

# HOUSE JOURNAL

---

---

EIGHTIETH LEGISLATURE, REGULAR SESSION

---

---

## PROCEEDINGS

THIRTY-FIFTH DAY — MONDAY, MARCH 12, 2007

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

The roll of the house was called and a quorum was announced present (Record 98).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Driver; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; 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; 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; 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.

Absent, Excused — Deshotel; Frost; Olivo; Straus.

Absent — Dukes; Moreno.

The invocation was offered by Reverend Bill Davis, Immaculate Heart of Mary, Houston, as follows:

Wonderful Creator, we thank you for another beautiful spring day in Texas. Look down with a loving eye on this awesome assembly of men and women who make the rules to preserve and protect the beauty of this state. Open their eyes to see and love the things that are important to you. As we celebrate springtime and the wildflowers in bloom, may all here have a reverence for trees, streams, clean air, and little children who run and play in our parks.

Send your discerning spirit upon each legislator. Enlighten their intellects to discern the true and the real. Strengthen their willpower to make courageous decisions. Help them live up to their responsibility to promote the common good of all.

Lord, may your spirit fill each of our members with a passion and courage to preserve the beauty of this state. May they all have the imagination and creativity to save the free-flowing streams, the aquifers, the butterflies and the honey bees, the mockingbirds and the whooping cranes. From the Guadalupe Mountains through the Hill Country, to the Piney Woods and the Coastal Plains, our Texas treasures must be preserved. Life has been on this planet for 65 million years. On the sixth day of creation you said it was very good.

Lord, protect us from those special interests who see nothing sacred in nature. The only green they see is in their wallet; meanwhile our air, water, and land are being polluted. Our accountability to stay connected to you, our creator, is being suppressed by greed. Forgive us our trespasses and give us the courage to renew the face of the earth.

Lord, our most precious treasure is our children. All our legislators have been blessed with fine educations. Lord, bless those teachers and coaches who guided and pushed each of us to graduate and succeed. May each child in Texas have the same opportunities, libraries, laboratories, gymnasiums, and playing fields as we had or better. Whether they live in a colonia, barrio, or high walled country club estates, and whether their grandfather lives in Ho Chi Minh City or Zacatecas, Mexico, may they all grow up to be proud Texans and pledge allegiance with gusto.

Lord, give our legislators the sensitivity to hear the cry of a child with a toothache who can't afford a dentist because daddy must make a mortgage payment and feel the despair of a senior citizen on a fixed income who must decide between food or medicine.

Lord, bless all the members of this house and their families. May this congress be known for its quality of mercy. You are a big God; may they all be people with big souls, with the magnanimity of Moses the lawmaker, the prophets of old, and our brother Jesus. God bless each of you and God bless America.

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

### **REGULAR ORDER OF BUSINESS SUSPENDED**

On motion of Representative Hernandez and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

### **LEAVES OF ABSENCE GRANTED**

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

Olivo on motion of T. King.

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

Deshotel on motion of Dutton.

Frost on motion of Hopson.

Straus on motion of Anderson.

(Dukes now present)

### BILLS RECOMMITTED

Representative Swinford moved to recommit **HB 167**, **HB 374**, **HB 459**, **HB 674**, **HB 675**, **HB 860**, and **HB 1497** to the Committee on State Affairs.

The motion prevailed.

### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 11).

### HB 3978 - PERMISSION TO INTRODUCE

Representative Jones requested permission to introduce and have placed on first reading **HB 3978**.

A record vote was requested.

Permission to introduce was granted by (Record 99): 132 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; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Driver; Dukes; Dunnam; Dutton; Eissler; Elkins; England; Escobar; Farabee; Farrar; Flores; Flynn; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; O'Day; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Frost; Olivo; Straus.

Absent — Alonzo; Burnam; Coleman; Davis, Y.; Eiland; Farias; Gonzalez Tourelles; Herrero; King, P.; Leibowitz; Moreno; Smithee; Veasey.

### LEAVE OF ABSENCE GRANTED

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

Dunnam on motion of Gallego.

**HR 743 - ADOPTED**  
**(by Delisi)**

Representative Delisi moved to suspend all necessary rules to take up and consider at this time **HR 743**.

The motion prevailed.

The following resolution was laid before the house:

**HR 743**, Recognizing March 2007 as Deep Vein Thrombosis Awareness Month.

**HR 743** was read and was adopted.

**INTRODUCTION OF GUEST**

The speaker recognized Representative Delisi who introduced Melanie Bloom.

(Dutton in the chair)

**CAPITOL PHYSICIAN**

The speaker recognized Representative Noriega who presented Dr. Rosanne Popp of Houston as the "Doctor for the Day."

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

(Creighton in the chair)

**HCR 101 - READ**  
**(by Dutton)**

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

**HCR 101**, Honoring Deetrice Wallace for being named the 2007 Harris County Teacher of the Year.

(Speaker in the chair)

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Dutton who introduced Deetrice Wallace and members of her family.

**LEAVE OF ABSENCE GRANTED**

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

Eiland on motion of McCall.

**HR 427 - READ**  
**(by Zerwas)**

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

**HR 427**, In memory of Melba Rose Cook Birkner and recognizing the Honorable Otha Wyatt "Skeet" Birkner for his generous donation to the Wharton County Historical Museum.

**HR 427 - MOTION TO ADD NAMES**

On motion of Representative Guillen, the names of all the members of the house were added to **HR 427** as signers thereof.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Zerwas who introduced the Honorable Otha Wyatt "Skeet" Birkner and friends and family members of Melba Rose Cook Birkner.

**HR 617 - ADOPTED**  
(by Woolley)

Representative Woolley moved to suspend all necessary rules to take up and consider at this time **HR 617**.

The motion prevailed.

The following resolution was laid before the house:

**HR 617**, Honoring Kelly Jenkins Madden, inductee into The University of Texas Women's Athletics Hall of Honor.

**HR 617** was read and was adopted.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Woolley who introduced Kelly Jenkins Madden and members of her family.

**LEAVE OF ABSENCE GRANTED**

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

Herrero on motion of Leibowitz.

**HR 396 - READ**  
(by Paxton and Farabee)

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

**HR 396**, Honoring Sam Ehmke of Frisco for saving the life of a fellow student.

**INTRODUCTION OF GUESTS**

The speaker recognized Representative Paxton who introduced Sam Ehmke and his parents.

**GENERAL STATE CALENDAR**  
**HOUSE BILLS**  
**SECOND READING**

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

**CSHB 334 ON SECOND READING**  
(by Hartnett)

**CSHB 334**, A bill to be entitled An Act relating to district court jurisdiction over suits concerning trusts.

**CSHB 334** 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 864 ON SECOND READING**  
(by Callegari)

**HB 864**, A bill to be entitled An Act relating to a garagekeeper's duty to report the abandonment of a motor vehicle.

**HB 864** 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 1311 ON SECOND READING**  
(by Bonnen)

**CSHB 1311**, A bill to be entitled An Act relating to requiring certain municipalities to disannex land owned by a navigation district.

**CSHB 1311** 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: Branch and Garcia recorded voting no; D. Howard recorded voting present, not voting.)

**HB 335 ON SECOND READING**  
(by Hartnett)

**HB 335**, A bill to be entitled An Act relating to the time for a court reporter to provide a transcript of the evidence in a case.

**HB 335 - STATEMENT OF LEGISLATIVE INTENT**

REPRESENTATIVE MARTINEZ FISCHER: Will, I'm sorry, just for legislative intent, does this bill in any way conflict with the Texas Rule of Appellate Procedure 35.1?

REPRESENTATIVE HARTNETT: I'm not sure. Tell me what that statute says.

MARTINEZ FISCHER: That's the provision that sets the appellate deadlines for perfecting an appeal. In other words, 120 days when a proceeding is over twenty days on an interlocutory appeal.

HARTNETT: It is not my intention to conflict with that statute in any way.

MARTINEZ FISCHER: This is just specific to evidentiary hearings?

HARTNETT: Correct.

**REMARKS ORDERED PRINTED**

Representative Martinez Fischer moved to print remarks between Representative Hartnett and Representative Martinez Fischer.

The motion prevailed.

**HB 335** 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 316 ON SECOND READING**  
(by Miller)

**HB 316**, A bill to be entitled An Act relating to the ad valorem taxation of certain property that is part of a rail facility owned by certain rural rail transportation districts.

**Amendment No. 1**

Representative Miller offered the following amendment to **HB 316**:

Amend **HB 316** on page 3, lines 22-23, by striking SECTION 2 of the bill and renumbering the subsequent SECTION of the bill accordingly.

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Hughes offered the following amendment to **HB 316**:

Amend **HB 316** on page 1, line 15, between "a municipality" and "~~an incorporated city or town~~", by inserting "or county".

Amendment No. 2 was adopted.

**HB 316**, 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 for the remainder of today and tomorrow because of a death in the family:

Keffer on motion of Swinford.

**HB 336 ON SECOND READING**  
(by Hartnett)

**HB 336**, A bill to be entitled An Act relating to the administration and operation of certain trusts.

**HB 336** 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 1312 ON SECOND READING**  
**(by Bonnen)**

**CSHB 1312**, A bill to be entitled An Act relating to the annexation by certain municipalities of land owned by a navigation district.

**CSHB 1312** 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: Branch and Garcia recorded voting no; D. Howard recorded voting present, not voting.)

**RESOLUTIONS CALENDAR**

The chair laid before the house the following resolution on committee report:

**HCR 67**  
**(by Leibowitz, Chisum, Swinford, Heflin, and Hardcastle)**

**HCR 67**, Urging Congress to provide further drought relief for Texas.

**HCR 67** was adopted.

**LEAVE OF ABSENCE GRANTED**

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

Bailey on motion of Hughes.

**RESOLUTIONS ADOPTED**

Representative Eissler moved to suspend all necessary rules in order to take up and consider at this time **HR 737**, **HR 744**, and **HR 752**.

The motion prevailed.

The following resolutions were laid before the house:

**HR 737** (by Chisum), Honoring Dale and Sandra Bebee of Ozona on their 50th wedding anniversary.

**HR 744** (by Callegari), Honoring Dr. Thomas C. Harrison of Katy for his service to his profession and to the community.

**HR 752** (by Dutton), Honoring Pastor George Foreman for 30 years of evangelistic service.

The resolutions were adopted.

**COMMITTEES GRANTED PERMISSION TO MEET**

Representative Hill requested permission for the Committee on Local Government Ways and Means to meet while the house is in session, during bill referral today, in E2.026, for a public hearing, to consider the posted calendar.

Permission to meet was granted.



Representative Swinford requested permission for the Committee on State Affairs to meet while the house is in session, during bill referral today, for a public hearing, to consider the posted agenda.

Permission to meet was granted.

#### **FIVE DAY POSTING RULE SUSPENDED**

Representative Swinford moved to suspend the five day posting rule to allow the Committee on State Affairs to consider **HB 167**, **HB 374**, **HB 459**, **HB 674**, **HB 675**, **HB 860**, and **HB 1497** at 2 p.m. or upon adjournment today in E2.010.

The motion prevailed.

Representative Eissler moved to suspend the five day posting rule to allow the Committee on Public Education to consider **HB 1024** at 1 p.m. or upon adjournment tomorrow, in E2.036.

The motion prevailed.

#### **PROVIDING FOR A CONGRATULATORY AND MEMORIAL CALENDAR**

Representative McClendon moved to set a congratulatory and memorial calendar for 10 a.m. Thursday, March 15.

The motion prevailed.

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

Representative McClendon requested permission for the Committee on Rules and Resolutions to meet while the house is in session, during bill referral today, in 3N.3, for a formal meeting, to consider the congratulatory and memorial calendar.

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Rules and Resolutions, during bill referral today, 3N.3, for a formal meeting, to consider the calendar.

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

Representative Woolley requested permission for the Committee on Calendars to meet while the house is in session, during bill referral today, in 3W.9, for a formal meeting, to consider the calendar.

Permission to meet was granted.

#### **COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Calendars, during bill referral today, 3W.9, for a formal meeting, to consider the calendar.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative C. Howard requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, during bill referral today, for a formal meeting, to consider bills to be set on the local and consent calendar.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Local and Consent Calendars, during bill referral today, E2.024, for a formal meeting, to consider bills to be set on the local and consent calendar.

**COMMITTEES GRANTED PERMISSION TO MEET**

Representative Driver requested permission for the Committee on Law Enforcement to meet while the house is in session, during bill referral today, in E1.014, for a public hearing, to consider the previously posted calendar.

Permission to meet was granted.

Representative Hartnett requested permission for the Committee on Judiciary to meet while the house is in session, during bill referral today, in E2.028, for a public hearing, to consider posted business.

Permission to meet was granted.

Representative T. King requested permission for the Committee on Border and International Affairs to meet while the house is in session, during bill referral today, in E1.010, for a public hearing, to consider previously posted bills.

Permission to meet was granted.

**PROVIDING FOR A LOCAL, CONSENT,  
AND RESOLUTIONS CALENDAR**

Representative C. Howard moved to set a local, consent, and resolutions calendar for 11 a.m. Thursday, March 15.

The motion prevailed.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Smithee requested permission for the Committee on Insurance to meet while the house is in session, during bill referral today, in E1.026, to consider previously posted business.

Permission to meet was granted.

**FIVE DAY POSTING RULE SUSPENDED**

Representative Rose moved to suspend the five day posting rule to allow the Committee on Human Services to consider **HB 75, HB 405, HB 518, HB 947, HB 1230, HB 1633, HB 1912, and HB 1972** at 10:30 a.m. or upon adjournment Thursday, March 15, in E2.026.

The motion prevailed.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Miller requested permission for the Committee on Agriculture and Livestock to meet while the house is in session, during bill referral today, in 3N.4, for a formal meeting, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Agriculture and Livestock, upon adjournment today, 3N.4, for a formal meeting, to consider pending business.

**PROVIDING FOR ADJOURNMENT**

Representative C. Howard moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING  
AND REFERRAL TO COMMITTEES  
CORRECTIONS IN REFERRAL**

Bills and joint resolutions were at this time laid before the house, read first time, 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.)

(Zedler in the chair)

**ADJOURNMENT**

In accordance with a previous motion, the house, at 3:43 p.m., adjourned until 10 a.m. tomorrow.

---

**ADDENDUM**

---

**REFERRED TO COMMITTEES**

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

**List No. 1**

**HB 13** (By Swinford), Relating to homeland security issues, including border security issues and homeland security staffing requirements; making an appropriation.

To State Affairs.

**HB 14** (By Keffer), Relating to creating the Cancer Research Institute of Texas and abolishing the Texas Cancer Council; granting authority to issue bonds.

To Public Health.

**HB 15** (By Chisum), Relating to making supplemental appropriations and reductions in appropriations.

To Appropriations.

**HB 2404** (By Delisi), Relating to the operation and financing of the medical assistance program and other programs to provide health care benefits and services to persons in this state.

To Appropriations.

**HB 2405** (By Hardcastle), Relating to paying the costs incurred by a state agency that is deployed by the governor to respond to a natural disaster or other emergency.

To Defense Affairs and State-Federal Relations.

**HB 2406** (By Hardcastle), Relating to the powers and duties of the Gainesville Hospital District.

To County Affairs.

**HB 2407** (By Dutton), Relating to school district programs to reduce truancy and dropout rates.

To Public Education.

**HB 2408** (By Strama), Relating to state funding for annual stipends provided to public school teachers who serve as mentors to other public school teachers.

To Public Education.

**HB 2409** (By Strama), Relating to the authority of law-enforcement officers to escort a child to a school campus to ensure the child's compliance with compulsory school attendance requirements.

To Public Education.

**HB 2410** (By Strama), Relating to the possession under the standard possession order of a child by a conservator of the child during certain holidays.

To Juvenile Justice and Family Issues.

**HB 2411** (By Strama), Relating to school district depositories.

To Public Education.

**HB 2412** (By T. King), Relating to exclusion of performance data of chronically absent students under the public school accountability system.

To Public Education.

**HB 2413** (By T. King), Relating to student loan repayment assistance for speech-language pathologists employed by a public school.

To Public Education.

**HB 2414** (By Isett), Relating to hunting from public roads or rights-of-way.

To Culture, Recreation, and Tourism.

**HB 2415** (By McReynolds), Relating to the application of the professional prosecutors law to the state prosecuting attorney.

To Judiciary.

**HB 2416** (By Swinford), Relating to the use of eminent domain for highway or other transportation purposes.

To Land and Resource Management.

**HB 2417** (By Swinford), Relating to the responsibility for and management of the fuel ethanol and biodiesel production incentive program.

To Agriculture and Livestock.

**HB 2418** (By Bailey), Relating to disbursement of certain penalties assessed against alcoholic beverage permit and license holders.

To Licensing and Administrative Procedures.

**HB 2420** (By Keffer), Relating to the submission of ad valorem tax rolls to certain taxing units.

To Local Government Ways and Means.

**HB 2421** (By Keffer), Relating to funding of the emergency services retirement trust fund and the statewide wildfire protection plan.

To Pensions and Investments.

**HB 2422** (By Leibowitz), Relating to the accessibility of emergency crossovers on a state highway toll project.

To Transportation.

**HB 2423** (By Leibowitz), Relating to certain requirements for employers not covered by workers' compensation insurance.

To Business and Industry.

**HB 2424** (By Leibowitz), Relating to a health coverage or compensation supplementation program for active school employees.

To Public Education.

**HB 2425** (By Truitt), Relating to the continuation and functions of the Texas Alcoholic Beverage Commission; providing penalties.

To Licensing and Administrative Procedures.

**HB 2426** (By Truitt), Relating to the continuation and functions of the Board of Nurse Examiners.

To Public Health.

**HB 2427** (By Truitt), Relating to the continuation and functions of the Teacher Retirement System of Texas; providing penalties.

To Pensions and Investments.

**HB 2428** (By Farrar), Relating to a prohibition on certain law enforcement profiling based on a person's immigration or nationality status.

To State Affairs.

**HB 2429** (By Delisi), Relating to requiring the Texas Education Agency to prepare a report regarding public education mandates.

To Public Education.

**HB 2430** (By Farrar), Relating to a discount on workers' compensation insurance premiums for employers who elect to implement substance abuse testing of employees.

To Business and Industry.

**HB 2431** (By Hamilton), Relating to the use of a safety belt by a school bus operator.

To Transportation.

**HB 2432** (By Hamilton), Relating to notice of the presumption for theft by check.

To Criminal Jurisprudence.

**HB 2433** (By Hamilton), Relating to the operation of a school bus; creating an offense.

To Transportation.

**HB 2434** (By Zedler), Relating to regulation of the sale of alcoholic beverages.

To Licensing and Administrative Procedures.

**HB 2435** (By Zedler), Relating to the regulation and oversight of public and occupational health risks related to the operation of sexually oriented businesses; providing penalties.

To Public Health.

**HB 2436** (By C. Howard), Relating to the duty of certain persons who conduct a closing to provide information to the purchaser or other transferee of a single-family residential structure regarding the exemption from ad valorem taxation applicable to a residence homestead.

To Ways and Means.

**HB 2437** (By Escobar), Relating to the establishment, operation, and funding of pretrial victim-offender mediation programs.

To Criminal Jurisprudence.

**HB 2438** (By Truitt), Relating to the allocation of revenue from the municipal hotel occupancy tax for certain transportation systems.

To Local Government Ways and Means.

**HB 2439** (By Truitt), Relating to the functions of local mental health and mental retardation authorities.

To Public Health.

**HB 2440** (By D. Howard), Relating to the regulation of commercially operated party boats on public water of this state.

To Culture, Recreation, and Tourism.

**HB 2441** (By D. Howard), Relating to sanctions available for certain academically unacceptable campuses.

To Public Education.

**HB 2442** (By Laubenberg), Relating to the powers, duties, operation, and financing of the Collin County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds.

To Natural Resources.

**HB 2443** (By Callegari), Relating to the operation, organization, and management of governmental entities, including the repeal of certain obsolete laws.

To Government Reform.

**HB 2444** (By Oliveira), Relating to the powers of the Southmost Regional Water Authority.

To Natural Resources.

**HB 2445** (By Driver), Relating to certain employment records maintained by the Commission on Law Enforcement Officer Standards and Education; providing an administrative penalty.

To Law Enforcement.

**HB 2446** (By J. Davis), Relating to the waiting period for benefits for certain applicants for the child health plan program.

To Human Services.

**HB 2447** (By J. Davis), Relating to offsets for child care expenses in determining eligibility for the child health plan program.

To Human Services.

**HB 2448** (By J. Davis), Relating to distribution of information regarding the child health plan program to school children.

To Human Services.

**HB 2449** (By J. Davis), Relating to the consideration of vehicles as assets in determining eligibility for the child health plan program.

To Human Services.

**HB 2450** (By Burnam), Relating to eligibility to serve as a member of the board of trustees of certain public retirement systems of this state.

To Pensions and Investments.

**HB 2451** (By Burnam), Relating to the rulemaking authority of the Texas Ethics Commission.

To Elections.

**HB 2452** (By Burnam), Relating to testing employees of state schools for illegal drug use.

To Government Reform.

**HB 2453** (By Burnam), Relating to the counting of a provisional ballot cast by a voter in a precinct in which the voter does not reside.

To Elections.

**HB 2454** (By Guillen), Relating to eligibility for and the administration of the child health plan program.

To Human Services.

**HB 2455** (By B. Cook), Relating to the absence of a student from public school for a required court appearance.

To Public Education.

**HB 2456** (By B. Cook), Relating to the requirements for a surveyor-in-training certificate.

To Licensing and Administrative Procedures.

**HB 2457** (By B. Cook), Relating to the authority of Navarro County to adopt development regulations for certain unincorporated areas of the county; providing a penalty.

To Land and Resource Management.

**HB 2458** (By B. Cook), Relating to the licensing and regulation of structural pest control by the Department of Agriculture and the abolition of the Texas Structural Pest Control Board.

To Agriculture and Livestock.

**HB 2459** (By Flynn), Relating to the use of public funds to print certain public documents in a language other than English and other bilingual requirements.

To State Affairs.

**HB 2460** (By Flynn), Relating to the continuation and functions of the Texas Commission on the Arts.

To Culture, Recreation, and Tourism.

**HB 2461** (By Flynn), Relating to the continuation and functions of the Texas Historical Commission.

To Culture, Recreation, and Tourism.

**HB 2462** (By Van Arsdale), Relating to providing for the sale of certain gambling equipment seized by a law enforcement agency.

To Licensing and Administrative Procedures.

**HB 2463** (By Van Arsdale), Relating to the authority of an owner of real property to require that ad valorem taxes be imposed on that real property on the basis of a five-year average of the property's taxable value.

To Ways and Means.

**HB 2464** (By Parker), Relating to the calculation of certain deadlines under the public information law.

To State Affairs.

**HB 2465** (By Parker), Relating to special notice to the news media of the meeting of a governmental body in certain situations under the open meetings law.

To State Affairs.

**HB 2466** (By Geren), Relating to promotional activities engaged in by a local distributor of alcoholic beverages.

To Licensing and Administrative Procedures.



**HB 2467** (By Solomons), Relating to modification of certain small and large employer health benefit plans.

To Insurance.

**HB 2468** (By Solomons), Relating to the filing of financial statements by justices of the peace and candidates for justice of the peace in certain counties.

To Judiciary.

**HB 2469** (By Merritt), Relating to the compensation paid to a statutory county court judge in Gregg County.

To Judiciary.

**HB 2470** (By R. Cook), Relating to the construction of reservoirs and assessing fees on water impounded in a reservoir.

To Natural Resources.

**HB 2471** (By Homer), Relating to the sale of certain secondhand bedding.

To Public Health.

**HB 2472** (By Homer), Relating to the authority of certain counties to impose a county hotel occupancy tax.

To Local Government Ways and Means.

**HB 2473** (By Homer), Relating to monthly benefits for certain retirees of the Teacher Retirement System of Texas who return to work.

To Pensions and Investments.

**HB 2474** (By Homer), Relating to the transfer or discharge of certain residents in certain assisted living facilities.

To Human Services.

**HB 2475** (By Hochberg), Relating to the regulation of toxic hotspots under the Texas Clean Air Act.

To Environmental Regulation.

**HB 2477** (By Menendez), Relating to establishing a cross-system coordinated behavioral health intervention pilot project.

To Public Health.

**HB 2478** (By Menendez), Relating to requiring notice by a seller of real property of potential annexation of the property by a municipality.

To Land and Resource Management.

**HB 2479** (By Hartnett), Relating to the estates of decedents.

To Judiciary.

**HB 2480** (By R. Cook), Relating to erecting an off-premise sign adjacent to and visible from certain roads.

To Transportation.

**HB 2481** (By R. Cook), Relating to the penalty for certain violations of county traffic regulations.

To Transportation.

**HB 2482** (By R. Cook), Relating to the requirements for certification to provide training to an owner of an on-site sewage disposal system using aerobic treatment in maintaining the system.

To Environmental Regulation.

**HB 2483** (By Menendez), Relating to the operation and regulation of cross border health benefit plans.

To Insurance.

**HB 2484** (By Menendez), Relating to the funds allocation advisory committee of the Texas Commission on Fire Protection.

To Urban Affairs.

**HB 2485** (By Farabee), Relating to county accounting procedures regarding certain audits, debts, and records.

To County Affairs.

**HB 2486** (By Farabee), Relating to the creation of an additional judicial district in Wichita County.

To Judiciary.

**HB 2487** (By Taylor), Relating to the establishment of the coastal erosion response account as a special account within the general revenue fund and the allocation of certain revenue received by this state under Section 8(g), Outer Continental Shelf Lands Act, and from the Limited Sales, Excise, and Use Tax Act to the General Land Office.

To Natural Resources.

**HB 2488** (By Bohac), Relating to exempting textbooks for university and college courses from the sales tax.

To Ways and Means.

**HB 2489** (By Berman), Relating to categories for reporting compensation or reimbursement paid to registered lobbyists.

To Elections.

**HB 2490** (By Berman), Relating to the deadline for filing a personal financial statement by persons appointed to certain state offices.

To Elections.

**HB 2491** (By Berman), Relating to political expenditures made by a corporation to finance the establishment and administration of a political committee.

To Elections.

**HB 2492** (By Berman), Relating to the applicability of restrictions on corporate political contributions and expenditures to corporations organized under provisions of the Business Organizations Code.

To Elections.

**HB 2493** (By Berman), Relating to the applicability of restrictions on the representation of a person before a state regulatory agency by a former employee of the agency.

To Elections.

**HB 2494** (By Hochberg), Relating to curriculum requirements and assessment instruments in public schools.

To Public Education.

**HB 2495** (By Eissler), Relating to the Texas Education Agency's online clearinghouse of information concerning best practices for public schools and open-enrollment charter schools.

To Public Education.

**HB 2496** (By Hughes), Relating to an exemption from ad valorem taxation for certain organizations engaged primarily in performing charitable functions.

To Ways and Means.

**HB 2497** (By Gonzalez Toureilles), Relating to compensatory time accrued by a correctional officer employed by the Texas Department of Criminal Justice.

To Corrections.

**HB 2498** (By Gonzalez Toureilles), Relating to hazardous duty pay for correctional officers employed by the Texas Department of Criminal Justice.

To Corrections.

**HB 2499** (By Gonzalez Toureilles), Relating to a salary career ladder for correctional officers.

To Corrections.

**HB 2500** (By Gonzalez Toureilles), Relating to certain requirements for a program of study prescribed by the Board of Nurse Examiners for registered nurses.

To Public Health.

**HB 2501** (By Gonzalez Toureilles), Relating to certain suits affecting the parent-child relationship referred to an associate judge.

To Juvenile Justice and Family Issues.

**HB 2502** (By Gonzalez Toureilles), Relating to the composition of the Jim Wells County Juvenile Board.

To Juvenile Justice and Family Issues.

**HB 2503** (By Eissler), Relating to a technology literacy assessment instrument to be administered to certain public school students.

To Public Education.

**HB 2504** (By Eissler), Relating to an intensive mathematics and algebra intervention program in public schools.

To Public Education.

**HB 2505** (By Eissler), Relating to the regulation of dyslexia practitioners and therapists; imposing penalties.

To Public Health.

**HB 2506** (By Hartnett), Relating to the applicability of the Information Resources Management Act and related laws to judicial agencies.

To Judiciary.

**HB 2507** (By Hartnett), Relating to providing notice to certain beneficiaries under a decedent's will.

To Judiciary.

**HB 2509** (By Martinez), Relating to fraudulent workers' compensation insurance acts; providing an election of prosecution provision.

To Business and Industry.

**HB 2578** (By Puente), Relating to the permissible uses of the state highway fund.

To Appropriations.

**HJR 87** (By Puente), Proposing a constitutional amendment to limit the purposes for which revenues from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenues received from the federal government may be used.

To Appropriations.

**HJR 90** (By Keffer), Proposing a constitutional amendment providing for the establishment of the Cancer Research Institute of Texas and authorizing the issuance of general obligation bonds for the purpose of scientific research of all forms of human cancer.

To Public Health.

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

**HB 2365** (By Truitt), Relating to financial accounting and reporting for this state and political subdivisions of this state.

To Pensions and Investments.

### **SIGNED BY THE SPEAKER**

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

#### **House List No. 11**

**HCR 54, HCR 56, HCR 63, HCR 75, HCR 79, HCR 100, HCR 135**

---

## **APPENDIX**

---

### **STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**March 8**

Business and Industry - **HB 143, HB 271, HB 863, HB 886, HB 887, HB 1003, HB 1006**

Civil Practices - **HB 965, HB 1194**

Criminal Jurisprudence - **HB 963**

Defense Affairs and State-Federal Relations - **HB 17, HB 125**

Government Reform - **HB 119, HB 385, HB 386, HB 590, HJR 59**

Judiciary - **HB 1125, HB 1447, HB 1488, HB 1518**

Land and Resource Management - **HB 536**

Public Education - **HB 188, HB 189**

Regulated Industries - **HB 896**

Transportation - **HB 1083**

**March 9**

Civil Practices - **HB 823, HB 1202**

Financial Institutions - **HB 944**

Licensing and Administrative Procedures - **HB 899**

Natural Resources - **HB 479, HB 1032**

Ways and Means - **HB 1000**

**SIGNED BY THE GOVERNOR**

**March 10 - HCR 72, HCR 103, HCR 104, HCR 106**

