

(A) the anticipated effects on ground-level ozone levels in urban areas as a result of using the recommended fuels;

(B) the cost to the state to implement the mechanisms proposed under Subdivision (2) of this subsection;

(C) the possible benefits to the state in reduced health care costs that may result from using the recommended fuels;

(D) the number of new jobs expected to be created in this state that may result from using the recommended fuels;

(E) projected costs to Texas consumers of using the recommended fuels;

(F) the anticipated effect on state revenue as a result of new economic activity related to the production, distribution, and use of the recommended fuels; and

(G) the net reduction of emissions projected to result from using the recommended fuels; and

(4) any statutory changes needed to implement the strategy or a recommended mechanism.

(b) For each fuel in the list of fuels recommended under this section, the State Energy Conservation Office shall include an analysis of the life cycle emissions for the fuel and a determination of how well the fuel achieves the goal of producing at least 20 percent less emissions over its life cycle than conventional gasoline. The life cycle of a fuel includes emissions that occur in the production of the fuel. If part of the fuel's production process includes carbon capture and storage, also known as carbon sequestration, the resulting reduction in carbon dioxide emissions is included in computing the life cycle emissions for the fuel.

(c) The State Energy Conservation Office may establish a task force to assist in developing the strategy and recommendations required by Subsections (a) and (b) of this section.

(d) Not later than October 1, 2008, the State Energy Conservation Office shall deliver the report required by this section to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing committees of the legislature with primary jurisdiction over environmental, economic, and transportation matters.

Amendment No. 2 was adopted.

(Phillips in the chair)

Amendment No. 3

Representative Bonnen offered the following amendment to **CSHB 3168**:

Amend **CSHB 3168** on page 1 as follows:

(1) On line 11, between "section" and the comma, insert "and the Reid vapor pressure requirements for gasoline used as control measures in the state implementation plan".

(2) On line 16, strike "May 1, 2009" and substitute "January 1, 2009".

Amendment No. 3 was adopted.

CSHB 3168, 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.)

GENERAL STATE CALENDAR
(consideration continued)

HB 2383 ON SECOND READING
(by Lucio and Guillen)

HB 2383, A bill to be entitled An Act relating to the provision to certain public school students of a subsidy to pay the costs of a trade or occupation certification examination.

Amendment No. 1

Representative Flores offered the following amendment to **HB 2383**:

Amend **HB 2383** by adding the following appropriately numbered SECTIONS to read as follows and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 56.203, Education Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) To be eligible for an award through the Early High School Graduation Scholarship program, a person must:

(1) have graduated from a public high school in this state:

(A) in not more than 41 consecutive months and successfully completed the recommended or advanced high school program established under Section 28.025, if the person graduated on or after September 1, 2005;

(B) in not more than 45 consecutive months, with at least 30 hours of college credit, and successfully completed the recommended or advanced high school program established under Section 28.025, if the person graduated on or after September 1, 2005; or

(C) in not more than 36 consecutive months after successfully completing the requirements for a high school diploma, if the person graduated before September 1, 2005, regardless of whether the person successfully completed the recommended or advanced high school program established under Section 28.025; and

(2) have attended [~~high school exclusively in~~] one or more public high schools in this state for the majority of time the person attended high school [~~and~~ (3) be a Texas resident as defined by coordinating board rule].

(e) The coordinating board shall adopt rules for determining whether a person attended public high school in this state as required by Subsection (a)(2).

SECTION _____. The changes in law made by this Act to Section 56.203, Education Code, apply only to a student who graduates from a public high school in this state on or after the effective date of this Act. A student who graduates from a public high school in this state before the effective date of this Act and the student's eligibility to participate in the Early High School Graduation Scholarship program is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

HB 2383, 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. Members registering votes are as follows: Jackson and Laubenberg recorded voting no.)

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 5).

POSTPONED BUSINESS

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

(Speaker in the chair)

HB 3358 ON SECOND READING (by Smithee)

HB 3358, A bill to be entitled An Act relating to prior approval of property and casualty insurance rates under certain circumstances.

HB 3358 was read second time earlier today, amendments were offered and disposed of, and **HB 3358** was postponed until this time.

HB 3358, 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.)

GENERAL STATE CALENDAR (consideration continued)

CSHB 3222 ON SECOND READING (by Elkins, Escobar, Crabb, and Anderson)

CSHB 3222, A bill to be entitled An Act relating to a business's duty to protect and safeguard sensitive personal information contained in its customer records.

Amendment No. 1

Representative Elkins offered the following amendment to **CSHB 3222**:

Amend **CSHB 3222** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 48.102, Business & Commerce Code, as added by Chapter 294, Acts of the 79th Legislature, Regular Session, 2005, is amended to read as follows:

Sec. 48.102. BUSINESS DUTY TO PROTECT AND SAFEGUARD SENSITIVE PERSONAL INFORMATION. (a) In this section:

(1) "Access device" means a card or device issued by a financial institution that contains a magnetic stripe, microprocessor chip, or other means for storing information. The term includes a credit card, debit card, or stored value card.

(2) "Breach of system security" has the meaning assigned by Section 48.103.

(3) "Financial institution" has the meaning assigned by 15 U.S.C. Section 6809.

(b) A business shall implement and maintain reasonable procedures, including taking any appropriate corrective action, to protect and safeguard from unlawful use or disclosure any sensitive personal information collected or maintained by the business in the regular course of business.

(c) A business that, in the regular course of business, collects, maintains, or stores sensitive personal information in connection with an access device must comply with payment card industry data security standards.

(d) ~~(b)~~ A business shall destroy or arrange for the destruction of customer records containing sensitive personal information within the business's custody or control that are not to be retained by the business by:

(1) shredding;

(2) erasing; or

(3) otherwise modifying the sensitive personal information in the records to make the information unreadable or undecipherable through any means.

(e) A financial institution may bring an action against a business that is subject to a breach of system security if, at the time of the breach, the business is in violation of Subsection (c). A court may not certify an action brought under this subsection as a class action.

(f) Before filing an action under Subsection (e), a financial institution must provide to the business written notice requesting that the business provide certification or an assessment of the business's compliance with payment card industry data security standards. The certification or assessment must be issued by a payment card industry-approved auditor or another person authorized to issue that certification or assessment under payment card industry data security standards. The court shall, on motion, dismiss an action brought under Subsection (e) with prejudice to the refiling of the action if the business provides to the financial institution the certification of compliance required under this subsection not later than the 30th day after receiving the notice.

(g) A presumption that a business has complied with Subsection (c) exists if:

(1) the business contracts for or otherwise uses the services of a third party to collect, maintain, or store sensitive personal information in connection with an access device;

(2) the business requires that the third party attest to or offer proof of compliance with payment card industry data security standards; and

(3) the business contractually requires the third party's continued compliance with payment card industry data security standards.

(h) A financial institution that brings an action under Subsection (e) may obtain actual damages arising from the violation. Actual damages include any cost incurred by the financial institution in connection with:

(1) the cancellation or reissuance of an access device affected by the breach;

(2) the closing of a deposit, transaction, share draft, or other account affected by the breach and any action to stop payment or block a transaction with respect to the account;

(3) the opening or reopening of a deposit, transaction, share draft, or other account affected by the breach;

(4) a refund or credit made to an account holder to cover the cost of any unauthorized transaction related to the breach; and

(5) the notification of account holders affected by the breach.

(i) In an action brought under Subsection (e), the court shall award the prevailing party reasonable attorney's fees and costs, except that a business may not be awarded reasonable attorney's fees and costs unless the court is presented proof that the business provided the certification or assessment of compliance with security standards to the financial institution within the period prescribed by Subsection (f).

(j) [~~e~~] This section does not apply to a financial institution, except that a financial institution that is injured following a breach of system security of a business's computerized data may bring an action under Subsection (e) [~~as defined by 15 U.S.C. Section 6809~~].

SECTION 2. This Act takes effect January 1, 2009.

CSHB 3222 - POINT OF ORDER

Representative Coleman raised a point of order against further consideration of **CSHB 3222** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Elkins moved to postpone consideration of **CSHB 3222** until 9 p.m. today.

The motion prevailed.

CSHB 2237 ON SECOND READING

(by Eissler, Giddings, Woolley, Hochberg, and Guillen)

CSHB 2237, A bill to be entitled An Act relating to high school success and college and workforce readiness programs in public schools.

Representative Eissler moved to postpone consideration of **CSHB 2237** until 8:45 p.m. today.

The motion prevailed.

CSHB 3223 ON SECOND READING

(by Elkins)

CSHB 3223, A bill to be entitled An Act relating to public improvement districts designated by a county or municipality.

Amendment No. 1

Representative Elkins offered the following amendment to **CSHB 3223**:

Amend **CSHB 3223** on page 11, line 17, by striking "entire assessment" and substituting "all or any part of the [entire] assessment".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Elkins offered the following amendment to **CSHB 3223**:

Amend **CSHB 3223** on page 8, line 10, by striking "Section 372.026(d)" and substituting "Section 372.026(e)".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Elkins offered the following amendment to **CSHB 3223**:

Amend **CSHB 3223** on page 3, line 19, by striking "objects" and substituting "does not object [~~objects~~]".

Amendment No. 3 was adopted.

Amendment No. 4

Representative Puente offered the following amendment to **CSHB 3223**:

Amend **CSHB 3223** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 372.102, Local Government Code, is amended to read as follows:

Sec. 372.102. NATURE OF DISTRICT; PURPOSE. (a) A district is created under Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

(b) By enacting this subchapter, the legislature has created a program for economic development as provided in Section 52-a, Article III, Texas Constitution. A county may engage in economic development projects as provided by this subchapter, and, on a determination of the commissioners court of the county to create a district, may delegate the authority to oversee and manage the economic development project to an appointed board of directors. In appointing a board, the commissioners court delegates its authority to serve a public use and benefit.

SECTION _____. Sections 372.126(a) and (c), Local Government Code, are amended to read as follows:

(a) A district may not issue bonds unless approved by the commissioners court of the county that created the district. Bonds [~~If the population in the district is more than 1,000, the bonds~~] may not be issued unless approved by a majority of the voters of the district voting in an election held for that purpose. A bond election under this subsection does not affect prior bond issuances and is not required for refunding bond issuances.

(c) If the commissioners court grants approval under this section, bonds, notes, and other district obligations may be secured by district revenue or any type of district taxes or assessments, or any combination of taxes and revenue pledged to the payment of bonds.

SECTION _____. Section 372.130, Local Government Code, is amended by amending Subsection (b) and adding Subsections (c) and (d) to read as follows:

(b) Except as otherwise provided in this subchapter, a sales and use tax must be imposed in accordance with Chapter 383, Local Government Code, or ~~and~~ Chapter 323, Tax Code.

(c) The ballot for a sales tax election shall be printed to provide for voting for or against the proposition: "A sales and use tax at a rate not to exceed _____ [insert percentage rate] in the _____ [insert name of district]" or "The adoption of a _____ [insert percentage rate] sales and use tax in the _____ [insert name of district]."

(d) A tax authorized at an election held under this section may be imposed at a rate less than or equal to the rate printed in the ballot proposition.

SECTION _____. (a) All acts and proceedings related to the authorization of any taxes or bonds, including acts and proceedings related to an election, by a district created under Subchapter C, Chapter 372, Local Government Code, before the effective date of this Act are validated, ratified, and confirmed in all respects as if the acts and proceedings occurred as authorized by law.

(b) This section does not apply to any matter that on the effective date of this Act:

- (1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or
- (2) has been held invalid by a final court judgment.

Amendment No. 4 was adopted.

CSHB 3223, 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 1292 ON SECOND READING (by Puente and Castro)

CSHB 1292, A bill to be entitled An Act relating to the management of groundwater in the area regulated by the Edwards Aquifer Authority and to the operations and oversight of the authority.

CSHB 1292 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE ROSE: Mr. Puente, is this the bill that you told Chairman Morrison, Chairman Hilderbran, and myself, and Mr. Macias, over these last few days that you would postpone to wait for the senate bill?

REPRESENTATIVE PUENTE: And Harvey Hilderbran, and Tracy King, and almost anybody that—

ROSE: Many others.

PUENTE: Many others.

ROSE: Is this the bill that you told the entirety of those interested parties who represent districts that care a great deal about this bill that you will postpone to wait for the senate bill?

PUENTE: Correct.

ROSE: Is it true that if the senate bill is uncompromised based on its lack of posting that you would postpone and wait for that senate bill?

PUENTE: Correct.

ROSE: And based on the information that we hear from the parliamentarian, either tonight or first thing tomorrow morning, you will postpone, if it is indeed true that the senate bill is uncompromised by that lack of posting, that you will postpone until next week?

PUENTE: Until the senate bill comes up on the calendar.

ROSE: Until the senate bill is eligible, but the only way that you would take up **CSHB 1292** tomorrow morning is if there is a problem with the senate bill and Glenn Hegar's posting?

PUENTE: Correct.

ROSE: That would be the only scenario under which you did not wait for the senate bill.

PUENTE: Correct.

Representative Puente moved to postpone consideration of **CSHB 1292** until 7 a.m. tomorrow.

The motion prevailed.

CSHB 1503 ON SECOND READING
(by Lucio, Escobar, Peña, Goolsby, O'Day, et al.)

CSHB 1503, A bill to be entitled An Act relating to allowing certain assistant district and county attorneys to carry weapons.

CSHB 1503 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 1786 ON SECOND READING
(by Swinford)

HB 1786, A bill to be entitled An Act relating to an exemption for certain programs from the child-care licensing requirements.

HB 1786 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.)

POSTPONED BUSINESS

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

CSHB 2237 ON SECOND READING

(by Eissler, Giddings, Woolley, Hochberg, Guillen, et al.)

CSHB 2237, A bill to be entitled An Act relating to high school success and college and workforce readiness programs in public schools.

CSHB 2237 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Eissler offered the following amendment to **CSHB 2237**:

Amend **CSHB 2237** as follows:

(1) On page 22, line 7, strike "Section 29.918" and substitute "Sections 29.917 and 29.918".

(2) On page 22, between lines 7 and 8, insert the following:

Sec. 29.917. HIGHER EDUCATION AND WORKFORCE READINESS PROGRAMS. (a) From funds appropriated for the purpose, the commissioner may award grants to organizations that provide volunteers to teach classroom or after-school programs to enhance:

(1) college readiness;

(2) workforce readiness;

(3) dropout prevention; or

(4) personal financial literacy.

(b) To implement or administer a program under this section, the commissioner may accept gifts, grants, and donations from public or private entities.

(c) The commissioner may conduct a study of the programs under this section to determine the success of the programs in preparing students for higher education and participation in the workforce.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Dukes offered the following amendment to **CSHB 2237**:

Amend **CSHB 2237** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter Z, Chapter 29, Education Code, is amended by adding Section 29.911 to read as follows:

Sec. 29.911. "EDUCATION: GO GET IT" WEEK. (a) To educate middle school, junior high school, and high school students about the importance of higher education, each school district and each open-enrollment charter school offering any of those grade levels shall designate one week during the school year as "Education: Go Get It" Week.

(b) During the designated week, each middle school, junior high school, and high school shall provide students with comprehensive grade-appropriate information regarding the pursuit of higher education. The information provided must include information regarding:

(1) higher education options available to students;

(2) standard admission requirements for institutions of higher education, including:

(A) overall high school grade point average;

(B) required curriculum; and

(C) scores necessary on generally recognized tests or assessment instruments used in admissions determinations, including the Scholastic Assessment Test and the American College Test;

(3) automatic admission of certain students to general academic teaching institutions as provided by Section 51.803; and

(4) financial aid availability and requirements, including the financial aid information provided by counselors under Section 33.007(b).

(c) In addition to the information provided under Subsection (b), each middle school, junior high school, and high school shall provide to the students during the designated week at least one public speaker to promote the importance of higher education.

SECTION _____. Section 29.911, Education Code, as added by this Act, applies beginning with the 2007-2008 school year.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Miles offered the following amendment to **CSHB 2237**:

Amend **CSHB 2237** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. (a) Section 52.01, Family Code, is amended by adding Subsection (e) to read as follows:

(e) A law-enforcement officer who has probable cause to believe that a child is in violation of the compulsory school attendance law under Section 25.085, Education Code, may take the child into custody for the purpose of returning the child to the school campus of the child to ensure the child's compliance with compulsory school attendance requirements.

(b) Section 25.091, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) A peace officer who has probable cause to believe that a child is in violation of the compulsory school attendance law under Section 25.085 may take the child into custody for the purpose of returning the child to the school campus of the child to ensure the child's compliance with compulsory school attendance requirements.

(c) Notwithstanding any other provision of this Act, Section 52.01(e), Family Code, and Section 25.091(b-1), Education Code as added by this section take effect September 1, 2007.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Y. Davis offered the following amendment to **CSHB 2237**:

Amend **CSHB 2237** as follows:

(1) On page 27, between lines 24 and 25, insert the following appropriately numbered SECTION to the bill:

SECTION _____. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.0801 to read as follows:

Sec. 61.0801. RESEARCH AND PROGRAM TO FOCUS ON MINORITY STUDENT ACHIEVEMENT. (a) The board may enter into an agreement with a nonprofit educational leadership organization that qualifies for an exemption from federal taxes under Section 501(c)(3), Internal Revenue Code of 1986, to:

(1) conduct, coordinate, collect, and evaluate research relating to eliminating educational and other achievement gaps among ethnic and racial minority students, with a particular focus on eliminating achievement gaps among African American students; and

(2) develop programs, policies, and strategies to address the achievement gaps described by Subdivision (1).

(b) An organization that enters into an agreement under this section shall report to the board by a date as determined by the board:

(1) the findings of the research conducted under Subsection (a)(1); and

(2) any recommendations relating to:

(A) the research conducted under Subsection (a)(1); and

(B) the programs, policies, and strategies developed to address the achievement gaps as described by Subsection (a)(2).

(c) The board shall present the report described by Subsection (b) to legislature and the governor.

(d) An organization that enters into an agreement under this section or the board may solicit and accept gifts and grants from any public or private source to conduct the research described by this section.

(e) The board may use money appropriated for the purposes of this section and any gifts and grants received under Subsection (c) to establish and operate the research project described by this section.

(2) Renumber subsequent SECTIONS of the bill accordingly.

Amendment No. 4 was adopted.

CSHB 2237, as amended, was passed to engrossment. (The vote was reconsidered later today, and **CSHB 2237**, as amended, was passed to engrossment.)

GENERAL STATE CALENDAR
(consideration continued)

CSHB 3693 ON SECOND READING
(by Straus, Anchia, Crabb, P. King, Oliveira, et al.)

CSHB 3693, A bill to be entitled An Act relating to energy demand, energy load, energy efficiency incentives, energy programs, and energy performance measures.

Amendment No. 1

Representative Straus offered the following amendment to **CSHB 3693**:

Amend **CSHB 3693** (house committee printing) as follows:

(1) On page 2, strike lines 7-9 and substitute:

(1) is compatible with the light fixture;

(2) uses the fewest watts for the necessary luminous flux or light output; and

(3) is the most cost-effective, considering the factors described by Subdivisions (1) and (2).

(2) On page 6, line 5, strike "federal".

(3) On page 8, strike lines 1-3 and substitute:
nonattainment area or in an affected county other than:

(A) a school district; or

(B) a district as defined by Section 36.001 or

(4) On page 9, between lines 7 and 8, insert:

(f) This section does not apply to a state agency or an institution of higher education that the State Energy Conservation Office determines that, before September 1, 2007, adopted a plan for conserving energy under which the agency or institution established a percentage goal for reducing the consumption of electricity. The exemption provided by this section applies only while the agency or institution has an energy conservation plan in effect and only if the agency or institution submits reports on the conservation plan each calendar quarter to the governor, the Legislative Budget Board, and the State Energy Conservation Office.

(5) On page 11, strike lines 21-23 and substitute:

(f) During a state fiscal year the total amount of money that may be transferred by all nonprofit cooperative corporations under this section may not exceed \$1 million. No more than 20

(6) On page 13, strike line 14 and substitute:

(i) It is the intent of the legislature that net metering and advanced meter

(7) On page 13, strike lines 20-27.

(8) On page 14, strike lines 1-3 and substitute:

Sec. 39.9025. HOME ELECTRIC ENERGY REPORTS. The commission may encourage retail electric providers to deliver individualized home electric energy reports to educate consumers about electric energy use and energy efficiency to assist consumers to use energy more efficiently.

(9) On page 14, strike line 20 and substitute:

acquire additional cost-effective energy efficiency for residential and commercial customers equivalent to

(10) On page 14, strike line 23 and substitute:

growth in demand of residential and commercial customers by December 31, 2007;

(11) On page 14, strike line 25 and substitute:

growth in demand of residential and commercial customers by December 31, 2008, provided that the electric

(12) On page 14, strike line 27 and substitute:

than 75 percent above the utility's program budget for 2007 for residential and commercial customers, as

(13) On page 15, strike line 3 and substitute:

growth in demand of residential and commercial customers by December 31, 2009, provided that the electric

(14) On page 15, strike line 5 and substitute:

than 150 percent above the utility's program budget for 2007 for residential and commercial customers, as

(15) On page 15, line 19, strike ", as necessary," and substitute "~~as necessary,~~".

(16) On page 15, lines 24-25, strike "a financial incentive or performance bonus" and substitute "an incentive under Section 36.204".

(17) On page 16, strike line 8 and substitute:

(4) ensuring that

(18) On page 16, line 10, strike "are eligible to".

(19) On page 16, strike line 15 and substitute:

Subsection (b)(1) may not result in an over-recovery of costs but may be adjusted each year to change rates to

(20) On page 16, strike line 20 and substitute:

(b-2) The commission shall conduct a study, to be funded by electric utilities, regarding cost-effective energy

(21) On page 19, strike line 21 and substitute:

residents of single-family or multifamily residences and for small commercial customers;

(22) On page 25, line 26, following the semicolon, add "and".

(23) On page 26, strike lines 3-6 and substitute:

Section 39.9051(e).

SECTION 21A. Section 41.055, Utilities Code, is amended to read as follows:

Sec. 41.055. JURISDICTION OF BOARD OF DIRECTORS. A board of directors has exclusive jurisdiction to:

(1) set all terms of access, conditions, and rates applicable to services provided by the electric cooperative, except as provided by Sections 41.054 and 41.056, including nondiscriminatory and comparable rates for distribution but excluding wholesale transmission rates, terms of access, and conditions for wholesale transmission service set by the commission under Subchapter A,

Chapter 35, provided that the rates for distribution established by the electric cooperative shall be comparable to the distribution rates that apply to the electric cooperative and its subsidiaries;

(2) determine whether to unbundle any energy-related activities and, if the board of directors chooses to unbundle, whether to do so structurally or functionally;

(3) reasonably determine the amount of the electric cooperative's stranded investment;

(4) establish nondiscriminatory transition charges reasonably designed to recover the stranded investment over an appropriate period of time;

(5) determine the extent to which the electric cooperative will provide various customer services, including nonelectric services, or accept the services from other providers;

(6) manage and operate the electric cooperative's utility systems, including exercise of control over resource acquisition and any related expansion programs;

(7) establish and enforce service quality standards, reliability standards, and consumer safeguards designed to protect retail electric customers;

(8) determine whether a base rate reduction is appropriate for the electric cooperative;

(9) determine any other utility matters that the board of directors believes should be included;

(10) sell electric energy and capacity at wholesale, regardless of whether the electric cooperative participates in customer choice;

(11) determine the extent to which the electric cooperative offers energy efficiency programs and how the programs are administered by the electric cooperative; and

(12) [~~(11)~~] make any other decisions affecting the electric cooperative's method of conducting business that are not inconsistent with the provisions of this chapter.

(24) On page 26, line 7, strike "(a)".

(25) On page 26, strike lines 12-15.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Straus offered the following amendment to **CSHB 3693**:

Amend **CSHB 3693** (house committee report), on page 12 by striking line 18 and substituting the following:

(b) This section applies only to the following energy efficient products:

(1) an air conditioner the sales price of which does not exceed \$6,000;

(2) a clothes washer;

(3) a ceiling fan;

(4) a dehumidifier;

(5) a dishwasher;

(6) an incandescent or fluorescent lightbulb;

(7) a programmable thermostat; and

(8) a refrigerator the sales price of which does not exceed \$2,000.

(c) The sale of an energy-efficiency product to which this section applies is exempted from

Amendment No. 2 was adopted.

Amendment No. 3

Representative Villarreal offered the following amendment to **CSHB 3693**:

Amend **CSHB 3693** by inserting the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter A, Chapter 313, Tax Code, is amended by adding Section 313.008 to read as follows:

Sec. 313.008. REPORT ON COMPLIANCE WITH ENERGY-RELATED AGREEMENTS. (a) Before the beginning of each regular session of the legislature, the comptroller shall submit to the lieutenant governor, the speaker of the house of representatives, and each member of the legislature, a report on each agreement entered into under this chapter involving energy-related projects, including wind generation, ethanol production, liquefied natural gas terminals, low sulfur diesel production, refinery cogeneration, and nuclear energy production. The report must state for each agreement:

(1) the number of qualifying jobs each recipient of a limitation on appraised value committed to create;

(2) the number of qualifying jobs each recipient created;

(3) the median wage of the new jobs each recipient created;

(4) the amount of the qualified investment each recipient committed to expend or allocate per project;

(5) the amount of the qualified investment each recipient expended or allocated per project;

(6) the market value of the qualified property of each recipient;

(7) the limitation on appraised value for the qualified property of each recipient;

(8) the dollar amount of the ad valorem taxes that would have been imposed on the market value of the qualified property;

(9) the dollar amount of the ad valorem taxes imposed on the qualified property;

(10) the number of new jobs created by each recipient in each sector of the North American Industry Classification System (NAICS); and

(11) of the number of new jobs each recipient created, the number of positions created that provide health benefits for employees.

(b) The report may not include information that is made confidential by law.

(c) The comptroller may require a recipient to submit, on a form provided by the comptroller, information required to complete the report.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Villarreal offered the following amendment to **CSHB 3693**:

Amend **CSHB 3693** by adding the following appropriately numbered SECTION to the bill and renumbering existing SECTIONS appropriately:

SECTION _____. Subchapter A, Chapter 313, Tax Code, is amended by adding Section 313.008 to read as follows:

Sec. 313.008. REPORT ON COMPLIANCE WITH ENERGY-RELATED AGREEMENTS. (a) Before the beginning of each regular session of the legislature, the comptroller shall submit to the lieutenant governor, the speaker of the house of representatives, and each member of the legislature, a report on each agreement entered into under this chapter involving energy-related projects, including wind generation, ethanol production, liquefied natural gas terminals, low sulfur diesel production, refinery cogeneration, and nuclear energy production. The report must include for each agreement:

(1) the number of qualifying jobs each recipient of a limitation on appraised value committed to create;

(2) the number of qualifying jobs each recipient created;

(3) the median wage of the qualifying jobs each recipient created;

(4) the amount of the qualified investment each recipient committed to expend or allocate per project;

(5) the amount of the qualified investment each recipient expended or allocated per project;

(6) the market value of the qualified property of each recipient;

(7) the limitation on appraised value for the qualified property of each recipient;

(8) the dollar amount of the ad valorem taxes that would have been imposed on the market value of the qualified property;

(9) the dollar amount of the ad valorem taxes imposed on the qualified property;

(10) the number of jobs created by each recipient in each sector of the North American Industry Classification System (NAICS); and

(11) of the number of jobs each recipient created, the number of positions created that provide health benefits for employees.

(b) The report may not include information that is made confidential by law.

(c) The comptroller may require a recipient to submit, on a form provided by the comptroller, information required to complete the report.

Amendment No. 4 was withdrawn.

Amendment No. 5

Representative Burnam offered the following amendment to **CSHB 3693**:

Amend **CSHB 3693** (House committee printing) on page 12, by striking lines 18-21, and substituting the following:

(b) The sale of an energy-efficient product is exempted from the taxes imposed by this chapter if the sale takes place during a period beginning at 12:01 a.m. on the Saturday preceding the last Monday in May (Memorial Day) and ending at 11:59 p.m. on the last Monday in May.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Coleman offered the following amendment to **CSHB 3693**:

Amend **CSHB 3693** by adding the following sections, numbered appropriately, and renumbering the sections of the bill accordingly:

SECTION _____. Chapter 39, Utilities Code, is amended by adding Section 39.9051 to read as follows:

Sec. 39.9051. ENERGY EFFICIENCY DEMONSTRATION PROJECTS FOR SOLAR ELECTRIC SYSTEM; GRANT PROGRAM. (a) The commission by rule shall establish grant programs for:

(1) a demonstration project for installation of solar electric systems for new residential subdivisions;

(2) a demonstration project for installation of solar electric systems for new or established affordable housing for persons with low incomes; and

(3) a demonstration project for installation of solar electric systems for not more than three small businesses.

(b) To qualify for a grant under this section, the solar electric system must be a device that:

(1) generates electricity using solar resources;

(2) has a generating capacity of not more than 1,000 kilowatts; and

(3) is installed with a warranty against breakdown or undue degradation for a period of at least five years.

(c) A demonstration project grant program established under this section must provide for full or partial payment of the cost of equipment and installation for the solar electric systems. The commission shall establish for each grant program a competitive bidding process for grant applicants. The commission shall consider the value of funding demonstration projects in different parts of this state, after considering the demographic and geographic diversity of this state.

(d) To qualify for a grant under Subsection (a)(1) the applicant:

(1) must be a person whose primary business activity is the building of residential housing developments; and

(2) must have installed or must be contractually obligated to install qualifying solar electric systems in each residence constructed in a residential subdivision.

(e) To qualify for a grant under Subsection (a)(2) the applicant must have installed or be contractually obligated to install a qualifying solar electric system for residential real property:

(1) appraised in accordance with Section 23.21, Tax Code, as affordable housing property; or

(2) subject to a contractual obligation that the property will be appraised in accordance with Section 23.21, Tax Code, as affordable housing property within a reasonable time after the grant is received.

(f) To qualify for a grant under Subsection (a)(3), the applicant must be a small business or owner of a small business that meets qualifications adopted by the commission after consideration of federal Small Business Administration standards for qualification for loans from that administration.

(g) The commission shall issue a report to the governor, lieutenant governor, and speaker of the house of representatives not later than December 1 of each even-numbered year summarizing the status of the grant programs established under Subsection (a). The report must include the amount of money granted to each demonstration project and an evaluation of whether the projects demonstrate the economic and ecologic viability of solar electric system installations.

(h) This section expires December 31, 2010.

SECTION _____. (a) The Public Utility Commission of Texas may apply to a demonstration project grant program established under Section 39.9051, Utilities Code, as added by this Act, any money appropriated to the commission that may be used for that purpose.

(b) The Public Utility Commission of Texas may solicit and accept gifts, grants, and other donations from any source to carry out the demonstration grant program established under Section 39.9051, Utilities Code, as added by this Act.

(c) Contingent on the passage and becoming law of **SB 482**, Acts of the 80th Legislature, Regular Session, 2007, or similar legislation that enacts a provision that establishes a fee on retail electric provider related to the number of customers the provider gains in a given period, notwithstanding any law dedicating that fee revenue for a particular purpose, that fee revenue may be appropriated for use by the Public Utility Commission of Texas for a demonstration project grant program under Section 39.914, Utilities Code, as added by this Act.

(c) This section expires December 31, 2010.

Amendment No. 6 was adopted.

CSHB 3693, 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.)

HB 2460 ON SECOND READING

(by Flynn, B. Cook, Truitt, Kolkhorst, and McClendon)

HB 2460, A bill to be entitled An Act relating to the continuation and functions of the Texas Commission on the Arts.

HB 2460 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 2864 ON SECOND READING

(by Chisum)

HB 2864, A bill to be entitled An Act relating to a pilot program to provide supplemental technology-based instruction to students in rural school districts.

HB 2864 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 3083 ON SECOND READING
(by Phillips)

HB 3083, A bill to be entitled An Act relating to the creation of a judicial district in Grayson County and to the composition of the 6th Judicial District and the 336th Judicial District.

HB 3083 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 3093 ON SECOND READING
(by C. Howard)

HB 3093, A bill to be entitled An Act relating to verification of a customer's zip code in a credit card transaction.

Amendment No. 1

Representative C. Howard offered the following amendment to **HB 3093**:

Amend **HB 3093** (House Committee Printing) on page 1, between lines 22 and 23, by inserting the following:

(d) A business that obtains a customer's zip code under Subsection (b) may not retain the zip code in any form after the purchase of the good or service has been completed.

Amendment No. 1 was adopted.

HB 3093, 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 3441 ON SECOND READING
(by Phillips)

CSHB 3441, A bill to be entitled An Act relating to the erection and maintenance of tourist-oriented directional signs on eligible highways.

CSHB 3441 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.)

POSTPONED BUSINESS

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

CSHB 89 ON SECOND READING
(by Branch and England)

CSHB 89, A bill to be entitled An Act relating to an exemption for certain political committees from the imposition of civil penalties for violating requirements for reporting political contributions and expenditures.

CSHB 89 was read second time earlier today, amendments were offered and disposed of, and **CSHB 89** was postponed until this time.

Amendment No. 3

On behalf of Representative Gallego, Representative Branch offered the following amendment to **CSHB 89**:

Amend **CSHB 89** by adding the following SECTION to the bill, appropriately numbered, and renumbering existing SECTIONS accordingly:

SECTION _____. Not later than December 31, 2008, the Texas Ethics Commission shall submit a report to the legislature on the impacts and effects of Section 254.164, Election Code, as added by this Act.

Amendment No. 3 was adopted.

CSHB 89, 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. Members registering votes are as follows: Herrero and Leibowitz recorded voting no.)

GENERAL STATE CALENDAR
(consideration continued)

HB 646 ON SECOND READING
(by McCall)

HB 646, A bill to be entitled An Act relating to an exemption from the sales tax for nonvehicular fuel cells.

HB 646 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 3200 ON SECOND READING
(by Madden)

CSHB 3200, A bill to be entitled An Act relating to the computation of certain funding for community supervision and corrections departments.

Amendment No. 1

Representative Madden offered the following amendment to **CSHB 3200**:

Amend **CSHB 3200** (House Committee Printing) as follows:

- (1) On page 2, line 12, strike "biennially" and substitute "annually".
- (2) On page 2, line 16, strike "Subsection (a)(1)(A)" and substitute "Subsections (a)(1) and (2)".
- (3) On page 2, line 16, strike "The" and substitute "With reference to funding distributed under Subsection (a)(1)(A), the".
- (4) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 19, Article 42.12, Code of Criminal Procedure, is amended by amending Subsections (a) and (b) and adding Subsection (g) to read as follows:

(a) Except as otherwise provided by this subsection, a judge granting community supervision shall fix a fee of not less than \$25 and not more than \$60 per month to be paid during the period of community supervision by the defendant to the court of original jurisdiction or, in the case of an intrastate transfer described by Section 10(b) of this article, to the court to which jurisdiction of the defendant's case is transferred ~~[by the defendant during the community supervision period]~~. The judge may make payment of the fee a condition of granting or continuing the community supervision. The judge may waive or reduce the fee or suspend a monthly payment of the fee if the judge determines that payment of the fee would cause the defendant a significant financial hardship.

(b) A ~~The~~ judge shall deposit any fee ~~the fees~~ received under Subsection (a) of this section in the special fund of the county treasury, to be used for the same purposes for which state aid may be used under Chapter 76, Government Code.

(g) A court to which jurisdiction of a defendant's case is transferred under Section 10(b) of this article shall enter an order directing the defendant to pay the monthly fee described by Subsection (a) of this section to that court in lieu of paying the monthly fee to the court of original jurisdiction. To the extent of any conflict between an order issued under this subsection and an order issued by a court of original jurisdiction, the order entered under this subsection prevails.

Amendment No. 1 was adopted.

CSHB 3200, 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.)

HB 2785 ON SECOND READING

(by Paxton, Hughes, Eissler, Keffer, et al.)

HB 2785, A bill to be entitled An Act relating to property tax relief.

Amendment No. 1

Representative Paxton offered the following amendment to **HB 2785**:

Amend **HB 2785** on page 1, line 10 by striking "60.67" and inserting "63.33".

HB 2785 - POINT OF ORDER

Representative Herrero raised a point of order against further consideration of **HB 2785** 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 Paxton moved to postpone consideration of **HB 2785** until 9:30 p.m. today.

The motion prevailed.

POSTPONED BUSINESS

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

CSHB 3222 ON SECOND READING

(by Elkins, Escobar, Crabb, Anderson, and Leibowitz)

CSHB 3222, A bill to be entitled An Act relating to a business's duty to protect and safeguard sensitive personal information contained in its customer records.

CSHB 3222 was read second time earlier today, and was postponed until this time. Amendment No. 1 was pending at the time of postponement.

CSHB 3222 - POINT OF ORDER

Representative Coleman raised a point of order against further consideration of **CSHB 3222** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The speaker overruled the point of order.

Amendment No. 2

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

Amend Floor Amendment No. 1 by Elkins of **CSHB 3222** on page 3, line 28, immediately after "Subsection (e)", by inserting "and may be held liable for attorney's fees and costs for an action brought under that subsection as provided by Subsection (i)".

Amendment No. 2 was adopted.

Amendment No. 3

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

Amend Floor Amendment No. 1 by Elkins to **CSHB 3222** in SECTION 1, as proposed by the amendment, by striking added Subsection (c), Section 48.102, Business & Commerce Code, and substituting the following:

(c) A business that, in the regular course of business and in connection with an access device, collects sensitive personal information or stores or maintains sensitive personal information in a structured database or unstructured files must comply with payment card industry data security standards.

Amendment No. 3 was adopted.

Amendment No. 1, as amended, was adopted.

CSHB 3222, 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.)

GENERAL STATE CALENDAR
(consideration continued)

CSHB 2566 ON SECOND READING
(by Madden)

CSHB 2566, A bill to be entitled An Act relating to a document or instrument filed by an inmate with a court concerning real or personal property.

Amendment No. 1

Representative Madden offered the following amendment to **CSHB 2566**:

Amend **CSHB 2566** by striking SECTIONS 1, 2, and 3 of the bill (page 1, line 5 through page 3, line 8), substituting the following appropriately numbered SECTIONS, and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 12.001, Civil Practice and Remedies Code, is amended by adding Subdivisions (2-a), (2-b), (2-c), and (5) to read as follows:

(2-a) "Filing office" has the meaning assigned by Section 9.102, Business & Commerce Code.

(2-b) "Financing statement" has the meaning assigned by Section 9.102, Business & Commerce Code.

(2-c) "Inmate" means a person housed in a secure correctional facility.

(5) "Secure correctional facility" has the meaning assigned by Section 1.07, Penal Code.

SECTION _____. Section 12.002, Civil Practice and Remedies Code, is amended by adding Subsections (a-1) and (a-2) and amending Subsection (b) to read as follows:

(a-1) Except as provided by Subsection (a-2), a person may not file an abstract of a judgment or an instrument concerning real or personal property with a court or county clerk, or a financing statement with a filing office, if the person:

(1) is an inmate; or

(2) is not licensed or regulated under Title 11, Insurance Code, and is filing on behalf of another person who the person knows is an inmate.

(a-2) A person described by Subsection (a-1) may file an abstract, instrument, or financing statement described by that subsection if the document being filed includes a statement indicating that:

(1) the person filing the document is an inmate; or

(2) the person is filing the document on behalf of a person who is an inmate.

(b) A person who violates Subsection (a) or (a-1) is liable to each injured person for:

(1) the greater of:

(A) \$10,000; or

(B) the actual damages caused by the violation;

- (2) court costs;
- (3) reasonable attorney's fees; and
- (4) exemplary damages in an amount determined by the court.

Amendment No. 1 was adopted.

CSHB 2566, 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.)

HB 448 ON SECOND READING
(by Phillips)

HB 448, A bill to be entitled An Act relating to the calculation of child support obligations.

Amendment No. 1

Representative T. Smith offered the following amendment to **HB 448**:

Amend **HB 448** by adding the following appropriately numbered SECTIONS and renumbering existing SECTIONS of the bill accordingly:

SECTION _____. Section 154.125, Family Code, is amended to read as follows:

Sec. 154.125. APPLICATION OF GUIDELINES TO NET RESOURCES [~~OF \$6,000 OR LESS~~]. (a) The guidelines for the support of a child in this section are specifically designed to apply to situations in which the obligor's monthly net resources are not greater than \$7,500 or the adjusted amount determined under Subsection (a-1), whichever is greater [~~\$6,000 or less~~].

(a-1) The dollar amount prescribed by Subsection (a) is adjusted every six years as necessary to reflect inflation. The Title IV-D agency shall compute the adjusted amount, to take effect beginning September 1 of the year of the adjustment, based on the percentage change during the preceding TEN-year period in the consumer price index, as rounded to the nearest \$50 increment. The Title IV-D agency shall publish the adjusted amount in the Texas Register before September 1 of the year in which the adjustment takes effect. For purposes of this subsection, "consumer price index" has the meaning assigned by Section 341.201, Finance Code.

(a-2) The initial adjustment required by Subsection (a-1) shall take effect September 1, 2013. This subsection expires September 1, 2014.

(b) If the obligor's monthly net resources are not greater than the amount provided by Subsection (a) [~~\$6,000 or less~~], the court shall presumptively apply the following schedule in rendering the child support order:

CHILD SUPPORT GUIDELINES

BASED ON THE MONTHLY NET RESOURCES OF THE OBLIGOR

1 child	20% of Obligor's Net Resources
2 children	25% of Obligor's Net Resources
3 children	30% of Obligor's Net Resources
4 children	35% of Obligor's Net Resources
5 children	40% of Obligor's Net Resources

6+ children _____ Not less than the amount for 5 children

SECTION _____. Section 154.126, Family Code, is amended to read as follows:

Sec. 154.126. APPLICATION OF GUIDELINES TO ADDITIONAL NET RESOURCES [~~OF MORE THAN \$6,000 MONTHLY~~]. (a) If the obligor's net resources exceed the amount provided by Section 154.125(a) [\$6,000 per month], the court shall presumptively apply the percentage guidelines to the portion [first \$6,000] of the obligor's net resources that does not exceed that amount. Without further reference to the percentage recommended by these guidelines, the court may order additional amounts of child support as appropriate, depending on the income of the parties and the proven needs of the child.

(b) The proper calculation of a child support order that exceeds the presumptive amount established for the portion [first \$6,000] of the obligor's net resources provided by Section 154.125(a) requires that the entire amount of the presumptive award be subtracted from the proven total needs of the child. After the presumptive award is subtracted, the court shall allocate between the parties the responsibility to meet the additional needs of the child according to the circumstances of the parties. However, in no event may the obligor be required to pay more child support than the greater of the presumptive amount or the amount equal to 100 percent of the proven needs of the child.

SECTION _____. Section 154.130(b), Family Code, is amended to read as follows:

(b) If findings are required by this section, the court shall state whether the application of the guidelines would be unjust or inappropriate and shall state the following in the child support order:

"(1) the monthly net resources of the obligor per month are \$ _____;

"(2) the monthly net resources of the obligee per month are \$ _____;

"(3) the percentage applied to the obligor's net resources for child support by the actual order rendered by the court is _____%;

"(4) the amount of child support if the percentage guidelines are applied to the portion [first \$6,000] of the obligor's net resources that does not exceed the amount provided by Section 154.125(a), Family Code, is \$ _____;

"(5) if applicable, the specific reasons that the amount of child support per month ordered by the court varies from the amount stated in Subdivision (4) are: _____; and

"(6) if applicable, the obligor is obligated to support children in more than one household, and:

"(A) the number of children before the court is _____;

"(B) the number of children not before the court residing in the same household with the obligor is _____; and

"(C) the number of children not before the court for whom the obligor is obligated by a court order to pay support, without regard to whether the obligor is delinquent in child support payments, and who are not counted under Paragraph (A) or (B) is _____."

SECTION _____. The changes in law made by this Act to Sections 154.125, 154.126, and 154.130(b), Family Code, apply only to a suit affecting the parent-child relationship that is commenced on or after September 1, 2007. A suit affecting the parent-child relationship commenced before September 1, 2007, is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted. (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

HB 448, 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.) (The vote was reconsidered later today, and **HB 448**, as amended, was passed to engrossment.)

HB 124 ON SECOND READING
(by Peña)

HB 124, A bill to be entitled An Act relating to certain offenses that involve impersonating a peace officer or other public servant and misrepresenting the nature of certain property.

Representative Peña moved to postpone consideration of **HB 124** until 10 a.m. Friday, May 11.

The motion prevailed.

HB 1801 ON SECOND READING
(by Zerwas)

HB 1801, A bill to be entitled An Act relating to the date by which a prosecuting attorney may appeal certain orders, rulings, or sentences in a criminal case.

Amendment No. 1

Representative Zerwas offered the following amendment to **HB 1801**:

Amend **HB 1801** (committee printing) on page 1, line 8, by striking "30th" and substituting "20th".

Amendment No. 1 was adopted.

HB 1801, 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.)

REMARKS ORDERED PRINTED

Representative Rose moved to print remarks between Representative Puente and Representative Rose regarding **CSHB 1292**.

The motion prevailed.

HB 1035 ON SECOND READING
(by Riddle)

HB 1035, A bill to be entitled An Act relating to the admissibility of certain hearsay statements made by a child abuse victim.

HB 1035 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 3735 ON SECOND READING
(by McReynolds, et al.)

HB 3735, A bill to be entitled An Act relating to a diabetes demonstration pilot program.

HB 3735 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 1123 ON SECOND READING
(by B. Brown)

HB 1123, A bill to be entitled An Act relating to certain penalties imposed for the destruction of a mailbox or other address identifier.

Representative B. Brown moved to postpone consideration of **HB 1123** until 10 p.m. today.

The motion prevailed.

CSHB 2237 - VOTE RECONSIDERED

Representative Eissler moved to reconsider the vote by which **CSHB 2237**, as amended, was passed to engrossment.

The motion to reconsider prevailed.

CSHB 2237 ON SECOND READING
(by Eissler, Giddings, Woolley, Hochberg, Guillen, et al.)

CSHB 2237, A bill to be entitled An Act relating to high school success and college and workforce readiness programs in public schools.

Amendment No. 5

Representative Eissler offered the following amendment to **CSHB 2237**:

Amend **CSHB 2237** as follows:

(1) Strike "Board" in reference to the High School Completion and Success Initiative Board throughout the bill, in each of the following places it appears, and substitute "Committee": page 3, lines 9 and 20; page 8, lines 22 and 23; page 11, line 6; page 14, lines 24 and 25; and page 23, lines 2, 14, and 24.

(2) Strike "board" in reference to the High School Completion and Success Initiative Board throughout the bill, in each of the following places it appears, and substitute "committee": page 8, line 27; page 9, lines 3 and 17; page 10, lines 4, 5, and 11; page 11, lines 5 and 8; page 12, lines 3 and 17; page 13, lines 11 and 16; page 14, line 9; page 15, line 11; page 17, line 20; page 23, lines 7, 12, and 23; page 25, lines 6, 7, 10, 12, 15, and 16; page 26, lines 8, 13, 19, and 25; and page 27, lines 10 and 12.

(3) On page 3, lines 10-11, strike "award grants" and substitute "recommend the award of grants as provided by Section 39.360".

(4) On page 4, line 3, strike "Using" and substitute "From".

(5) On page 4, line 5, between "receive" and "assistance", insert "grants to provide".

(6) On page 4, line 6, between "the" and "instructional", insert "content knowledge and".

(7) On page 4, strike lines 9-25 and substitute the following:

(b) A school district or campus is eligible to participate in the pilot program under this section if the district or campus meets the eligibility criteria established as provided by Section 39.360.

(c) A grant awarded under this section may be used to support intensive instructional coaching and professional development from a service provider approved by the commissioner. Approved service providers may include:

(1) academies and training centers established in conjunction with a Texas Science, Technology, Engineering, and Mathematics (T-STEM) center;

(2) regional education service centers;

(3) institutions of higher education; and

(4) private organizations with significant experience in providing mathematics instruction, as determined by the commissioner.

(d) An instructional coaching or professional development program supported by a grant under this section must demonstrate significant past effectiveness in improving mathematics instruction in middle schools, junior high schools, and high schools serving a significant number of students identified as students at risk of dropping out of school, as described by Section 29.081(d). An instructional coaching or professional development program may

(8) On page 5, line 2, strike "individual tutoring" and substitute "tutoring or mentoring".

(9) On page 5, line 3, between the semicolon and "or", insert the following:

(3) providing incentives to teachers to participate in the program;

(10) On page 5, line 4, strike "(3)" and substitute "(4)".

(11) On page 5, line 7, strike "(d)" and substitute "(e)".

(12) On page 5, lines 8-11, strike the sentence beginning on line 8.

(13) On page 8, line 4, strike "2007-2008" and substitute "2008-2009".

(14) On page 9, lines 5 and 15, strike "board may award a grant" in each place it appears and substitute "the committee may recommend and the commissioner may award a grant as provided by Section 39.360".

(15) On page 9, lines 7-9, strike "at which at least 60 percent of the students are identified as students at risk of dropping out of school" and substitute "that is eligible under the criteria established under Section 39.360".

(16) On page 11, lines 8-9, strike "by rule".

(17) Strike page 11, line 12, through page 12, line 2, and substitute the following:

(c) A school district or open-enrollment charter school is eligible to participate and receive a grant under this section under the eligibility criteria established under Section 39.360.

(18) On page 12, line 27, strike "minimum" and substitute "recommended".

(19) On page 14, lines 12-13, strike "The board" and substitute "From funds appropriated, the commissioner".

(20) On page 14, line 20, strike "board" and substitute "commissioner".

(21) On page 15, lines 2-3, strike "by rule".

(22) On page 15, line 3, between "program" and "to", insert "for the commissioner".

(23) On page 15, strike lines 11-23 and substitute the following:

(c) The commissioner may select for participation in the pilot program only a campus that is eligible under the criteria established under Section 39.360.

(24) On page 17, strike lines 22-26 and substitute "section, "pilot program" means the intensive summer pilot".

(25) On page 18, line 2, strike "board" and substitute "commissioner of higher education".

(26) Strike page 18, line 23, through page 19, line 9, and substitute the following:

(c) The commissioner of higher education may select for participation in the pilot program only a campus that is eligible under the criteria established under Section 39.360.

(27) On page 21, line 1, strike "board." and substitute "commissioner of higher education.".

(28) On page 21, line 19, strike "developed and".

(29) On page 21, lines 22 and 24, strike "develop and" both places that phrase appears.

(30) On page 22, line 1, after "technology", insert "instructional".

(31) On page 22, line 15, after the period, insert the following:

The district or charter school shall submit the plan not later than December 1 of each school year preceding the school year in which the district or charter school will receive the compensatory education allotment to which the plan applies.

(32) On page 22, line 20, after the period, insert the following:
The commissioner shall complete an initial review of the district's or charter school's plan not later than March 1 of the school year preceding the school year in which the district or charter school will receive the compensatory education allotment to which the plan applies.

(33) On page 23, lines 3-4, strike "provide grants to secondary campuses and school districts" and substitute "establish a grant program under which grants are awarded to secondary campuses and school districts".

(34) Strike page 23, line 25, through page 25, line 4, and substitute the following:

Sec. 39.352. HIGH SCHOOL COMPLETION AND SUCCESS INITIATIVE COMMITTEE. (a) The High School Completion and Success Initiative Committee is established to coordinate high school completion efforts.

(b) The committee is composed of:

(1) the commissioner of education;

(2) the commissioner of higher education; and

(3) seven members appointed by the commissioner of education.

(c) In making appointments required by Subsection (b)(3), the commissioner of education shall appoint:

(1) three members from a list of nominations provided by the governor;

(2) two members from a list of nominations provided by the lieutenant governor; and

(3) two members from a list of nominations provided by the speaker of the house of representatives.

(d) In making nominations under Subsection (c), the governor, lieutenant governor, and speaker of the house of representatives shall nominate persons who have distinguished experience in:

(1) developing and implementing high school reform strategies; and

(2) promoting college and workforce readiness.

Sec. 39.353. TERMS. Members of the committee appointed under Section 39.352(b)(3) serve terms of two years and may be reappointed for additional terms.

(35) On page 25, line 7, strike "BOARD" and substitute "COMMITTEE".

(36) On page 25, strike line 13 and substitute "Sec. 39.357. COMMITTEE STAFF AND FUNDING. (a) Except as otherwise provided, staff members of the agency, with the assistance of"

(37) On page 25, line 14, between "Board" and "shall", insert a comma.

(38) On page 25, between lines 15 and 16, insert the following:

(b) Funding for the administrative and operational expenses of the committee shall be provided by appropriation to the agency for that purpose and by gifts, grants, and donations solicited and accepted by the agency for that purpose.

Sec. 39.358. ADVISORY PANELS. (a) The committee may establish advisory panels to assist the committee under this subchapter.

(b) An advisory panel member may be an educator, researcher, or any other knowledgeable person as determined by the committee.

(39) On page 25, line 16, strike "39.358" and substitute "39.359".

(40) On page 25, line 25, strike "award grants" and substitute "recommend the award of grants as provided by Section 39.360".

(41) On page 26, line 3, strike "awarding grants" and substitute "recommending the award of grants as provided by Section 39.360".

(42) On page 26, line 5, strike "award grants" and substitute "recommend the award of grants as provided by Section 39.360".

(43) On page 26, between lines 13 and 14, insert the following:

Sec. 39.360. ELIGIBILITY CRITERIA FOR CERTAIN GRANT PROGRAMS. (a) A school district or campus is eligible to participate in programs under Sections 21.4541, 29.095, 29.096, 29.097, and 29.098 if the district or campus:

(1) exhibited during the 2004-2005, 2005-2006, and 2006-2007 school years characteristics that strongly correlate with high school dropout rates; and

(2) is located in a community that, based on the most recent census data, exhibits demographic characteristics that strongly correlate with high dropout rates.

(b) The commissioner of education or the commissioner of higher education, as appropriate, in consultation with the state demographer, shall develop eligibility criteria based on relevant state and federal data that:

(1) identifies eligible high schools to receive grants under each program; and

(2) ensures that each group of eligible high schools provides services to at least 150,000 students.

(44) On page 26, line 14, strike "39.359" and substitute "39.361".

(45) On page 26, line 15, strike "that purpose" and substitute "high school completion and success".

(46) On page 26, line 18, between "the" and "strategic", insert "criteria established under the".

(47) On page 26, line 20, strike "39.360" and substitute "39.362".

(48) On page 26, line 21, strike "shall" and substitute "may".

(49) Strike page 26, line 27, through page 27, line 8, and substitute the following:

Sec. 39.363. GRANT PROGRAM EVALUATION. (a) From funds appropriated for high school completion and success, the commissioner of education shall set aside not more than \$1.5 million annually to contract for the evaluation of programs supported by grants approved under this subchapter. In awarding a contract under this subsection, the commissioner shall consider centers for education research established under Section 1.005.

(b) A person who receives a grant approved under this subchapter must consent to an evaluation under this section as a condition of receiving the grant.

(c) The commissioner shall ensure that a rigorous evaluation is conducted under this section. Results of the evaluation shall be provided through the online clearinghouse of information relating to the best practices of campuses and school districts established under Section 7.009.

Sec. 39.364. COMMITTEE RECOMMENDATIONS. (a) Based on the strategic plan adopted under this section, the committee shall make recommendations to the commissioner of education or the commissioner of higher education, as applicable, using the review and evaluation processes established by the committee for the award of federal and state funds appropriated or received for high school reform, college readiness, and dropout prevention.

(b) The committee shall include recommendations under this section for:

(1) program design;

(2) criteria for awarding grants and evaluating programs; and

(3) program funding levels.

(c) The commissioner of education or the commissioner of higher education, as applicable, shall consider the committee's recommendations and based on those recommendations may award grants to school districts, open-enrollment charter schools, institutions of higher education, regional education service centers, and nonprofit organizations to meet the goals of the committee's strategic plan.

(d) If the commissioner of education or the commissioner of higher education, as applicable, decides not to award a grant contrary to the committee's recommendation, the commissioner shall provide a written explanation of the commissioner's decision.

(e) The commissioner of education or the commissioner of higher education may not award a grant under this section without the recommendation of the committee.

Sec. 39.365. FUNDING FOR CERTAIN PROGRAMS. (a) From funds appropriated, the agency shall transfer \$8.75 million each year to the Texas Higher Education Coordinating Board to establish mathematics, science, and technology teacher preparation academies under Section 21.462 and implement and administer the program under Section 29.098.

(b) The Texas Higher Education Coordinating Board shall establish mathematics, science, and technology teacher preparation academies under Section 21.462 and implement and administer the program under Section 29.098 in a manner consistent with the goals of this subchapter and the goals in "Closing the Gaps," the state's master plan for higher education.

(50) On page 27, line 9, strike "39.362" and substitute "39.366".

(51) On page 27, lines 23-24, strike "by the board" and substitute "under this subchapter".

(52) On page 27, between lines 24 and 25, insert the following:

Sec. 39.367. RULES. The commissioner of education and the commissioner of higher education shall adopt rules as necessary to administer this subchapter and any programs under the authority of the commissioner of education or the commissioner of higher education and the committee under this subchapter.

(53) On page 28, strike lines 17-25 and renumber the SECTIONS of the bill accordingly.

Amendment No. 5 was adopted.

CSHB 2237, 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.)

GENERAL STATE CALENDAR
(consideration continued)
CSHB 1915 ON SECOND READING
(by Swinford)

CSHB 1915, A bill to be entitled An Act relating to the creation of a fire department listing by the Texas Forest Service.

Amendment No. 1

Representative Swinford offered the following amendment to **CSHB 1915**:

Amend **CSHB 1915** by adding the following SECTIONS to the bill, appropriately numbered, and renumbering the SECTIONS of the bill accordingly:
 SECTION _____. Section 2007.002, Insurance Code, is amended to read as follows:

Sec. 2007.002. ASSESSMENT. The comptroller shall assess against all insurers to which this chapter applies a combined total of \$30 [~~\$15~~] million for each 12-month period.

SECTION _____. Section 2007.009, Insurance Code, is repealed.

SECTION _____. Section 2007.002, Insurance Code, as amended by this Act, does not apply to an assessment under Section 2007.004, Insurance Code, that is made by the comptroller on or before September 1, 2007.

Amendment No. 1 was adopted. (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

CSHB 1915, 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.) (The vote was reconsidered later today, and **CSHB 1915** was passed to engrossment.)

CSHB 2414 ON SECOND READING
(by Isett)

CSHB 2414, A bill to be entitled An Act relating to hunting from public roads or rights-of-way.

Amendment No. 1

Representative T. King offered the following amendment to **CSHB 2414**:

Amend **CSHB 2414** (House Committee Printing) on page 1, by striking lines 15-16 and substituting the following:

(b) This section does not apply to:

(1) the trapping of a raptor for educational or sporting purposes as provided by Chapter 49; or

(2) the capture, trapping, or hunting of a reptile, amphibian, or insect.

Amendment No. 1 was adopted.

CSHB 2414, 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. Members registering votes are as follows: Hughes recorded voting no.)

HB 431 ON SECOND READING
(by Madden and McClendon)

HB 431, A bill to be entitled An Act relating to the release of a defendant convicted of a state jail felony on medically recommended intensive supervision.

Amendment No. 1

Representative Madden offered the following amendment to **HB 431**:

Amend **HB 431** (house committee printing) as follows:

(1) On page 1, lines 10 and 24, immediately following "medical care facility", insert "or medical treatment program".

(2) On page 1, line 23, between "facility" and the period, insert "or in the program".

Amendment No. 1 was adopted.

Amendment No. 2

Representative P. King offered the following amendment to **HB 431**:

Amend **HB 431** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 42, Code of Criminal Procedure, is amended by adding Article 42.039 to read as follows:

Art. 42.039. CONFINEMENT AWAITING TRANSFER TO CERTAIN FACILITIES. A judge ordering the placement of a defendant in a community corrections facility or substance abuse felony punishment facility may order the defendant confined in the county jail for a period not to exceed 140 days while awaiting transfer to the facility.

SECTION _____. Sections 12(a) and (b), Article 42.12, Code of Criminal Procedure, are amended to read as follows:

(a) If a judge having jurisdiction of a misdemeanor case requires as a condition of community supervision that the defendant submit to a period of confinement in a county jail, the period of confinement may not exceed 30 days. If a judge having jurisdiction of a felony case requires as a condition of community supervision that the defendant submit to a period of confinement in a county jail, the period of confinement may not exceed 180 days. The period of confinement in a county jail by a defendant awaiting transfer to a community corrections facility or a substance abuse felony punishment facility does not count toward the limits imposed by this subsection.

(b) A judge that requires as a condition of community supervision that the defendant serve a term in a community corrections facility under Section 18 [~~of this article~~] may not impose a term of confinement under this section that, when

added to the term imposed under Section 18, exceeds 24 months. The period of confinement in a county jail by a defendant awaiting transfer to a community corrections facility does not count toward the limit imposed by this subsection.

SECTION _____. Section 23(b), Article 42.12, Code of Criminal Procedure, is amended to read as follows:

(b) No part of the time that the defendant is on community supervision may ~~shall~~ be considered as any part of the time that the defendant is ~~he shall be~~ sentenced to serve, except that any time spent by the defendant in a county jail awaiting transfer to a community corrections facility or a substance abuse felony punishment facility applies toward completion of the sentence. The right of the defendant to appeal for a review of the conviction and punishment, as provided by law, shall be accorded the defendant at the time he is placed on community supervision. When he is notified that his community supervision is revoked for violation of the conditions of community supervision and he is called on to serve a sentence in a jail or in the institutional division of the Texas Department of Criminal Justice, he may appeal the revocation.

SECTION _____. The changes in law made by this Act in adding Article 42.039, Code of Criminal Procedure, and amending Sections 12(a) and (b) and 23(b), Article 42.12, Code of Criminal Procedure, apply only to a defendant convicted of or placed on community supervision for an offense committed on or after the effective date of this Act. A defendant convicted of or placed on community supervision for an offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

Amendment No. 2 was withdrawn.

HB 431, 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. Members registering votes are as follows: Bohac, Jackson, Laubenberg, and Talton recorded voting no.)

(P. King in the chair)

HB 3147 ON SECOND READING (by Solomons)

HB 3147, A bill to be entitled An Act relating to claims against a contractor for construction of common elements under a condominium or cooperative system.

HB 3147 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 3300 ON SECOND READING
(by Phillips)

CSHB 3300, A bill to be entitled An Act relating to classifying llamas and alpacas as livestock under the Agriculture Code.

Amendment No. 1

Representative Miller offered the following amendment to **CSHB 3300**:

Amend **CSHB 3300** by inserting the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 1.003(3), Agriculture Code, is amended to read as follows:

(3) "Livestock" means cattle, horses, mules, asses, sheep, goats, llamas, alpacas, exotic livestock, and hogs, unless otherwise defined.

Amendment No. 1 was adopted.

CSHB 3300, 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 283 ON SECOND READING
(by B. Brown)

CSHB 283, A bill to be entitled An Act relating to investigations and decisions regarding allegations of abuse, neglect, or exploitation of persons with disabilities by employees at certain facilities.

CSHB 283 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 3382 ON SECOND READING
(by Naishtat)

CSHB 3382, A bill to be entitled An Act relating to providing certain computerized instructional material for blind and visually impaired students at public institutions of higher education.

Amendment No. 1

Representative Naishtat offered the following amendment to **CSHB 3382**:

Amend **CSHB 3382** (house committee report) as follows:

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

(h) Notwithstanding any other provision of this section, a publisher or manufacturer is not required to comply with Subsection (c) or (f), as applicable, if coordinating board, using procedures and criteria adopted by coordinating board rule and based on information provided by the publisher or manufacturer, determines that:

(1) compliance by the manufacturer or publisher would violate a law, rule, or regulation relating to copyrights; or

(2) the printed instructional material on which computerized files would be based is:

(A) out of print; or

(B) in a format that makes it impracticable to convert the material into an electronic format.

(2) On page 4, line 13, strike "(h)" and substitute "(i)".

(3) On page 4, line 25, strike "(i)" and substitute "(j)".

Amendment No. 1 was adopted.

CSHB 3382 - POINT OF ORDER

Representative Riddle raised a point of order against further consideration of **CSHB 3382** 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 Naishtat moved to postpone consideration of **CSHB 3382** until 10:15 p.m. today.

The motion prevailed.

HB 448 - VOTE RECONSIDERED

Representative Phillips moved to reconsider the vote by which **HB 448**, as amended, was passed to engrossment.

The motion to reconsider prevailed.

HB 448 ON SECOND READING

(by Phillips)

HB 448, A bill to be entitled An Act relating to the calculation of child support obligations.

Amendment No. 1 - Vote Reconsidered

Representative T. Smith moved to reconsider the vote by which the Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative T. Smith offered the following amendment to **HB 448**:

Amend **HB 448** by striking Sections 2 through 4 of the bill and substituting the following appropriately numbered sections:

SECTION _____. Section 154.125, Family Code, is amended to read as follows:

Sec. 154.125. APPLICATION OF GUIDELINES TO NET RESOURCES [~~OF \$6,000 OR LESS~~]. (a) The guidelines for the support of a child in this section are specifically designed to apply to situations in which the obligor's monthly net resources are not greater than \$7,500 or the adjusted amount determined under Subsection (a-1), whichever is greater [~~\$6,000 or less~~].

(a-1) The dollar amount prescribed by Subsection (a) is adjusted every six years as necessary to reflect inflation. The Title IV-D agency shall compute the adjusted amount, to take effect beginning September 1 of the year of the adjustment, based on the percentage change during the preceding six-year period in the consumer price index, as rounded to the nearest \$50 increment. The Title IV-D agency shall publish the adjusted amount in the Texas Register before September 1 of the year in which the adjustment takes effect. For purposes of this subsection, "consumer price index" has the meaning assigned by Section 341.201, Finance Code.

(a-2) The initial adjustment required by Subsection (a-1) shall take effect September 1, 2013. This subsection expires September 1, 2014.

(b) If the obligor's monthly net resources are not greater than the amount provided by Subsection (a) [~~\$6,000 or less~~], the court shall presumptively apply the following schedule in rendering the child support order:

CHILD SUPPORT GUIDELINES

BASED ON THE MONTHLY NET RESOURCES OF THE OBLIGOR

- 1 child 20% of Obligor's Net Resources
- 2 children 25% of Obligor's Net Resources
- 3 children 30% of Obligor's Net Resources
- 4 children 35% of Obligor's Net Resources
- 5 children 40% of Obligor's Net Resources
- 6+ children Not less than the amount for 5 children

SECTION _____. Section 154.126, Family Code, is amended to read as follows:

Sec. 154.126. APPLICATION OF GUIDELINES TO ADDITIONAL NET RESOURCES [~~OF MORE THAN \$6,000 MONTHLY~~]. (a) If the obligor's net resources exceed the amount provided by Section 154.125(a) [~~\$6,000 per month~~], the court shall presumptively apply the percentage guidelines to the portion [~~first \$6,000~~] of the obligor's net resources that does not exceed that amount. Without further reference to the percentage recommended by these guidelines, the court may order additional amounts of child support as appropriate, depending on the income of the parties and the proven needs of the child.

(b) The proper calculation of a child support order that exceeds the presumptive amount established for the portion [~~first \$6,000~~] of the obligor's net resources provided by Section 154.125(a) requires that the entire amount of the presumptive award be subtracted from the proven total needs of the child. After the presumptive award is subtracted, the court shall allocate between the parties the responsibility to meet the additional needs of the child according to the circumstances of the parties. However, in no event may the obligor be required to pay more child support than the greater of the presumptive amount or the amount equal to 100 percent of the proven needs of the child.

SECTION _____. Section 154.130(b), Family Code, is amended to read as follows:

(b) If findings are required by this section, the court shall state whether the application of the guidelines would be unjust or inappropriate and shall state the following in the child support order:

"(1) the monthly net resources of the obligor per month are \$ _____;

"(2) the monthly net resources of the obligee per month are \$ _____;

"(3) the percentage applied to the obligor's net resources for child support by the actual order rendered by the court is _____ %;

"(4) the amount of child support if the percentage guidelines are applied to the portion [first \$6,000] of the obligor's net resources that does not exceed the amount provided by Section 154.125(a), Family Code, is \$ _____;

"(5) if applicable, the specific reasons that the amount of child support per month ordered by the court varies from the amount stated in Subdivision (4) are: _____; and

"(6) if applicable, the obligor is obligated to support children in more than one household, and:

"(A) the number of children before the court is _____;

"(B) the number of children not before the court residing in the same household with the obligor is _____; and

"(C) the number of children not before the court for whom the obligor is obligated by a court order to pay support, without regard to whether the obligor is delinquent in child support payments, and who are not counted under Paragraph (A) or (B) is _____."

SECTION _____. The changes in law made by this Act to Sections 154.125, 154.126, and 154.130(b), Family Code, apply only to a suit affecting the parent-child relationship that is commenced on or after September 1, 2007. A suit affecting the parent-child relationship commenced before September 1, 2007, is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

Amendment No. 2 was adopted.

HB 448, 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.)

LEAVES OF ABSENCE GRANTED

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

Giddings on motion of Dukes.

Turner on motion of Rodriguez.

CSHB 1680 ON SECOND READING
(by Swinford)

CSHB 1680, A bill to be entitled An Act relating to the required payment of taxes by property owners who appeal certain ad valorem tax determinations.

Amendment No. 1

Representative Swinford offered the following amendment to **CSHB 1680**:

Amend **CSHB 1680** by striking page 1, line 5, through page 2, line 10, and substituting the following:

SECTION 1. Section 42.08, Tax Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) This subsection applies only to an appeal in which the property owner elects to pay the amount of taxes described by Subsection (b)(1). The notice of appeal filed by the property owner must be accompanied by a statement in writing of the amount of taxes the property owner proposes to pay.

Amendment No. 1 was adopted.

CSHB 1680, 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.)

HB 2091 ON SECOND READING
(by Hill)

HB 2091, A bill to be entitled An Act relating to municipal consent to the addition to a political subdivision of land located in the extraterritorial jurisdiction of the municipality.

Amendment No. 1

Representative Hill offered the following amendment to **HB 2091**:

Amend **HB 2091** on page 2, between lines 7 and 8, by inserting:

(d) This section does not apply to a political subdivision created by Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993.

Amendment No. 1 was adopted.

HB 2091, 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.)

HB 2563 ON SECOND READING
(by Hancock)

HB 2563, A bill to be entitled An Act relating to the powers and duties of the boards of trustees and superintendents of independent school districts and of regional education service centers.

Amendment No. 1

Representative Hancock offered the following amendment to **HB 2563**:

Amend **HB 2563** as follows:

(1) On page 4, line 2, strike "declining to renew" and substitute "not renewing".

(2) On page 4, line 23, strike "policy" and substitute "policies".

(3) On page 5, line 23, between "of" and "all", insert "and the termination or nonrenewal of the contract of".

(4) On page 6, lines 2-3, strike "declining to renew" and substitute "not renewing".

(5) On page 6, line 6, strike "who are not employed under a contract".

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

(g) Subsection (f) does not apply to a school district that is located:

(1) wholly in a county with a population of less than 5,000; or

(2) in more than one county, if the county in which the largest portion

of the district territory is located has a population of less than 5,000.

(7) On page 9, line 1, strike "ensuring" and insert "overseeing".

(8) On page 9, line 6, strike "assuming responsibility for" and insert "pursuing".

(9) On page 9, line 8, between "contract" and the semicolon, insert ", if appropriate, consistent with Section 11.1513".

(10) On page 10, line 13, strike "leadership" and substitute "joint leadership with the board of trustees".

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Hancock offered the following amendment to **HB 2563**:

Amend **HB 2563** as follows:

(1) On page 4, line 2, strike "declining to renew" and substitute "not renewing".

(2) On page 4, line 23, strike "policy" and substitute "policies".

(3) On page 5, line 23, between "of" and "all", insert "and the termination or nonrenewal of the contract of".

(4) On page 6, lines 2-3, strike "declining to renew" and substitute "not renewing".

(5) On page 6, line 6, strike "who are not employed under a contract".

(6) On page 9, line 1, strike "ensuring" and insert "overseeing".

(7) On page 9, line 6, strike "assuming responsibility for" and insert "pursuing".

(8) On page 9, line 8, between "contract" and the semicolon, insert ", if appropriate, consistent with Section 11.1513".

(9) On page 10, line 13, strike "leadership" and substitute "joint leadership with the board of trustees".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Hancock offered the following amendment to **HB 2563**:

Amend **HB 2563** on page 8, between lines 8 and 9, by inserting the following:

(g) Subsection (f) does not apply to a school district that is located:
(1) wholly in a county with a population of less than 10,000; or
(2) in more than one county, if the county in which the largest portion
of the district territory is located has a population of less than 10,000.

Amendment No. 3 was adopted.

Representative Hancock moved to postpone consideration of **HB 2563** until 10:30 p.m. today.

The motion prevailed.

CSHB 2709 ON SECOND READING
(by Isett and Hopson)

CSHB 2709, A bill to be entitled An Act relating to the deposit of certain public funds with federally insured financial institutions.

CSHB 2709 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 2385 ON SECOND READING
(by Lucio)

CSHB 2385, A bill to be entitled An Act relating to the collection of fees by a district attorney or criminal district attorney for certain expenses related to pretrial intervention programs.

Amendment No. 1

Representative Lucio offered the following amendment to **CSHB 2385**:

Amend **CSHB 2385** (house committee printing) as follows:

(1) On page 1, lines 21 and 22, strike "or criminal district attorney" and substitute ", criminal district attorney, or county attorney".

(2) On page 1, line 24, strike "or criminal district attorney's" and substitute ", criminal district attorney's, or county attorney's".

(3) On page 2, line 3, strike "or criminal district attorney" and substitute ", criminal district attorney, or county attorney".

(4) On page 6, lines 10 and 11, strike "or criminal district attorney" and substitute ", criminal district attorney, or county attorney".

Amendment No. 1 was adopted.

CSHB 2385, 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 278 ON SECOND READING
(by Madden, Hochberg, Van Arsdale, and Strama)

CSHB 278, A bill to be entitled An Act relating to the authority of a school district board of trustees to create a criminal offense for violation of a district policy.

CSHB 278 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 3378 ON SECOND READING
(by Truitt)

HB 3378, A bill to be entitled An Act relating to the requirements governing municipal consent to the creation or expansion of certain water districts.

Amendment No. 1

Representative Truitt offered the following amendment to **HB 3378**:

Amend **HB 3378** as follows:

(1) Insert the following appropriately numbered SECTION:

SECTION _____. Section 42.042(a), Local Government Code, is amended to read as follows:

(a) A political subdivision, one purpose of which is to supply fresh water for domestic or commercial use or to furnish sanitary sewer services, roadways, or drainage, may not be created in the extraterritorial jurisdiction of a municipality unless the governing body of the municipality gives its written consent by ordinance or resolution in accordance with this subsection and the Water Code. In giving its consent, the municipality may not place any conditions or other restrictions on the creation of the political subdivision other than those expressly permitted by Sections ~~[Section]~~ 54.016(e) and (i), Water Code.

(2) On page 1, line 10, strike "adopted by the city" and substitute "to which the city is subject".

(3) Renumber the SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

HB 3378, 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 1658 ON SECOND READING
(by Hochberg)

CSHB 1658, A bill to be entitled An Act relating to information contained in a criminal street gang intelligence database.

Amendment No. 1

Representative Hochberg offered the following amendment to **CSHB 1658**:

Amend **CSHB 1658** by adding an appropriately numbered SECTION to the bill to read as follows and by renumbering existing SECTIONS of the bill accordingly:

SECTION _____. Chapter 61, Code of Criminal Procedure, is amended by adding Article 61.075 to read as follows:

Art. 61.075. RIGHT TO REQUEST EXISTENCE OF CRIMINAL INFORMATION. (a) A person or the parent or guardian of a child may request a law enforcement agency to determine whether the agency has collected or is maintaining under this chapter criminal information relating solely to the person or child. The law enforcement agency shall respond to the request not later than the 10th business day after the date the agency receives the request.

(b) Before responding to a request under Subsection (a), a law enforcement agency may require reasonable written verification of the identity of the person making the request and the relationship between the parent or guardian and the child, if applicable, including written verification of an address, date of birth, driver's license number, state identification card number, or social security number.

Amendment No. 1 was adopted.

CSHB 1658, 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 3578 ON SECOND READING (by Rose, et al.)

CSHB 3578, A bill to be entitled An Act relating to the confidentiality of certain communications involving an ombudsman program established by an employer as an alternative dispute resolution service.

Amendment No. 1

Representative Rose offered the following amendment to **CSHB 3578**:

Amend **CSHB 3578** (committee printing) as follows:

- (1) On page 2, line 1, strike "organizational".
- (2) On page 3, line 4, strike "private" and substitute "confidential".
- (3) On page 4, between lines 19 and 20, insert the following:

Sec. 160.006. APPLICATION OF CHAPTER. (a) This chapter does not apply to an ombudsman program or other alternative dispute resolution service established by an employer unless the program or service provides expressly in writing that this chapter applies to the program or service.

(b) This chapter does not prevent an employer from establishing an ombudsman program or other alternative resolution service that is not subject to this chapter.

Amendment No. 1 was adopted.

CSHB 3578, 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. Members registering votes are as follows: Talton recorded voting no.)

**CSHB 1646 ON SECOND READING
(by Dutton)**

CSHB 1646, A bill to be entitled An Act relating to the marital property interest in certain employee benefits and the statute of limitations applicable to certain actions asserting claims under marital property agreements.

CSHB 1646 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.)

(Kolkhorst now present)

**CSHB 2201 ON SECOND READING
(by Kolkhorst)**

CSHB 2201, A bill to be entitled An Act relating to the creation of a judicial district composed of Grimes and Waller Counties, the composition of the 9th, 12th, and 278th Judicial Districts, the district attorneys for the 12th and 278th Judicial Districts, and the juvenile board of Leon County.

Amendment No. 1

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

Amend **CSHB 2201** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 24.109, Government Code, is amended to read as follows:

Sec. 24.109. 9TH JUDICIAL DISTRICT (MONTGOMERY COUNTY [~~AND WALLER COUNTIES~~]). (a) The 9th Judicial District is composed of Montgomery County [~~and Waller counties~~].

(b) [~~The 9th and 155th district courts have concurrent jurisdiction in Waller County.~~

(c) The terms of the 9th District Court begin[=

[~~(1) in Montgomery County~~] on the first Monday in January and the first Monday in July[~~;~~ and

[~~(2) in Waller County on the first Monday in January and the first Monday in July~~].

SECTION _____. Section 24.254(d), Government Code, is repealed.

SECTION _____. Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.5995 to read as follows:

Sec. 24.5995. 506TH JUDICIAL DISTRICT (GRIMES AND WALLER COUNTIES). The 506th Judicial District is composed of Grimes and Waller Counties.

SECTION _____. (a) The local administrative district judge shall transfer all cases from Waller County that are pending in the 9th District Court on the effective date of this Act to the 506th District Court.

(b) When a case is transferred as provided by Subsection (a) of this section, all processes, writs, bonds, recognizances, or other obligations issued from the 9th District Court are returnable to the 506th District Court as if originally issued by that court. The obligees on all bonds and recognizances taken in and for the 9th District Court and all witnesses summoned to appear in the 9th District Court are required to appear before the 506th District Court as if originally required to appear before that court.

SECTION _____. The 506th Judicial District is created on the effective date of this Act.

Amendment No. 1 was adopted. (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

CSHB 2201, 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.) (The vote was reconsidered later today, and **CSHB 2201**, as amended, was passed to engrossment.)

CSHB 3195 ON SECOND READING

(by Hill)

CSHB 3195, A bill to be entitled An Act relating to the requirements of a municipal or county budget that raises more property taxes than in the previous year's budget.

CSHB 3195 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 1458 ON SECOND READING

(by Macias)

CSHB 1458, A bill to be entitled An Act relating to the allocation of revenue from the state hotel tax for certain purposes in certain municipalities.

Representative Macias moved to postpone consideration of **CSHB 1458** until 10:45 p.m. today.

The motion prevailed.

HB 1993 ON SECOND READING

(by Gattis)

HB 1993, A bill to be entitled An Act relating to mandatory dismissal of certain suits affecting the parent-child relationship and involving the Department of Family and Protective Services.

HB 1993 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 555 ON SECOND READING
(by Phillips, Gonzalez Toureilles, and Escobar)

CSHB 555, A bill to be entitled An Act relating to the use of parenting plans and parenting coordinators in suits affecting the parent-child relationship.

CSHB 555 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 1084 ON SECOND READING
(by T. Smith)

CSHB 1084, A bill to be entitled An Act relating to the application of the sales and use tax to the sale of certain food products sold at school events.

CSHB 1084 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 3583 ON SECOND READING
(by Hill)

CSHB 3583, A bill to be entitled An Act relating to the composition and appointment of the board of directors of an appraisal district and to training for board members.

CSHB 3583 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 2560 ON SECOND READING
(by Zedler, Creighton, Kolkhorst, et al.)

CSHB 2560, A bill to be entitled An Act relating to the availability of certain school district financial information on districts' Internet websites.

Amendment No. 1

Representative Zedler offered the following amendment to **CSHB 2560**:

Amend **CSHB 2560** as follows:

- (1) On page 1, line 13, strike "(d), (e), and (f)" and substitute "(d) and (e)".
- (2) On page 1, line 21, after the semicolon, insert "and".
- (3) On page 1, line 23, strike "; and" and substitute ".".
- (4) Strike page 1, line 24, through page 2, line 1.

(5) On page 2, line 6, strike "Notwithstanding Subsection (a), beginning" and substitute "Beginning".

(6) On page 2, strike the sentence beginning on line 10.

(7) On page 2, line 14, strike "2009" and substitute "2008".

(8) On page 3, strike lines 2-7.

(9) On page 3, line 8, strike "(f)" and substitute "(e)".

(10) On page 3, line 11, strike "(g)" and substitute "(f)".

(11) On page 5, strike lines 18-23.

(12) On page 5, line 24, strike "(e)" and substitute "(d)".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Zedler offered the following amendment to **CSHB 2560**:

Amend **CSHB 2560** as follows:

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

(b-1) In complying with Subsection (a)(5), a school district:

(1) is not required to post information that is protected by an attorney-client privilege; and

(2) must post information that would be available to a person requesting that information under Chapter 552, Government Code.

(2) Strike page 3, line 20, through page 4, line 12, and substitute the following:

Sec. 44.0032. POSTING OF DISTRICT CREDIT CARD TRANSACTIONS. (a) A school district shall post on the district's Internet website a monthly listing of each transaction made using a credit card issued to:

(1) the district; or

(2) a district officer or employee for use in connection with district business.

(b) The listing of credit card transactions under Subsection (a) must include, for each transaction:

(1) the date of the transaction;

(2) the amount of the transaction; and

(3) the name of the payee.

(c) A school district may comply with Subsection (a) by posting a credit card statement on the district's Internet website. Before posting a credit card statement as permitted by this subsection, a school district shall remove or obliterate the name of the credit card issuer, the credit card number, the name of the person to whom the card is issued, and the expiration date.

(d) A school district shall:

(1) post each credit card transaction not later than the 30th day after the first date the district pays any portion of the balance due shown on the credit card statement that contains the transaction; and

(2) maintain the listing of a credit card transaction on the district's Internet website until the second anniversary of the date of the transaction.

(e) A school district shall post on the district's Internet website the first monthly listing of credit card transactions by listing each transaction on the first monthly statement the district receives that covers a billing period that ends after August 1, 2007. This subsection expires December 1, 2007.

(3) On page 4, line 16, between "than" and "the", insert "the 30th day after".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Truitt offered the following amendment to **CSHB 2560**:

Amend **CSHB 2560** as follows:

(1) On page 1, strike line 18 and renumber the existing subdivisions of added Section 44.0031(a), Education Code, accordingly.

(2) On page 1, line 20, strike "detailed".

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

(4) On page 2, line 9, strike "(5)" and substitute "(4)".

(5) On page 2, line 12, strike "(6)" and substitute "(5)".

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Criminal Jurisprudence meeting is cancelled due to the weather.

(Speaker in the chair)

CSHB 2560 - (consideration continued)

Amendment No. 4

Representative Zedler offered the following amendment to Amendment No. 3:

Amend the Truitt amendment to **CSHB 2560** to read as follows:

~~(1) On page 1, strike line 18 and renumber the existing subdivisions of added Section 44.0031(a), Education Code, accordingly.~~

(2) On page 1, line 20, strike "detailed".

~~(3) On page 2, line 5, strike "(a)(1) through (3)" and substitute "(a)(1) and (2)".~~

(4) On page 2, line 9, strike "(5)" and substitute "(4)".

(5) On page 2, line 12, strike "(6)" and substitute "(5)".

CSHB 2560 - POINT OF ORDER

Representative Thompson raised a point of order against further consideration of **CSHB 2560** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Zedler moved to postpone consideration of **CSHB 2560** until 11:15 p.m. today.

The motion prevailed.

POSTPONED BUSINESS

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

**CSHB 1458 ON SECOND READING
(by Macias)**

CSHB 1458, A bill to be entitled An Act relating to the allocation of revenue from the state hotel tax for certain purposes in certain municipalities.

CSHB 1458 was read second time earlier today and was postponed until this time.

CSHB 1458 - POINT OF ORDER

Representative Villarreal raised a point of order against further consideration of **CSHB 1458** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The speaker overruled the point of order.

CSHB 1458 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 1123 ON SECOND READING
(by B. Brown)**

HB 1123, A bill to be entitled An Act relating to certain penalties imposed for the destruction of a mailbox or other address identifier.

HB 1123 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative B. Brown offered the following amendment to **HB 1123**:

Amend **HB 1123** (Committee printing) on page 2, between lines 12 and 13, insert the following:

(d) This section applies only to a person who was younger than 19 on the date the offense was committed.

Amendment No. 1 was adopted.

HB 1123, 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 3382 ON SECOND READING
(by Naishtat)**

CSHB 3382, A bill to be entitled An Act relating to providing certain computerized instructional material for blind and visually impaired students at public institutions of higher education.

CSHB 3382 was read second time earlier today, amendments were offered and disposed of, and **CSHB 3382** was postponed until this time.

Amendment No. 2

Representative Naishtat offered the following amendment to **CSHB 3382**:

Amend **CSHB 3382** on page 2, lines 23 and 23, by striking "and may not impose any charge for providing the files".

Amendment No. 2 was adopted.

CSHB 3382, 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.)

HB 2563 ON SECOND READING

(by Hancock)

HB 2563, A bill to be entitled An Act relating to the powers and duties of the boards of trustees and superintendents of independent school districts and of regional education service centers.

HB 2563 was read second time earlier today, amendments were offered and disposed of, and **HB 2563** was postponed until this time.

Amendment No. 4

Representative Y. Davis offered the following amendment to **HB 2563**:

Amend **HB 2563** (house committee printing), on page 8, between lines 8 and 9, by inserting the following:

(g) If before the effective date of this section, a non-contract employee of the district was entitled to pursue a grievance to the board relating to the termination of the employee, this section may not be construed to interfere with or infringe on the right of the employee to pursue such a grievance on or after the effective date of this section.

Amendment No. 4 was adopted.

(Crownover now present)

HB 2563, 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. Members registering votes are as follows: Herrero and Leibowitz recorded voting no.)

CSHB 2201 - VOTE RECONSIDERED

Representative Hartnett moved to reconsider the vote by which **CSHB 2201**, as amended, was passed to engrossment.

The motion to reconsider prevailed.

CSHB 2201 ON SECOND READING
(by Hartnett)

CSHB 2201, A bill to be entitled An Act relating to the creation of a judicial district composed of Grimes and Waller Counties, the composition of the 9th, 12th, and 278th Judicial Districts, the district attorneys for the 12th and 278th Judicial Districts, and the juvenile board of Leon County.

Amendment No. 1 - Vote Reconsidered

Representative Hartnett moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

Amendment No. 2

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

Amend **CSHB 2201** (house committee printing) by striking all the text below the enacting clause and substituting the following:

SECTION 1. Section 24.109, Government Code, is amended to read as follows:

Sec. 24.109. 9TH JUDICIAL DISTRICT (MONTGOMERY COUNTY [AND WALLER COUNTIES]). (a) The 9th Judicial District is composed of Montgomery County ~~[and Waller counties]~~.

(b) ~~[The 9th and 155th district courts have concurrent jurisdiction in Waller County.]~~

(~~e~~) The terms of the 9th District Court begin[~~:-~~
[~~(1) in Montgomery County~~] on the first Monday in January and the first Monday in July[~~;- and~~
[~~(2) in Waller County on the first Monday in January and the first Monday in July~~].

SECTION 2. Section 24.254(d), Government Code, is repealed.

SECTION 3. Subchapter C, Chapter 24, Government Code, is amended by adding Section 24.5995 to read as follows:

Sec. 24.5995. 506TH JUDICIAL DISTRICT (GRIMES AND WALLER COUNTIES). The 506th Judicial District is composed of Grimes and Waller Counties.

SECTION 4. (a) The local administrative district judge shall transfer all cases from Waller County that are pending in the 9th District Court on the effective date of this Act to the 506th District Court.

(b) When a case is transferred as provided by Subsection (a) of this section, all processes, writs, bonds, recognizances, or other obligations issued from the 9th District Court are returnable to the 506th District Court as if originally issued by that court. The obligees on all bonds and recognizances taken in and for the 9th District Court and all witnesses summoned to appear in the 9th District Court are required to appear before the 506th District Court as if originally required to appear before that court.

SECTION 5. The 506th Judicial District is created on the effective date of this Act.

SECTION 6. This Act take effect September 1, 2007.

Amendment No. 2 was adopted.

CSHB 2201, 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 1915 - VOTE RECONSIDERED

Representative Thompson moved to reconsider the vote by which **CSHB 1915**, as amended, was passed to engrossment.

The motion to reconsider prevailed.

CSHB 1915 ON SECOND READING (by Swinford and Christian)

CSHB 1915, A bill to be entitled An Act relating to the creation of a fire department listing by the Texas Forest Service.

Amendment No. 1 - Vote Reconsidered

Representative Thompson moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

CSHB 1915 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.)

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Juvenile Justice and Family Issues, upon lunch recess tomorrow, Desk 115, for a formal meeting.

PROVIDING FOR ADJOURNMENT

Representative Gattis moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 9:30 a.m. tomorrow.

The motion prevailed.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES CORRECTIONS IN REFERRAL

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:28 p.m., adjourned until 9:30 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

- SB 230** to Corrections.
- SB 248** to Transportation.
- SB 822** to Border and International Affairs.
- SB 836** to Elections.
- SB 911** to Agriculture and Livestock.
- SB 919** to Natural Resources.
- SB 1045** to Higher Education.
- SB 1083** to Law Enforcement.
- SB 1285** to Criminal Jurisprudence.
- SB 1483** to Judiciary.
- SB 1484** to Business and Industry.
- SB 1575** to Pensions and Investments.
- SB 1687** to Environmental Regulation.
- SB 1738** to Licensing and Administrative Procedures.
- SB 1866** to Human Services.
- SB 1989** to Natural Resources.
- SB 1993** to Urban Affairs.
- SB 2037** to State Affairs.
- SB 2039** to Higher Education.
- SCR 60** to Insurance.
- SCR 73** to Rules and Resolutions.
- SCR 74** to Rules and Resolutions.

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

SB 1582 to Insurance.

SIGNED BY THE SPEAKER

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

Senate List No. 37

SB 189, SB 267, SB 336, SB 389, SB 399, SB 457, SB 458, SB 470, SB 493, SB 496, SB 497, SB 611, SB 722, SB 959, SB 1287, SB 1509, SB 1932

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, May 9, 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:

HB 716 Solomons SPONSOR: Averitt
 Relating to mortgage fraud; providing criminal penalties.
 (Committee Substitute)

HB 770 Dutton SPONSOR: Lucio
 Relating to requiring the Texas Department of Criminal Justice to provide notice to certain persons of the right to vote.

HB 1279 Deshotel SPONSOR: Watson
 Relating to the requirement that a detector for certain traffic-actuated electric traffic-control devices register the presence of a motorcycle.
 (Amended)

HB 1956 Hancock SPONSOR: Brimer
 Relating to the financial responsibility requirements applicable to owners or operators of underground storage tanks.

HCR 162 Gallego SPONSOR: Uresti
 Commemorating the 125th anniversary of the town of Valentine.

HCR 238 Homer SPONSOR: Eltife

Congratulating Aivee Tabangcora, Stephanie Smothermon, Jamie DiBello, and Stephanie Clifford of Paris High School for winning first place at the 2007 Texas Problem Solving State Bowl.

HCR 241 Homer SPONSOR: Eltife
In memory of Heidi Lynn Fender of Mount Pleasant.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 9, 2007 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 991 Rose SPONSOR: Deuell
Relating to the confidentiality of certain records maintained by the Department of Public Safety regarding persons licensed to carry a concealed handgun.

SB 1045 Wentworth
Relating to providing that a performance evaluation of the commissioner of higher education or of a chancellor or university president is confidential.

SB 1083 Carona
Relating to authorizing a judge or justice of the peace to request and obtain a copy of certain defendants' driving records from the Department of Public Safety of the State of Texas using TexasOnline.

SB 1993 Nichols
Relating to the validation of acts and proceedings of the Lake View Management and Development District and the division of the district into two or more new districts.

SCR 74 Eltife
In memory of Clinton Brady Thrasher of McAllen and Henderson.

THE SENATE HAS CONCURRED IN HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 500 (31 Yeas, 0 Nays)

SB 1107 (31 Yeas, 0 Nays)

SB 1463 (31 Yeas, 0 Nays)

SB 1634 (31 Yeas, 0 Nays)

SB 1673 (31 Yeas, 0 Nays)

THE SENATE HAS REFUSED TO CONCUR IN HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 893

Senate Conferees: Zaffirini - Chair/Averitt/Carona/Shapleigh/Wentworth

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER

Austin, Texas

Wednesday, May 9, 2007 - 3

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 911 Estes

Relating to the continuation and operation of the Texas Animal Health Commission; providing penalties.

SB 919 Harris

Relating to the creation of The Lakes Municipal Utility and Management District of Tarrant County; providing the authority to issue bonds and impose taxes.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER

Austin, Texas

Wednesday, May 9, 2007 - 4

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 230 Harris
Relating to the notification required when certain school students who engage in certain criminal conduct transfer to a new school.

SB 248 Ellis
Relating to a motor vehicle passing a bicyclist; providing penalties.

SB 836 Duncan
Relating to a program allowing for countywide voting locations in certain elections.

SB 1285 Van de Putte
Relating to training for peace officers relating to the trafficking of persons.

SB 1484 Lucio
Relating to the provision of accounting statements by a seller who finances the sale of residential real property owned by the seller; providing a civil penalty.

SB 1989 Hegar
Relating to the powers and duties of the Cinco Southwest Municipal Utility District No. 4; providing authority to impose a tax and issue bonds.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 5

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 9, 2007 - 5

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 2039 Ellis
Relating to the governance of certain state agencies.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 8

County Affairs - **SB 254, SB 1618**

Criminal Jurisprudence - **SB 75, SB 157, SB 302, SB 563**

Culture, Recreation, and Tourism - **SB 555, SB 640, SB 1805**

Defense Affairs and State-Federal Relations - **HCR 16, SB 1956**

Elections - **SB 932, SB 1434**

Energy Resources - **SB 1670**

Environmental Regulation - **SB 12**

Financial Institutions - **SB 1520**

Human Services - **SB 805**

Insurance - **SB 1056, SB 1542**

Judiciary - **SB 565, SB 660, SB 1297, SB 2016, SB 2018**

Licensing and Administrative Procedures - **SB 541, SB 952, SB 1200, SB 1222, SB 1257, SB 1426, SB 1828**

Natural Resources - **HB 3990, HB 4019, HB 4022, HB 4033, HB 4034, HB 4072, SB 323, SB 404, SB 1977**

Pensions and Investments - **SB 976**

Public Education - **SB 82, SB 1031**

Public Health - **SB 143, SB 811**

State Affairs - **SB 175, SB 592, SB 883, SB 1047, SB 1306**

Transportation - **SB 850, SB 1688**

Urban Affairs - **SB 351, SB 1123, SB 1765**

ENGROSSED

May 8 - HB 53, HB 147, HB 319, HB 455, HB 1137, HB 1318, HB 1357, HB 1372, HB 1381, HB 1404, HB 1500, HB 1563, HB 1573, HB 1614, HB 1638, HB 1648, HB 1889, HB 1920, HB 2006, HB 2072, HB 2132, HB 2156, HB 2159, HB 2190, HB 2218, HB 2250, HB 2294, HB 2313, HB 2353, HB 2358, HB 2368, HB 2392, HB 2442, HB 2467, HB 2502, HB 2510, HB 2549, HB 2565, HB 2569, HB 2580, HB 2589, HB 2607, HB 2620, HB 2651, HB 2671, HB 2678, HB 2715, HB 2734, HB 2749, HB 2751, HB 2752, HB 2761, HB 2762, HB 2765, HB 2907, HB 2912,

**HB 2917, HB 2918, HB 2944, HB 2991, HB 3038, HB 3070, HB 3092,
HB 3125, HB 3215, HB 3271, HB 3291, HB 3293, HB 3353, HB 3355,
HB 3444, HB 3457, HB 3473, HB 3475, HB 3537, HB 3552, HB 3554,
HB 3593, HB 3594, HB 3613, HB 3619, HB 3699, HB 3723, HB 3746,
HB 3776, HB 3818, HB 3832, HB 3876, HB 3877, HB 3888, HB 3929,
HB 4008, HB 4031, HB 4035, HB 4036, HB 4040, HB 4067, HB 4074,
HB 4091, HCR 49, HCR 81, HCR 102, HCR 186**

ENROLLED

May 8 - HB 85, HB 121, HB 823, HB 923, HB 1344, HB 1505

SIGNED BY THE GOVERNOR

May 8 - HB 84, HB 92, HB 385, HB 708, HB 978, HB 1064